

TARIFF 'MASTER COPY'

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TARIFF
FOR IMMIGRATION MATTERS

EFFECTIVE
JUNE 1, 1991

LEGAL SERVICES SOCIETY
OF BRITISH COLUMBIA

CONTENTS

<p>INTRODUCTION..... iii</p> <p>TARIFF NOTES..... 1</p> <p>COVERAGE AND ELIGIBILITY</p> <p style="padding-left: 20px;">Legal aid coverage for immigration matters 1</p> <p style="padding-left: 20px;">Financial eligibility..... 1</p> <p style="padding-left: 20px;">Private billing..... 1</p> <p style="padding-left: 20px;">Appeals or judicial reviews to Federal Court 1</p> <p style="padding-left: 20px;">Research for cases..... 1</p> <p>THE TARIFF</p> <p style="padding-left: 20px;">Tariff rates 2</p> <p style="padding-left: 20px;">Billable items 2</p> <p style="padding-left: 20px;">Billing form 2</p> <p style="padding-left: 20px;">Extra fees 2</p> <p style="padding-left: 20px;">GST 2</p> <p style="padding-left: 20px;">Interim accounts 2</p> <p style="padding-left: 20px;">Final accounts 2</p> <p style="padding-left: 20px;">Payment 2</p> <p style="padding-left: 40px;">1. Date of assignment (effective date of referral) 2</p> <p style="padding-left: 40px;">2. Client contribution (user fee)..... 3</p> <p style="padding-left: 40px;">3. Receiving payment..... 3</p> <p>MISCELLANEOUS</p> <p style="padding-left: 20px;">Lawyer or address changes 3</p> <p style="padding-left: 20px;">Articled students 3</p> <p style="padding-left: 20px;">Agents 3</p> <p style="padding-left: 20px;">Information and assistance 3</p> <p style="padding-left: 20px;">Your comments..... 3</p>	<p>TARIFF FOR IMMIGRATION MATTERS 4</p> <p>DISBURSEMENTS..... 7</p> <p style="padding-left: 20px;">Accommodation 7</p> <p style="padding-left: 20px;">Car rental 7</p> <p style="padding-left: 20px;">Computer assisted legal research 7</p> <p style="padding-left: 20px;">Courier services 7</p> <p style="padding-left: 20px;">Experts' reports..... 7</p> <p style="padding-left: 20px;">Fax costs..... 8</p> <p style="padding-left: 20px;">Interpreting and translation 8</p> <p style="padding-left: 20px;">Meals 8</p> <p style="padding-left: 20px;">Mailing costs 8</p> <p style="padding-left: 20px;">Other 8</p> <p style="padding-left: 20px;">Parking..... 8</p> <p style="padding-left: 20px;">Photocopying..... 8</p> <p style="padding-left: 20px;">Service of documents..... 8</p> <p style="padding-left: 20px;">Skip tracing 8</p> <p style="padding-left: 20px;">Telephone calls 8</p> <p style="padding-left: 20px;">Transcripts..... 9</p> <p style="padding-left: 20px;">Travel 9</p> <p style="padding-left: 20px;">Western Legal Publication 9</p> <p style="padding-left: 20px;">Witnesses' expenses 9</p> <p>GUIDE TO BILLING FOR IMMIGRATION MATTERS 11</p> <p>TOP SECTION OF THE BILLING FORM</p> <p style="padding-left: 20px;">File number 13</p> <p style="padding-left: 20px;">Lawyer number 13</p> <p style="padding-left: 20px;">Date of assignment..... 13</p> <p style="padding-left: 20px;">Hearing location 13</p> <p style="padding-left: 20px;">Multiple clients 13</p> <p style="padding-left: 20px;">Lawyer instructions 13</p> <p style="padding-left: 20px;">Client contribution 13</p>
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GUIDE TO BILLING FOR IMMIGRATION MATTERS con't

RESULTS

Client status..... 15
Outcomes..... 15
Early termination 15
Appeals..... 15

BILLING

HEARING FEES 15
 General preparation..... 15
 Hearings 15
 Preparation for hearing 15
 Hearing time 15
OTHER FEES 17
 Billing other fees..... 17
DISBURSEMENTS..... 17

TOTAL ACCOUNT 17
 Interim account..... 17
 No account 17
 Subtotals 17
 GST 17
 Submitting billing form copies..... 17
 Lawyer's name..... 17
 Lawyer's signature..... 17
 Lawyer's GST registration number 17

APPENDICES

1 Authorizations/Information 18
2 Immigration law referral date/
 Hearing schedule..... 19
3 Other fees (blank form) 20
4 Disbursements (blank form) 21
5 Refugee Process Chart —
 Port of Entry & Inland Claimants..... 22
6 Refugee Process Chart —
 Backlog Claimants 23

INTRODUCTION

The Legal Services Society devised and implemented a tariff of fees for immigration matters following the December, 1989 decision in *Gonzales-Davi and Legal Services Society of British Columbia* 66 D.L.R.(4th) 362 (B.C.S.C.). The tariff came into operation in early 1990 and applied to all services rendered after the date of the *Gonzales-Davi* decision. On April 11, 1991, the B.C. Court of Appeal upheld this Supreme Court decision.

After administering the immigration tariff in 1990 and gaining some experience, the Legal Services Society approached the Canadian Bar Association Immigration Sub-section to form a liaison committee between Legal Services and immigration lawyers who take legal aid cases. The resulting C.B.A./L.S.S. Immigration Tariff Committee collaborates on tariff matters concerning legal aid immigration cases.

The committee's first task was to agree on a new immigration tariff. The present tariff is the result of that work. The committee has endeavoured to produce a tariff that accurately reflects the requirements of representing an immigration claimant and realistically estimates time allotments for preparation.

Of course, immigration practice is subject to change and we expect that the tariff will be revised from time to time to reflect current practice.

This book is organized to help you get the information you need as efficiently as possible.

Tariff Notes is general information about the tariff or its use.

The text of the tariff itself is reproduced in the **Tariff for Immigration Matters** section.

Disbursements are discussed at length in the section called **Disbursements**.

The **Guide to Billing for Immigration Matters** contains information and instructions about completing the billing form. It is arranged to correspond to the sections on the billing form and includes appropriate rates, limits, and codes to be entered on the billing form.

