

Disbursements Tariff



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Disbursements Tariff

General Information

This chapter of *LSS Tariffs* describes how LSS will compensate you for disbursements you pay while providing services to clients. For general information about your contract with LSS, see *General Terms and Conditions*.

Tariff items

Wherever possible, LSS does not require you to obtain prior authorization for necessary and reasonable disbursements. However, many disbursements are not automatically authorized or are authorized only to a specified limit. To be reimbursed for these, you must obtain authorization *before* incurring the expense or exceeding the limit or you may not be paid.

LSS will generally not authorize payments for items that are considered general office overhead, unless expressly permitted in the Disbursements Tariff.

Authorization requests

Use our online My Authorizations tool to request e-authorization for disbursements.

LSS authorizes disbursements it considers necessary and reasonable. A disbursement is considered *necessary* if it is likely to significantly advance the client's case or if, without it, the client's case will be significantly disadvantaged. *Reasonableness* depends on the amount of the disbursement and the circumstances of the particular case. Additional considerations include:

- Will the expenditure result in a tangible benefit to the client?
- Does the disbursement relate to the primary issues identified on the referral form or will it assist in the resolution of a primary issue?
- Would a client of modest means incur the disbursement?
- Is this an economical option for this disbursement?
- Is the disbursement consistent with others allowed by LSS?
- Is the other side contributing to the cost?

You may request a review of a decision by writing to the Case Management Section or, for appeal cases, to the Appeals Section. Be sure to outline your reasons for requesting a review.



Retroactive disbursement authorization requests

If a lawyer submits an authorization request to LSS *after* incurring the expense or exceeding the specified limit, LSS may refuse to pay the cost of the disbursement. See the [Retroactive Authorization Requests — Disbursements policy](#) on the LSS website.

Experts

Prior authorization is required to set the limits of the retainer for most experts. For experts, provide the reasons for retaining the expert, a time estimate, and a description of his or her qualifications (LSS may request a copy of the expert's curriculum vitae).

LSS will specify rates upon authorization for preparation and attendance time, as well as travel time. You must ensure that experts understand, before they provide services, any limits on hours, rates, or expenses that LSS imposes in the authorization or under the tariff.

If you have received authorization for an expert report or assessment, that authorization *includes* retaining the expert for court testimony at the rates authorized for actual court attendance. Prior authorization is required for travel fees and expenses.

LSS will not fund an expert to attend court to hear evidence from any witness without specific prior authorization.

Incurring disbursements

You are responsible for ensuring that the accounts you submit for reimbursement are accurate billings for satisfactory services and meterage (where applicable). You are also responsible for paying all disbursements except bills from third party service providers who contract directly with LSS.

LSS is not responsible for any contract for disbursements made between a lawyer and a third party. The lawyer contracts for disbursements and cannot bind LSS to any contract without specific authorization to do so. LSS is not bound by any court order directing a party to pay for a disbursement.

If you have a complaint about the service you received from a service provider, please contact the Manager, Lawyer Services. LSS is concerned about the quality of services its clients receive and may be able to help you reduce the account or pursue a complaint with the appropriate agencies.

Invoices

You are not required to provide invoices when submitting accounts; however, you may be prompted to provide information from invoices during e-billing. You must keep invoices for at least five years from the time of submitting your account in case LSS makes a billing inquiry or conducts an audit.

For services you retain on an hourly basis, including experts' services, please ensure that all invoices you receive clearly indicate the client's name, service dates, hearing dates, a breakdown of the number of hours worked (e.g., preparation, attendance), the kilometres travelled and the destination or travel time (as applicable), billing rates, and a brief description of services provided.

If you have any questions about disbursements, contact:

Case Management Section

Email: helpdesk.case-mgt@lss.bc.ca

Phone: 604-601-6145

Disbursement Items (in alphabetical order)

Use the information in this section to request prior authorization (e-authorization) or when billing online (e-billing) through the Lawyer e-services section of the LSS website.

