

## Criminal

Private lawyers provide Criminal legal aid services according to schedules of hourly or block fees (fixed payments for specified services) and disbursements known as the LABC Tariffs. The Criminal Tariff sets out the block fees that LABC pays lawyers who take conduct of a criminal case for a legal aid client. For representation in more serious and complex criminal matters, in criminal appeals, or when lawyers act as duty counsel, LABC pays lawyers according to schedules of hourly fees and disbursements (set out in the Criminal, Appeals, and Duty Counsel tariffs respectively).

**Duty Counsel** are lawyers scheduled to provide services at Provincial courthouses for specific days and hours that vary by location. They provide advice about criminal charges, court procedures, and legal rights, as well as representation for bail hearings and disposition of criminal charges (guilty plea and sentencing).

Year of Call	Block Tariff	Hourly Tariff (for services provided between April 1, 2021 and Mar 31, 2022)	Hourly Tariff (for services provided on or after April 1, 2022)
Less than 4 years	Amount specified in the tariff	\$113.39	\$117.33
More than 4 & less than 10 years	Amount specified in the tariff plus 5%	\$119.06	\$123.20
10 or more years	Amount specified in the tariff plus 10%	\$124.73	\$129.06

**Note** — Tier increases only apply to Indictable and Major offences.

**Criminal Tariff** – block fees below are for services provided on or after April 1, 2022.

	Administrative <sup>1</sup>	Summary <sup>2</sup>	Indictable <sup>3</sup>	Major <sup>4</sup>
Provincial Court fee	\$139.84	\$167.80	\$188.79	\$279.67
Supreme Court fee	n/a	n/a	\$419.51	\$489.43
Visiting clients in custody	\$125.86	\$125.86	\$125.86	\$125.86
Bail matters in Provincial Court	\$139.84	\$174.80	\$209.76	\$279.67
Section 525 scheduling fee	\$139.84	\$174.80	\$209.76	\$279.67
Bail matters in Supreme Court	\$391.54	\$489.43	\$559.35	\$839.02
Contested fitness hearing	\$629.27	\$629.27	\$629.27	\$629.27
Non-trial resolution	\$258.70	\$314.63	\$454.47	\$699.18
Multiple information resolution	\$104.89	\$125.86	\$167.80	\$209.76
Sentencing – court	\$111.87	\$139.84	\$174.80	\$279.67
Sentencing – First Nations Court	\$167.80	\$209.76	\$265.69	\$419.51
Gladue fee	\$251.71	\$251.71	\$251.71	\$251.71
Pre-trial conferences	\$258.70	\$314.63	\$454.47	\$699.18
Preliminary hearing – first two half-days	n/a	n/a	\$839.02	\$1,118.69
Preliminary hearing – subsequent half-days	n/a	n/a	\$419.51	\$559.35
Trial – first two half-days	\$671.22	\$839.02	\$1,118.69	\$1,957.71
Trial – subsequent half-days	\$440.49	\$545.37	\$685.20	\$978.86
Mental health review	\$629.27	\$629.27	\$629.27	\$629.27
Travel – per half-day (auth required)	\$251.71	\$251.71	\$251.71	\$251.71

<sup>1</sup> Administrative: e.g., Breach of Probation, Breach of Bail, and Failure to Appear

<sup>2</sup> Summary: e.g., Theft Under \$5,000, Common Assault

<sup>3</sup> Indictable: e.g., PSP Over \$5,000, Assault Causing Bodily Harm

<sup>4</sup> Major: e.g., Murder, Dangerous Offender application

**Note** — Where items aren't billable per Info, and heard on the same half-day before the same judge, only the highest fee is billable.

**ENHANCED FEES:**

- Enhanced fees are available to senior counsel for complex criminal matters.
- To qualify, the case must be assessed as sufficiently serious and complex to warrant appointment of a senior criminal lawyer at the enhanced fee rate. Additionally, the lawyer must have:
  - 12 years' criminal law experience, and
  - at least 50 percent of their practice devoted to criminal law.

Enhanced Fees	Hourly Rate (for services provided between April 1, 2021 and Mar 31, 2022)	Hourly Rate (for services provided on or after April 1, 2022)
Senior Counsel	\$168.94	\$174.80
Junior Counsel	\$97.08 – \$113.39	100.45 - \$117.33

**EXCEPTIONAL RESPONSIBILITY PREMIUM:**

- An exceptional responsibility premium (ERP) may be payable to senior counsel for criminal cases LABC considers to be exceptionally costly and complex.
- To qualify for the ERP, senior counsel must qualify for enhanced fees and possess executive criminal management skills necessary to effectively oversee the conduct of exceptionally costly, complex, and serious criminal cases.
- The premium is currently 15 percent, in addition to the enhanced fee rate (making the maximum rate \$190.47 for senior counsel in the most serious and complex cases).
- Tier rates do not apply where enhanced fees are paid.