The appendices at the back of this booklet contain information on who to contact for authorizations and blank forms to photocopy if necessary when you are completing the billing form.

TARIFF NOTES

COVERAGE AND ELIGIBILITY

Legal aid coverage for immigration matters

An applicant for legal aid for an immigration matter is covered if —

- a) the applicant is financially eligible for legal aid, and
- b) the applicant is facing an immigration inquiry or hearing that may result in deportation, and
- c) legal assistance is not otherwise available.

Financial eligibility

Before a client is referred to a lawyer, the client must demonstrate to the **Legal Services Society (LSS)** that they are financially eligible for assistance. The Society is always prepared to review its decision.

If you believe that a client can pay some or all fees, or if you think a client should no longer receive legal aid, contact the referring office and ask that the legal aid appointment be reviewed, revoked, or modified.

Private billing

On immigration referrals you are authorized to bill only for immigration matters with the Department of Immigration or the courts. Any other work undertaken on behalf of the client must be done on a private basis with the approval of the Legal Services Society, or on a separate legal aid referral (see *Law Society Professional Conduct Handbook*, Ruling G8).

You must obtain authorization from the referring office to bill a client privately. Area directors who are private counsel cannot authorize private billings. If the client was referred by an area director, contact the nearest LSS branch office or community law office.

In emergency situations, you may obtain telephone approval of a private billing arrangement. However, the client has the right to appeal the private fee authorization to the Legal Services Society.

Appeals or judicial reviews to Federal Court

The Legal Services Society does not automatically grant legal aid for appeals or extraordinary remedies. Each application for an appeal or extraordinary remedy is reviewed to determine whether it has substantial merit.

Applications for appeals or judicial review to the Federal Court and to the Supreme Court of Canada should be made to —

**Appeals Committee
Legal Services Society**
Box 3, Suite 300
1140 West Pender Street
Vancouver, B.C. V6E 4G1

Research for cases

Research assistance and material for corroborating claims may be found at —

Refugee Documentation Centre
1600 - 800 Burrard Street
Vancouver, B.C. V6Z 2J9
Phone: 666-5946

Legal Resource Centre
Suite 200
1140 West Pender Street
Vancouver, B.C. V6E 4G1
Phone: 660 - 4600

Amnesty International
1955 West 4th Avenue
Vancouver, B.C. V6J 1M7
Phone: 736 - 5150

IDERA
2524 Cypress Street
Vancouver, B.C. V6J 3N1
Phone: 738-8850

THE TARIFF

Tariff rates

The tariff for immigration matters is an hourly rate of \$80. The maximum fee or number of hours allowed for tariff items are not to be considered minimum fees. Bill actual hours up to the listed maximum. Actual time for attendance at hearings is also billable at the tariff rate.

Billable items

This booklet lists all items billable under the immigration law tariff and the amounts paid for them. If items are not listed, and in matters of interpretation, the decision of the Legal Services Society is final.

Billing form

There is a new immigration referral form for use with the 1991 tariff. Please refer to later sections of this booklet for information on how to complete the new form.

Extra fees

The tariff is intended to provide fair compensation on all immigration matters within LSS budget constraints. Extra fees for services are granted only in exceptional circumstances by special request. Requests for additional fees will also slow payment of your account.

GST

The Legal Services Society is still negotiating with Revenue Canada to simplify the rules for paying the GST on lawyers' accounts. The process is taking longer than we hoped, but the issues have wide implications for Revenue Canada. The Society has a tax lawyer negotiating on its behalf.

In the meantime, now that the transitional period has ended, please calculate and bill GST as follows.

- List your disbursements without the GST.
- Total your account as you would have before the GST was implemented.
- Calculate the GST as 7% of the total.
- Round up exact half-cents (the computer calculates the GST to the nearest cent; exact half-cents are rounded up).

- Enter your GST registration number in the space provided at the bottom of the billing form (Revenue Canada insists on this).

Example:

Hearing fees	\$ 800.00
Other fees	100.00
Disbursements (without GST)	<u>152.50</u>
Subtotal	1,052.50
Less contribution	<u>(30.00)</u>
Subtotal	1,022.50
GST (7%)	<u>71.58</u>
TOTAL DUE	\$1,094.08

Interim accounts

Generally, we cannot accept accounts until all services on a case have been completed. Interim accounts are accepted only in the following circumstances:

- (a) a case is not yet completed but fees and disbursements total \$1,000 or more, or disbursements alone total \$300 or more;
- (b) one year has passed since the date of assignment, or since the last interim account was submitted;
- (c) other exceptional circumstances may be allowed by the tariff accounts department.

Final accounts

You must submit your final bill within six months of the last service date.

Payment

1. Date of assignment (effective date of referral)

Payment is based on the tariff in effect at the date of assignment for the file.

The Legal Services Society will not pay for services rendered prior to the date of assignment shown at the top of the referral (or billing) form unless they are authorized by the referring office, or if an LSS office or area director has made a prior agreement with a lawyer to represent any qualified applicants in remote areas of the province.

2. Client contribution (user fee)

Clients are assessed a non-refundable user fee when they apply for legal aid. This amount is shown on the referral form as "client must pay \$_____ to counsel as contribution to tariff."

When the client pays the user fee, you must give the client a receipt indicating that you have rendered services for which tariff fees are payable. **You may then deposit the user fee in your general account. You do not have to deposit or process the user fee through your trust account.**

The user fee or client contribution noted on the referral form is deducted from the account after you collect it.

3. Receiving payment

For faster payment of your account, check the following information on the billing form.

- (a) **Name:** Your name must appear at the top of the billing form. If it does not, you must notify the referring office *in writing* that there has been a change of lawyer.
- (b) **Address:** Make sure your current address is at the top of the form. If it has changed, notify both the referring office and the accounts payable department at LSS head office *in writing*.
- (c) **Lawyer number:** Check that the lawyer number noted at the top of the form is correct. If it is not, notify the referring office *in writing*.
- (d) **Signature:** Make sure you sign the billing form. This is your representation that you performed the services billed for on the dates indicated.

Errors in any of these areas could result in payment going to the wrong lawyer. Note also that the Legal Services Society pays individual lawyers, not law firms.