This section describes the disbursement tariff items, and indicates whether or not prior authorization is required. If no prior authorization is required up to a specified limit, you must request prior authorization to exceed that limit.

Any disbursement item *not* listed below requires prior authorization.

Appraisal of property or chattels

- No prior authorization required for one appraisal of real property up to \$300 per case (including reasonable meterage charges).
- Prior authorization required for any appraisal of other property or chattels.
- If requesting authorization, show that the estimated value of the assets appears to justify the requested expenditure.
- If property is divided, any property and/or cash received by the client in lieu of property represents a change of financial circumstances, and you must send the client to the referring office for a re-evaluation of his or her financial eligibility.

Binding charges

- Billable if binding documents is expected or required by the court or administrative tribunal.
- No prior authorization required to bill up to the following disbursement rates for both in-house and third-party binding:

\$0.35	\$1.50	\$2.50
per tab	per cover	per coil

Birth and marriage certificates

- No prior authorization required for expenses up to \$35, including agency fees.
- Indicate the number of family members for whom you are claiming a birth certificate.

Blood/alcohol experts

See also [Travel — Witnesses](#).

- No prior authorization required for up to two hours preparation and the actual court attendance at \$75 per hour.

Child access supervision reports

- Prior authorization required. LSS will specify rates upon authorization.

Computer-assisted legal research

- No prior authorization required for search and online charges up to \$300. If requesting prior authorization to exceed this limit, provide cost estimates.
- The \$300 authorization limit includes up to \$50 per client for DIVORCEmate if:
 - o spousal support is one of the primary issues identified on the family referral,
 - o the opposing party's income is greater than \$25,000, and
 - o the relationship lasted longer than two years.

Bill this item only if you use DIVORCEmate on a pay-per-use basis, not if you hold an annual licence.

- You cannot bill your own or others' research time under this item, only the actual cost of online time.

Conduct money

- Prior authorization required to pay out-of-province witnesses only.
- LSS will not pay witness fees except those required by the Supreme Court rules and will not reimburse witnesses for lost wages.

Courier services

- No prior authorization required. Do not bill this tariff item in addition to the [Disbursements block payment](#).

Custody and access reports

- Prior authorization required to set the limits of the retainer.
- Where appropriate, preference will be given to clinical counsellors (up to \$75 per hour).

- Both parties should agree to a single assessment by one qualified expert whose report will become evidence. Additional assessments will be authorized only in exceptional circumstances.
- Both parties share the cost of an assessment. Prior authorization required if, in unusual situations, LSS is going to pay for the other party's share of an assessment.

Disbursements block payment

- Billable once per referral in lieu of billing the actual cost of standard low-cost disbursement items (courier services, long distance charges, photocopying/receiving faxes — in-house and third party, and postage).
- No prior authorization required to bill at the following rates:

\$10 Criminal referrals	\$10 Criminal s.278 victim/witness representation referrals	\$18 CFCSA referrals	\$28 Family referrals	\$38 Immigration referrals
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- Bill this item once per referral but only if fees for legal services are also billed.
- Does not apply to appeals and judicial reviews or duty counsel referrals.
- You do not need to keep receipts, or track or record actual expenses, to bill this tariff item.

Filing/Hearing fees

- No prior authorization required. Claim the actual fees, including agency fees, required by the court or tribunal for filing documents.

Gladue reports (pilot item)

- Prior authorization required to set the limits of the retainer.
- Report writers must be on the roster of LSS-certified writers and require a minimum of 8 weeks to complete the report.
- Provide detailed reasons why the client would benefit from a Gladue report.

- Authorization priority will be given to cases where the client is a single parent with dependent children; is a youth; has a lengthy record; faces an indictable charge; faces a federal prison sentence; has mental health, addiction and/or FASD issues; is an Indian Residential School survivor or former foster child; has community and family support; or has a bail hearing.
- The writer's invoice must include the client's name and hearing date, the number of hours worked, the kilometres travelled and the destination, and the date the report was submitted to you.