MISCELLANEOUS

Lawyer or address changes

If the lawyer name or number at the top of the billing form is not correct, notify the referring office in writing. If your address has changed, notify the accounts payable department at Legal Services Society head office as well.

Articled students

Articled students may act at any time in accordance with the rules of the Law Society and with the consent of the client.

Agents

If you require an agent for work outside B.C., contact the reciprocals co-ordinator at Legal Services' head office, 660-4600.

If you require an agent for work in another community within B.C., contact your local referring office. They will appoint an agent (of your choice, if you wish). A billing form will be forwarded directly to the agent.

If you choose your own agent, make sure the agent knows that it is a legal aid case, that they must bill on the legal aid tariff, and they must bill on the legal aid referral form for their account to be accepted.

Information and assistance

For information and assistance concerning fees, disbursements, and billing procedures, contact the tariff accounts department between 10:00 a.m. and 4:00 p.m. at 660-4600.

We make every effort to process accounts as quickly as possible. However, we can answer inquiries about the payment of a specific account only if it has been unduly delayed.

A list of contacts for authorizations and other information appears in Appendix 1.

Your comments

We expect that making the tariff fairer and easier to use will mean making changes from time to time. If you have comments on the tariff's structure or detail, please direct them to —

CBA/LSS Immigration Tariff Committee
c/o Legal Services Society
Suite 300
1140 West Pender Street
Vancouver, B.C. V6E 4G1

TARIFF FOR IMMIGRATION MATTERS

IMPORTANT

- Fees are billable at the tariff rate of \$80 per hour.
- Bill the actual time spent up to the maximum number of hours allowed for each item. These limits are not minimum fees. Actual time for attendance at hearings is also billable at the tariff rate.
- Bill as many items as appropriate, unless it is noted that you may bill only one item or another.
- Bill tariff items 1 to 4 in the Hearing Fees section of the billing form.
- Bill tariff items 5 to 13 in the Other Fees section of the billing form.
- Terms in **boldface** are defined and clarified in footnotes at the bottom of the page the term first appears on. Refer to the definitions when billing.
- Entering tariff item numbers and codes carefully will speed payment of your account. Follow the instructions closely.
- Enter dollars and cents for all money amounts.
- See charts in appendices 5 and 6 (pages 22 and 23) for explanation and illustration of immigration procedure as it relates to the tariff.

Tariff Item	Rates/Maximum billable hours	Code
1. General preparation	Up to 9 hours	()
2. Hearing preparation for backlog		
(a) Humanitarian and compassionate (H & C) grounds interview	Up to 3 hours	()
(b) Convention refugee determination division (CRDD) or credible basis hearing (CBH)	Up to 3 hours	()
3. Hearing preparation for port of entry or inland applicants		
(a) Immigration inquiry or CBH	Up to 3 hours	()
(b) Immigration appeal division (IAD) or CRDD hearing	Up to 5 hours	()

Tariff Item	Rates/Maximum billable hours	Code
4. Attendance for hearing (not including attendances to set a date or for remands), including pre-trial conferences under the expedited hearing process Counsel time*	Actual attendance time	()
5. Preparation for hearing with expert witnesses When an expert report* has been received, fees may be claimed for preparation per report.	Up to 3 hours	(1180)
6. Applications and appeals to Federal Court (prior authorization required)		
(a) Opinion letter	Up to 5 hours	(1248)
(b) Preparation for leave to apply for judicial review to the Federal Court or for leave to appeal to the Federal Court	Up to 15 hours	(1271)
(c) Preparation for appeals or judicial review to the Federal Court where leave is granted or where no leave is required	Up to 20 hours	(1297)
(d) Attendance at Federal Court where evidence is heard, argument is made, or judgment is given	Up to 3 hours per half-day*	(1313)
7. Humanitarian and compassionate letter to the Minister	Up to 3 hours	(1347)
8. Detention hearing*		
(a) First half-day (first appearance by counsel)	\$160	(1376)
(b) Subsequent half-day	\$120	(1396)

* **Counsel time** — Counsel time means hourly fees allowed under tariff items 4 and 6(d).
Counsel time is allowed from the time all files are set to commence on any **half-day** until all files are concluded for that half-day.
Counsel time actually spent under items 4 and 6(d) may be allocated among all files spoken to on that half-day. You may not bill the same time on more than one file.

* **Expert report** — An expert report includes the first report obtained by counsel from a qualified medical practitioner or medical specialist or any other expert report previously authorized by the Legal Services Society. The Society may require you to provide a copy of expert reports.

* **Half-day** — Half-day means a court sitting or other hearing before or after the lunch adjournment.

* **Detention hearing** — The first hearing to determine if a client should be released pending determination of his or her immigration status (Section 103(3) of the Immigration Act).

Tariff Item	Rates/Maximum billable hours	Code
9. Detention review* if submissions made	\$80	(1420)
10. Written argument requested by adjudicator, member of the refugee or immigration appeal division, or judge	Up to 3 hours	(1453)
11. Visit in custody (may not be billed on the same date as detention hearing or detention review or other hearing)	\$120	(1487)
12. Pre-hearing conferences if requested by and attended by adjudicator, member of refugee or immigration appeal division, or judge (mandatory pre-trial conferences per EHP are billable as actual hearing time)	Up to 1 hour	(1537)
13. Travel*		
(a) Half-day of travel to or from a hearing or to interview a client in custody where the trip exceeds 160 km round trip	\$160	(1610)
(b) For each half-day counsel remains at such place for purpose of hearing	\$160	(1644)
(c) For each date of travel less than 160 km but requiring overnight stay	\$160	(1669)

* **Detention review** — A hearing held to determine if a client should be released based on changed circumstances after a detention hearing (Section 103(6) of the Immigration Act).

* **Travel** — If you bill other fees for a day that you also claim travel fees, the maximum travel fee is \$160 on that day. Otherwise, the maximum travel fee is \$320 on one day.

Travel fees are paid per trip, not per client. You may also bill travel disbursements, subject to the limitations outlined in the disbursements section on page 9 of this booklet.

* **Multiple clients** — Clients are multiple clients when they have a joint hearing. One hearing fee is allowed for multiple clients (regardless of the number of clients).

You may bill full preparation fees for the first client and half preparation fees for each additional client.

Special fee arrangements may occasionally be made when clients have a joint hearing, even though they have separate and distinct claims.

DISBURSEMENTS

- ▶ You are responsible for paying all disbursements for each case. To be reimbursed for these expenses, make sure you include each disbursement on the billing form. The Legal Services Society cannot guarantee payment of items left off the billing form.
- ▶ You must request authorization for disbursements that exceed the limits noted in this section *before* you incur them.
- ▶ Billing codes for each disbursement are in square brackets. Include codes with all items to speed payment of your account.
- ▶ Attach copies of receipts or invoices for items exceeding \$100 and special authorization letters to your account.
- ▶ You are not authorized to bind the Legal Services Society to any contract for disbursements.
- ▶ If you run out of space, use a photocopy of the form in Appendix 4 of this booklet.

Accommodation

Claim actual cost up to \$65 per night plus taxes. [661]

Car rental

Prior approval is required from the tariff accounts department. [2022]

Computer assisted legal research

Prior approval is required from the tariff accounts department. [2212]

Courier services

Reimbursed for emergencies only.
Claim at cost. [893]

Experts' reports

ONE medical report or one medical specialist's report may be obtained without prior authorization from the tariff accounts department. The author of the report may testify without prior authorization.

Subsequent reports and all reports of other experts require prior authorization from the tariff accounts department.

- (a) Medical examinations, reports, and opinions.
 - (i) Medical specialists — examination and preparation of report, \$50 per hour up to maximum of \$250, plus \$50 if subject is examined in an institution. [638]
 - (ii) General practitioner — examination and report, \$50 per hour to a maximum of \$200, plus \$50 if subject is examined in an institution. [125]
- (b) Medical testimony at hearing — Authorization from the tariff accounts department required (except as noted above).
 - (i) Medical specialist — \$50 per hour to a maximum of \$250 per day. [232]
 - (ii) General practitioner — \$40 per hour to a maximum of \$200 per day. [372]
- (c) Other experts' reports — Obtain authorization for reports, fees, and hearing appearances from the tariff accounts department. [257]
- (d) Proceedings out of town — Where an expert must attend proceedings out of town, obtain authorization for reports, fees, and travel disbursements from the tariff accounts department. [588]

Fax costs

Reimbursed for emergencies only. Claim —

- (a) the office rate up to 25¢ for receiving a fax, or
- (b) long distance charges when sending a fax, or
- (c) the cost paid to a third party.

[1313]

Interpreting and translation

Claims are allowed at \$25 per hour for interpretation (rounded to the nearest half-hour) or 19¢ per English word for translation. We pay by the hour or word only; no minimum charges are accepted. Get prior authorization from the tariff accounts department for translation costs that exceed \$250. Provide receipts for all services that exceed \$100.

[877]

Interpreting fees for services not performed in the presence of counsel are not covered by the tariff.

Outside services are required. Contact the following groups for assistance.

Language interpretation

- (i) In Greater Vancouver, apply to MOSAIC at 254-9626.
- (ii) Elsewhere in B.C., contact the Certified Legal Interpreters of B.C. at 689-3611, or the B.C. Professional Legal Interpreters at 879-0414.

Hearing impaired

In Greater Vancouver, apply to:

Western Institute for the Deaf
2125 West 7th Avenue
Vancouver, B.C. V6K 1X9
Phone: 736-7391

Meals

Claim up to

- \$6.50 for breakfast;
- \$8.00 for lunch;
- \$14.00 for dinner;

Meals may be claimed only if the case is out of town (80 km one way) or if late sitting is required.

[463]

Mailing costs

Claim the actual cost of special delivery or registered mail. Regular post office mail charges are not reimbursed.

[869]

Other

An expense that is not described elsewhere in this section and that exceeds \$50 requires prior authorization from the tariff accounts department. Please describe the disbursement when billing and submit a copy of your authorization letter from LSS.

[737]

Parking

Claim only when traveling to a hearing out of the city where you practice.

[2014]

Photocopying

Claim office rate or actual cost up to 25¢ per page at the office.

[471]

30¢ per page at the courthouse.

[497]

Service of documents

- (a) In B.C., private process servers may be used. If the fee for service exceeds \$75, include invoice with billing.
- (b) Outside B.C., local government service should be used, if possible. Otherwise, use private a process server.

[240]

[174]

Skip tracing

Pay skip tracing accounts and claim as a disbursement. If the cost will exceed \$195, obtain prior authorization from the tariff accounts department.

[356]

Telephone calls

Claim for actual cost of long distance calls only. If the total bill exceeds \$100, provide a log (a photocopy is sufficient).

[836]

Transcripts

YOU MUST obtain authority from the Legal Services Society before you order transcripts.

Transcripts prepared by a court reporting agency:

If you require the transcripts on an expedited or daily basis, contact the transcript co-ordinator at Legal Services head office for authorization. (Telephone: 660-4600)

For non-urgent transcripts, obtain authority from the referring branch office. If the referral is from an area director or community law office, contact the transcript co-ordinator at Legal Services head office.

Transcripts not prepared by a court reporting agency:

If the cost is typing fee only, and is not undertaken by a court reporting agency, contact the tariff accounts department at head office for authorization.

Transcripts in appeal or judicial review matters:

Contact the appeals co-ordinator at Legal Services head office for authorization.

Transcripts provided by a court reporting agency are paid for directly by Legal Services. Do not include these charges on the billing form.

Transcripts not prepared by a court reporting agency should be paid for by you. List the cost as a disbursement on the billing form.

[240]

Travel

Out-of-town counsel are paid on a "no travel" basis (no travel fees or disbursements for meals and meterage) when local counsel are available. Out-of-town counsel are paid travel fees and disbursements when local counsel is not available.