Meterage — Gladue report writers

- Where authorized, the writer's meterage is billable up to \$115 (see [Travel — Rates/guidelines for travel costs — Meterage](#) for the current LSS rate).
- LSS does not reimburse Gladue report writers for parking.

Hospital records

See also [Medical records, reports, and testimony — Records and reports](#).

- No prior authorization required to obtain hospital records for amounts under \$150.

Interpreting and translation

- Invoices for services must include the interpreter's/translator's name and address.

Interpreting for language

- No prior authorization required for any interpretation services up to 10 hours per referral (maximum hourly rate is \$25 for uncertified interpreters/\$35 for certified interpreters).
- To be billable, interpretation services must be performed under the lawyer's supervision by a professional third-party interpreter who has experience interpreting in a court or legal environment. LSS does not pay for interpretation services provided by employees, relatives, or friends.
- When billing the certified rate, you are responsible for ensuring interpreters meet LSS certification guidelines. LSS recognizes certification through membership status with the Society of Translators and Interpreters of BC (STIBC), completion of the Vancouver Community College Court Interpreter Program, and/or completion of a recognized interpreter certification program. Certification documents must be provided upon request.
- LSS does not accept billing for minimum time or a flat rate.
- For multiple client claims, the limit under which no authorization is required is calculated per adult client.

Interpreting for the hearing impaired

- No prior authorization required for any interpretation services up to 10 hours per referral (maximum hourly rate is \$50).
- Sign language interpreters must be certified and perform services under the lawyer's supervision.

Translation for language

- Prior authorization required for any translation service (up to \$0.19 per English word of translation — no flat rates).
- LSS will authorize translation costs of up to \$361 (1,900 words) for each immigration hearing referral issued.
- LSS will not pay for translating forms that are already available in the required language, but only for translating the client information entered on them.
- Unless the circumstances are exceptional, LSS will not authorize a translation of any document back into the client's language.

Meterage — Interpreters/translators

- No prior authorization required to bill meterage up to \$115.
- Meterage billable per trip, not per client, no matter how many clients are seen.
- Meterage for interpreters/translators billable at the LSS rate per kilometre for travel to and from their office to the lawyer's office. Detours to pick up or drop off clients are not billable. Parking is not covered. (See [Travel — Rates/guidelines for travel costs — Meterage](#) for the current LSS rate).

Long distance charges

- No prior authorization required. Claim the actual cost of long-distance charges.
- Maintain a long-distance log detailing the time, rate, and phone number for each billable item, including collect calls. You will need to provide this to LSS upon request.
- Do not bill this tariff item in addition to the [Disbursements block payment](#).

Mediation/Arbitration

- LSS expects that the parties will share the cost of mediation and/or arbitration equally. Prior authorization required if, in unusual situations, LSS is required to pay for the other party's share of mediation/arbitration.
- Mediation or arbitration must be carried out by a qualified mediator or arbitrator.

- Mediators and/or arbitrators may bill preparation and attendance at the [LSS Tier 1 rate](#) for lawyers.

Preparation for mediation/arbitration

- No prior authorization required for preparation of up to five hours, which represents your client's half of the total preparation time (ten hours).

Attendance at mediation/arbitration

- No prior authorization required for up to 7.5 hours of the mediator's attendance at mediation, which represents your client's half of a fifteen hour mediation session.

Meterage — Mediators/Arbitrators

- No prior authorization required to bill meterage up to \$115 (see [Travel — Rates/guidelines for travel costs — Meterage](#) for the current LSS rate).

Medical records, reports, and testimony

- The listed fees are based on the *BCMA Guide to Fees*. Physicians may bill current rates. Rates and descriptions for the items below can be found on the BCMA website at www.bcma.org (click Publications & Media — Handbooks & Guides — Medical Legal Matters [under “Fee Guide”]).