Claim 26¢ per km for automobile travel **only when the destination is outside the city or municipality where you practise.** Provide the date, destination, and distance. [968]

Bus, train, ferry, and taxi — claim actual cost. Provide date and destination. [562]

Air fare — Claim current economy rate. Provide date and destination. [455]

Highway tolls. [745]

Western Legal Publication [489]

Witnesses' expenses

Apply for authorization by letter or telephone to the tariff accounts department. No applications for lost wages will be considered. [695]

GUIDE TO BILLING FOR IMMIGRATION MATTERS

- ▶ Fees are allowed at the tariff rate of \$80 per hour.
 - ▶ Bill the actual time spent up to the maximum number of hours allowed for each item. The maximum limits are not minimum fees.
 - ▶ Bill tariff items 1 to 4 in the Hearing Fees section of the billing form. Bill tariff items 5 to 13 in the Other Fees section of the billing form.
 - ▶ Carefully entering codes will speed the processing of your account.
 - ▶ Enter dollars and cents for all money amounts.
 - ▶ The circled numbers in the instructions below correspond to the circled numbers on the sample billing form opposite.
-

TO COUNSEL: Your acceptance of this referral constitutes your agreement to provide the legal services specified below at the Legal Services Society tariff of fees in effect as of the date of assignment on this file, subject to the terms and conditions set out in the current Legal Services Society NOTICE TO ALL REFERRAL COUNSEL and TARIFF OF FEES. You further agree that changes in terms and conditions of this engagement of your services subsequently published in the Law Society Bulletin or any Notice to Referral Counsel mailed by the Legal Services Society shall take effect on a date subsequent to their publication, to be specified at the time of their publication.

LEGAL SERVICES SOCIETY OF BRITISH COLUMBIA

Immigration Referral

CLIENT NAME _____

CLIENT ADDRESS _____
Phone No. _____

2
Lawyer Number
Ensure this number is correct

FILE NUMBER **1**
Quote file no. on all correspondence.

DATE OF ASSIGNMENT **3**
Day Month Year

HEARING LOCATION **4**

NOTE: Client must pay counsel a non-refundable contribution of: **6**

If Billing for Multiple Clients
Number of Multiple Clients: **7**
File Number of One: _____

REFERRING OFFICE # _____

LAWYER INSTRUCTIONS: **5**

RESULTS	<input type="checkbox"/> Backlog Refugee <input type="checkbox"/> Other Refugee <input type="checkbox"/> Non Refugee <input type="checkbox"/> Appellant <input type="checkbox"/> Respondent	8	9	BACKLOG REFUGEE			OTHER REFUGEE		NON-REFUGEE		APPEAL		OTHER
				H & C	CBH	CRDD	CBH	CRDD	H & C	Inq.	IAD	Leave App.	Appeal
Client Accepted				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Client Denied				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reserved				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Early Termination
If not checking an outcome, indicate:
 Case abandoned Client proceeding alone
 Change of lawyer
 Client no-show Other **10**

Appeals **11**
NOTE: APPEALS REQUIRE PRIOR AUTHORIZATION

COURT LEVEL - Federal Court Supreme Court of Canada
 APPEAL WAS - Allowed Dismissed Other

General Preparation (Tariff item 1) **12**
Time _____ x tariff hourly rate

HEARING FEES
_____ x tariff hourly rate up to max

Hearing 1 **13**
Type of Hearing
 H & C interview CRDD (backlog)
 Inquiry IAD
 Credible basis CRDD (other)
 Other
 Hearing file # _____

Preparation for Hearing (Tariff items 2 & 3) **14**
 Preparation Time _____ x tariff hourly rate
 Hearing Time (Tariff item 4)
 Total number of days this hearing _____
 Time in hearing on first date _____
 Total time at this hearing _____ x tariff hourly rate up to max

Hearing 2
Type of Hearing
 H & C interview CRDD (backlog)
 Inquiry IAD
 Credible basis CRDD (other)
 Other
 Hearing file # _____

Preparation for Hearing (Tariff items 2 & 3)
 Preparation Time _____ x tariff hourly rate
 Hearing Time (Tariff item 4)
 Total number of days this hearing _____
 Time in hearing on first date _____
 Total time at this hearing _____ x tariff hourly rate up to max

Hearing fees subtotal

OTHER FEES (Tariff items 5-13)

Description	Hours and rates	DATE			Code	Fee		
		D	M	Y				
16					am	pm	\$	⓪
					am	pm	\$	⓪
					am	pm	\$	⓪
					am	pm	\$	⓪
					am	pm	\$	⓪
					am	pm	\$	⓪
					am	pm	\$	⓪

TOP SECTION OF THE BILLING FORM

This information is completed by the referring office. Do not make any changes to it except as noted.

1 File number

This is assigned by the referring office. Because of the large number of accounts handled by the Legal Services Society, the file number is very important. Please keep a record of this number and use it in all correspondence with the Society.

2 Lawyer number

Check the lawyer number. If you are named on the top of the form, make sure that your lawyer number is correct. If the number is wrong, change it.

If you are not the lawyer named at the top of the form, you must contact the referring office to arrange transfer. Otherwise, the lawyer named at the top of the form will be paid.

3 Date of assignment

The Legal Services Society will pay for services rendered prior to the date of assignment (also called the effective date of referral) only in the following circumstances:

- (a) the services have been authorized by the referring office, or
- (b) a Legal Services Society office or area director has made a prior agreement with you to represent any qualified applicants in remote areas of the province.

Payment will be based on the tariff in effect on the date of assignment for the file. Be sure you are using the appropriate tariff when you prepare your account.

4 Hearing location

Check the hearing location and change it if it is incorrect.

5 Lawyer instructions

Lawyer instructions may limit billable tariff items; e.g., "CRDD only," "appeal only." If the instructions are limited, you must obtain written consent from the referring office to expand them.

6 Client contribution

The amount noted here will be deducted from your account. Show only the contribution you actually collected. Remember to give the client a receipt.

7 Multiple clients

If you are representing multiple clients (see definition on page 6) specify the number of clients and be sure that the file number of one of them is entered here.

TO COUNSEL: Your acceptance of this referral constitutes your agreement to provide the legal services specified below at the Legal Services Society tariff of fees in effect as of the date of assignment on this file, subject to the terms and conditions set out in the current Legal Services Society **NOTICE TO ALL REFERRAL COUNSEL AND TARIFF OF FEES**. You further agree that changes in terms and conditions of this engagement of your services subsequently published in the Law Society Bulletin or any Notice to Referral Counsel mailed by the Legal Services Society shall take effect on a date subsequent to their publication, to be specified at the time of their publication.

LEGAL SERVICES SOCIETY
 450-451-1111

Immigration Referral

CLIENT NAME _____

CLIENT ADDRESS _____
 Phone No. _____

2
 Lawyer Number
 Ensure this number is correct

FILE NUMBER
1
 Quote file no. on all correspondence.

DATE OF ASSIGNMENT
 Day **3** Month Year

HEARING LOCATION
4

NOTE: Client must pay counsel a non-refundable contribution of: _____

If Billing for Multiple Clients
 Number of Multiple Clients: _____
 File Number of One: **7**

REFERRING OFFICE _____

Client Status

8

Backlog Refugee
 Other Refugee
 Non Refugee
 Appellant
 Respondent

Early Termination

If not checking an outcome, indicate.

Case abandoned Client proceeding alone
 Change of lawyer Other

10

Outcomes

9

	BACKLOG REFUGEE			OTHER REFUGEE			NON-REFUGEE		APPEAL		OTHER (Describe)
	H & C	CBH	CRDD	CBH	CRDD	H & C	Inq.	IAD	Leave App.	Appeal	
Client Accepted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Client Denied	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reserved	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Appeals

NOTE: APPEALS REQUIRE PRIOR AUTHORIZATION **11**

COURT LEVEL - Federal Court Supreme Court of Canada
 APPEAL WAS - Allowed Dismissed Other _____

General Preparation [Tariff item 1] _____
 Time _____ Hrs. 10hrs x tariff hourly rate _____ \$ up to max **12**

HEARING FEES

Hearing 1

Type of Hearing

H & C interview CRDD (backlog)
 Inquiry IAD
 Credible basis CRDD (other)
 Other _____

Hearing file # _____

13

Preparation for Hearing [Tariff items 2 & 3] **14**

Preparation Time _____ Hrs. 10hrs x tariff hourly rate _____ \$ up to max

Hearing Time [Tariff item 4] _____

Total number of days this hearing **15** _____ Day Month Year am pm Time in hearing on first date _____ Hrs. 10hrs Total time at this hearing _____ Hrs. 10hrs x tariff hourly rate _____ \$ up to max

Use date schedule in Appendix 3 of tariff book for additional dates.

Hearing 2

Type of Hearing

H & C interview CRDD (backlog)
 Inquiry IAD
 Credible basis CRDD (other)
 Other _____

Hearing file # _____

Preparation for Hearing [Tariff items 2 & 3]

Preparation Time _____ Hrs. 10hrs x tariff hourly rate _____ \$ up to max

Hearing Time [Tariff item 4] _____

Total number of days this hearing _____ Day Month Year am pm Time in hearing on first date _____ Hrs. 10hrs Total time at this hearing _____ Hrs. 10hrs x tariff hourly rate _____ \$ up to max

Use date schedule in Appendix 3 of tariff book for additional dates.

Hearing fees subtotal _____

OTHER FEES [Tariff items 5-13]

Description	Hour and Fees	DATE			Code	Fee
		D	M	Y		
16				am pm		\$ _____
				am pm		\$ _____
				am pm		\$ _____
				am pm		\$ _____
				am pm		\$ _____
				am pm		\$ _____
				am pm		\$ _____

RESULTS

8 Client status

Complete as appropriate.

9 Outcomes

If hearing is not listed, briefly describe "Other" and check off the appropriate outcomes.

10 Early termination

If there is no outcome, check one box that most appropriately describes the reason for the early

termination of the referral. "No-show" includes the client's failure to contact you.

11 Appeals

Appeals may be billed only if listed in "lawyer instructions" at the top of the billing form. Indicate the court level and the result of the appeal.

BILLING

Report actual time spent, even if it is more than the maximum billable time.
This information will be used for possible revisions to the tariff.

HEARING FEES

Note: Only tariff items 1 to 4 are billed in this section. All other tariff items are billed as Other Fees. The Tariff for Immigration Matters is on page 4.

12 General Preparation

See tariff item 1 on page 4. Indicate actual time spent in hours and tenths. Bill at \$80 per hour to a maximum of \$720.

13 Hearings

See tariff items 2 and 3 on page 4. There is room to report two hearings on the billing form. For additional hearings, photocopy the sheet in Appendix 2 of this booklet.

Be sure to indicate the type of hearing as this may determine the amount payable.

14 Preparation for hearing

Fees billable in this section are for time spent preparing for hearings under tariff items 2(a), 2(b), 3(a), and 3(b).

Enter the actual amount of time spent on preparation in hours and tenths. Bill \$80 per hour

up to 3 hours. (Note that for tariff item 3(b) — IAD or CRDD hearing preparation — you may bill up to 5 hours.)

Additional preparation for hearings with expert witnesses (tariff item 5) and all other hearing preparation (e.g., appeal matters) billed under Other Fees.

15 Hearing time

See tariff item 4 on page 5. Indicate total number of half-days (see bottom of page 5 for definition) per hearing. If the hearing lasts more than one date, submit a schedule of dates with the referral form. Photocopy the form in Appendix 2 for this.

Indicate whether hearing began in the morning or afternoon.

Report counsel time in hours and tenths in the space marked "First date time in court." (See bottom of page 5 for definition of counsel time.) Fees can be claimed for actual attendance time from the time the matter is set to commence.

Fees for all other hearings (e.g., appeals or detention hearings) are billable under Other Fees.

OTHER FEES

16 Billing other fees

All tariff items except 1 to 4 are billed in this section.

For all items, enter a brief description, its code, and the fee claimed. Entering codes will speed the processing of your account.

Bill half-days as separate items. Specify morning or afternoon for appropriate items.

If applicable, enter hours, tenths, and date. If you run out of space, use a photocopy of the form in Appendix 3.

DISBURSEMENTS

17 Disbursements are covered separately in the section beginning on page 7.

TOTAL ACCOUNT

Please submit the billing form even if you are not claiming fees or disbursements.

18 Interim account

See the section on interim accounts on page 3 for detailed information.

19 No account

If no claim is made because these services have been billed under another referral number, indicate the LSS file number here.

20 Subtotals

Enter dollars and cents figures in all spaces. Show contributions actually collected.

21 GST

Calculate and bill GST as follows:

- List your disbursements without the GST.
- Total your account as you would have before the GST was implemented.
- Calculate the GST as 7% of the total.
- Round up exact half-cents.