Records and reports

- Prior authorization required to order more than *one, per case*, of each of the following items:

Form completion or simple letter reporting on patient's condition	(Item A00070)	\$156.06
Medical-legal letter	(Item A00071)	\$326.40
Medical records photocopying (first 10 pages)	(Item A00096)	\$1.53/page
" " " (subsequent pages)	(Item A00096)	\$0.30/page
Medical records review by physician for the first 15 minutes (authorization required for any additional time beyond 15 minutes)	(Item A00095)	\$91.29

- Prior authorization required for the following items:

Medical-legal report	(Item A00072)	\$977.16
Medical-legal opinion	(Item A00073)	\$1,634.04

Medical expert testimony

- The report author may bill for testimony, as required, without prior authorization, as follows:

General practitioners

- o \$220.32 per hour for up to two hours preparation
- o \$220.32 per hour for actual court attendance
- o \$125.46 per hour for travel time

Specialists

- o \$259.08 per hour for up to two hours preparation
- o \$259.08 per hour for actual court attendance
- o \$145.86 per hour for travel time
- LSS pays witnesses' preparation, court attendance, and travel time in accordance with the BCMA Crown Billing Guidelines (Scale "B"). See also [General Information — Experts](#).
- Prior authorization required for travel fees and expenses. See [Travel — Witnesses](#).

Miscellaneous

- Prior authorization required for any item, including any expert, not specifically listed here as a disbursement item.

Paternity testing

- Prior authorization required to set the limits of the retainer.
- LSS will fund a paternity test only where no presumption of paternity exists and the putative father is not *in loco parentis*. Testing will be authorized only when no other means are available to prove or disprove paternity.
- LSS will not automatically authorize paternity testing even if the court orders a paternity test and that the parties must share the cost.

Photocopying/Receiving faxes

- No prior authorization required. Do not bill this tariff item in addition to the [Disbursements block payment](#).

In house

- Claim up to \$0.15 per page.
- Please maintain a log to support the number of pages copied or faxes received. LSS may request your log to verify your account.

Third party

- Claim the reasonable cost paid to an arm's-length third party.
- Claim copies made at courthouses at the actual cost up to \$1.00 per page.

Photographs

- No prior authorization required for amounts up to \$50.

Postage

- No prior authorization required. Do not bill this tariff item in addition to the [Disbursements block payment](#).

Printing electronic disclosure

- No prior authorization required for charges up to \$1,000. If you request authorization to exceed this limit, provide cost estimates for printing those portions of the disclosure that are essential in printed form.

In house

- Claim up to \$0.15 per page.
- Please maintain a log to support the number of pages printed. LSS may request your log to verify your account.

Third party

- Claim the reasonable cost paid to an arm's-length third party.
- Please retain invoices and provide them upon request.

Private detectives and investigators

See also [Skip tracing](#).

- Prior authorization required.
- Provide detailed reasons why an investigator is required and an estimate of the time required.

- LSS will fund private detectives on a limited basis to carry out well-defined, discrete tasks. Surveillance will not be authorized.
- Prior authorization required for travel fees and expenses. See [Travel — Witnesses](#).

Psychologists and psychiatrists

- Prior authorization required to set the limits of the retainer.
- Experts' fees are as follows:

Psychologists

- o Up to \$130 per hour for preparation
- o Up to \$130 per hour for actual court attendance
- o Up to \$69 per hour for travel time

Psychiatrists

- o Up to \$259.08 per hour for preparation
- o Up to \$259.08 per hour for actual court attendance
- o Up to \$145.86 per hour for travel time
- Provide a proposal stating the number of hours required for interviewing, making assessments, reviewing materials, testing, and writing reports. Include the number of people to be interviewed and a brief description of their relationship(s) to the client.
- In criminal cases, authorization for psychological/psychiatric assessments is usually available only for serious offences.
- Prior authorization required for travel fees and expenses. See [Travel — Witnesses](#).