Example:

Hearing fees	\$ 800.00
Other fees	100.00
Disbursements (without GST)	<u>152.50</u>
Subtotal	1,052.50
Less contribution	<u>(30.00)</u>
Subtotal	1,022.50
GST (7%)	<u>71.58</u>
TOTAL DUE	\$1,094.08

22 Submitting billing form copies

Send the top two copies of the billing form (tariff accounts and data entry) to this address:

Legal Services Society
Box 6, Suite 300
1140 West Pender Street
Vancouver, B.C. V6E 4G1

Keep the third copy for your files.

23 Lawyer's name

The lawyer's name and number in this space must match the name and lawyer number in the top portion of the form. If you have arranged to have this referral transferred, enter your lawyer number.

If the lawyer number is wrong, payment may be made to the wrong lawyer.

Make sure the referring office has approved a change of lawyer or your account will be rejected.

24 Lawyer's signature

You must sign the billing form. Your signature is your representation that you or your agent performed the services claimed on the dates indicated. If you do not sign the billing form, it will be returned.

25 Lawyer's GST registration number

Be sure to supply your GST registration number here; Revenue Canada is insisting on this.

APPENDIX 1 — AUTHORIZATIONS/INFORMATION

Subject	Contact
Appeals to Federal Court	Appeals Committee (head office)
Change of counsel	Referring office*
Conversion to private retainer	Nearest branch office or community law office
Disbursement above tariff limit	Tariff accounts department (head office)
Eligibility review	Referring office
Extraordinary remedies (prerogative writs)	Appeals Committee (head office)
Junior counsel/co-counsel	Tariff manager (head office)
Retroactive referrals (billing prior to the date of assignment)	Referring office*
Transcripts	
• On an expedited or daily basis	Transcript co-ordinator (head office)
• In appeal or judicial review matters	Appeals co-ordinator (head office)
• Other transcripts prepared by court reporting agency	Referring office* or Transcript co-ordinator (head office)
• Other transcripts not prepared by a court reporting department agency (typing fees only)	Tariff accounts (head office)
Other matters (except accounts)	Referring office*
Accounts, fees, and billing procedures	Tariff accounts department (head office)

* Referring office is the office shown on the billing form.

APPENDIX 2 — IMMIGRATION LAW REFERRAL DATE/HEARING SCHEDULE

Client Name _____ File Number _____

Lawyer Name _____ Lawyer Number _____

Date Schedule — to be used when billing for subsequent dates of hearings under tariff item 4.

Hearing No. _____ Hearing No. _____

Day	Month	Year	am / pm	Hours/Tenths Counsel Time
			<input type="checkbox"/> am <input type="checkbox"/> pm	
			<input type="checkbox"/> am <input type="checkbox"/> pm	
			<input type="checkbox"/> am <input type="checkbox"/> pm	
			<input type="checkbox"/> am <input type="checkbox"/> pm	
			<input type="checkbox"/> am <input type="checkbox"/> pm	

Day	Month	Year	am / pm	Hours/Tenths Counsel Time
			<input type="checkbox"/> am <input type="checkbox"/> pm	
			<input type="checkbox"/> am <input type="checkbox"/> pm	
			<input type="checkbox"/> am <input type="checkbox"/> pm	
			<input type="checkbox"/> am <input type="checkbox"/> pm	
			<input type="checkbox"/> am <input type="checkbox"/> pm	

Additional Hearings — to be used when billing more than the two hearings provided for on the billing form

HEARING 3

Type of Hearing <input type="checkbox"/> H & C interview <input type="checkbox"/> CRDD (backlog) <input type="checkbox"/> Inquiry <input type="checkbox"/> IAD <input type="checkbox"/> Credible basis <input type="checkbox"/> CRDD (other) <input type="checkbox"/> Other _____ Hearing file # _____	Preparation for Hearing [Tariff items 2 & 3] Preparation Time <input type="text"/> Hrs <input type="text"/> 10ths x tariff hourly rate _____ \$ _____ up to max [Ⓐ] Hearing Time [Tariff item 4] Total number of $\frac{1}{2}$ days this hearing <input type="text"/> First date of hearing <input type="text"/> Day <input type="text"/> Month <input type="text"/> Year <input type="checkbox"/> am <input type="checkbox"/> pm Time in hearing on first date <input type="text"/> Hrs <input type="text"/> 10ths Total time at this hearing <input type="text"/> Hrs <input type="text"/> 10ths x tariff hourly rate _____ \$ _____ up to max [Ⓐ] <small>Use date schedule in Appendix 3 of tariff book for additional dates.</small>
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HEARING 4

Type of Hearing <input type="checkbox"/> H & C interview <input type="checkbox"/> CRDD (backlog) <input type="checkbox"/> Inquiry <input type="checkbox"/> IAD <input type="checkbox"/> Credible basis <input type="checkbox"/> CRDD (other) <input type="checkbox"/> Other _____ Hearing file # _____	Preparation for Hearing [Tariff items 2 & 3] Preparation Time <input type="text"/> Hrs <input type="text"/> 10ths x tariff hourly rate _____ \$ _____ up to max [Ⓐ] Hearing Time [Tariff item 4] Total number of $\frac{1}{2}$ days this hearing <input type="text"/> First date of hearing <input type="text"/> Day <input type="text"/> Month <input type="text"/> Year <input type="checkbox"/> am <input type="checkbox"/> pm Time in hearing on first date <input type="text"/> Hrs <input type="text"/> 10ths Total time at this hearing <input type="text"/> Hrs <input type="text"/> 10ths x tariff hourly rate _____ \$ _____ up to max [Ⓐ] <small>Use date schedule in Appendix 3 of tariff book for additional dates.</small>
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HEARING 5

Type of Hearing <input type="checkbox"/> H & C interview <input type="checkbox"/> CRDD (backlog) <input type="checkbox"/> Inquiry <input type="checkbox"/> IAD <input type="checkbox"/> Credible basis <input type="checkbox"/> CRDD (other) <input type="checkbox"/> Other _____ Hearing file # _____	Preparation for Hearing [Tariff items 2 & 3] Preparation Time <input type="text"/> Hrs <input type="text"/> 10ths x tariff hourly rate _____ \$ _____ up to max [Ⓐ] Hearing Time [Tariff item 4] Total number of $\frac{1}{2}$ days this hearing <input type="text"/> First date of hearing <input type="text"/> Day <input type="text"/> Month <input type="text"/> Year <input type="checkbox"/> am <input type="checkbox"/> pm Time in hearing on first date <input type="text"/> Hrs <input type="text"/> 10ths Total time at this hearing <input type="text"/> Hrs <input type="text"/> 10ths x tariff hourly rate _____ \$ _____ up to max [Ⓐ] <small>Use date schedule in Appendix 3 of tariff book for additional dates.</small>
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HEARING 6

Type of Hearing <input type="checkbox"/> H & C interview <input type="checkbox"/> CRDD (backlog) <input type="checkbox"/> Inquiry <input type="checkbox"/> IAD <input type="checkbox"/> Credible basis <input type="checkbox"/> CRDD (other) <input type="checkbox"/> Other _____ Hearing file # _____	Preparation for Hearing [Tariff items 2 & 3] Preparation Time <input type="text"/> Hrs <input type="text"/> 10ths x tariff hourly rate _____ \$ _____ up to max [Ⓐ] Hearing Time [Tariff item 4] Total number of $\frac{1}{2}$ days this hearing <input type="text"/> First date of hearing <input type="text"/> Day <input type="text"/> Month <input type="text"/> Year <input type="checkbox"/> am <input type="checkbox"/> pm Time in hearing on first date <input type="text"/> Hrs <input type="text"/> 10ths Total time at this hearing <input type="text"/> Hrs <input type="text"/> 10ths x tariff hourly rate _____ \$ _____ up to max [Ⓐ] <small>Use date schedule in Appendix 3 of tariff book for additional dates.</small>
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Hearing fees subtotal [Ⓐ]

APPENDIX 3 — OTHER FEES FORM

To be used when there isn't enough space on the billing form.

Description	Hours & Tenths	Date			Code	Fee
		D	M	Y		
						\$
						\$
						\$
						\$
						\$
						\$
						\$
						\$
						\$
						\$

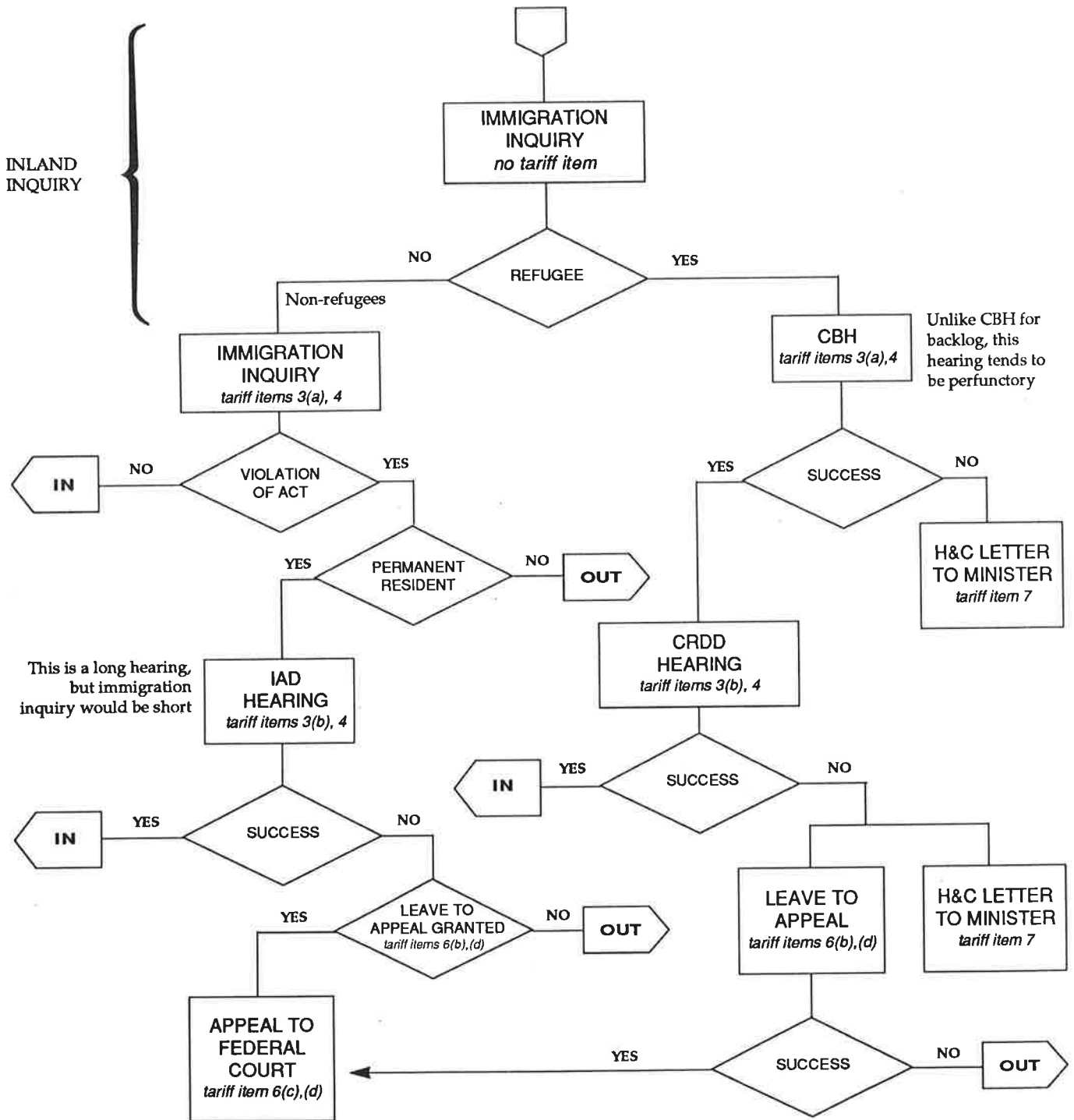
APPENDIX 4 — DISBURSEMENTS FORM

To be used when there is not enough space on the billing form.

Disbursement	Units	Code	Amount

Disbursement	Units	Code	Amount

APPENDIX 5 — REFUGEE PROCESS — PORT OF ENTRY AND INLAND CLAIMANTS



APPENDIX 6 — REFUGEE PROCESS — BACKLOG CLAIMANTS