Service of court documents

- No prior authorization required if the total amount for each service does not exceed \$200, including meterage charges.
- For service outside your jurisdiction, contact a process server directly, unless unusual circumstances require the use of an agent.
- Ensure process servers are aware of current LSS meterage rates. (See [Travel — Rates/guidelines for travel costs — Meterage](#) for the current LSS rate.)

Skip tracing

See also [Private detectives and investigators](#).

- No prior authorization required for amounts up to \$200, including meterage charges.

Title searches for property and assets

- No prior authorization required to claim the cost of the search.
- This expense is for searching for registered assets under the Land Titles Act and the Personal Property Securities Act. Title searches do not include payroll and accounting searches.

Transcripts (all types)

See [Transcripts](#).

Travel

Lawyers

Travel authorized

- If travel is authorized on your referral (“Travel Authorized” appears under “Conditions of Referral” on your referral form), prior authorization is not required to bill the items listed below under [Rates/guidelines for travel costs](#).

Travel not authorized

- If travel is not authorized on your referral, you may bill meterage, parking, bus, train, ferry, taxi fares, and tolls, using the guidelines set out below under [Rates/guidelines for travel costs](#). Request prior authorization from the Case Management Section to bill any other travel items.

General guidelines

- You are expected to arrange the most economical means of travel unless you have prior authorization for a more expensive means.
- When you are on travel status and travelling to a location for multiple LSS cases during the same trip, split the disbursement costs equally between each referral for which you have a court appearance that day. When you have both LSS referrals and private files, only bill LSS for the pro-rated portion of travel costs that apply to the legal aid files for which you have a court appearance that day.
- Please read these guidelines in conjunction with the “Travel” billing item of the tariff section that applies to your case type.

Witnesses

- Prior authorization required to specify the travel expenses allowed for expert and non-expert witnesses.

- Rates for accommodation, airfare, car rental, meals, and meterage as specified below under [Rates/guidelines for travel costs](#) apply, unless otherwise noted on the authorization or under the Disbursement items.
- For non-expert witnesses, see also [Conduct money](#).

Rates/guidelines for travel costs

- Witnesses always require prior authorization to bill for travel expenses as set out below. Lawyers may bill travel items without prior authorization if travel is authorized on their referral (see relevant guidelines above).

Accommodation

- You may bill for accommodation if you are an out-of-town lawyer who must stay overnight due to the scheduling of a court proceeding.
- LSS is authorized to use government personnel rates for hotel accommodation. We expect lawyers to choose the most reasonable accommodation at provincial government standard room rates for each location as set out on the BC government website at csa.pss.gov.bc.ca/businesstravel.
- Privately owned accommodation in all areas, including that of a friend or relative, is authorized up to \$40 per night.
- LSS does not pay for any personal expenses incurred at the hotel.

Airfare

- Use economy fare rates.

Bus, train, ferry, taxi fares, tolls

- Choose the most economical means of travel available.

Car rental

- LSS is authorized to use government personnel rates for car rental.
- Use a car rental only in remote locations or if you arrived at your destination by alternative means (e.g., by air), and a car is the most reasonable and economical means of transportation available there.
- Do not use a car rental in place of a private vehicle and do not bill for meterage.

Meals

- If travel to attend a court hearing or interview a client in custody occurs over two half days on the same day (i.e., you are out of the office for a full day with no overnight stay), you may claim a per diem rate of \$13.50 for lunch.

- If you are an out-of-town lawyer who must stay overnight for a court hearing, you may claim the following per diem rates (when travel is for part of a day, claim only the meals applicable to that portion of the day spent travelling):

\$11.75 breakfast	\$13.50 lunch	\$22.75 dinner	OR	\$48 daily per diem for meals
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- LSS rates for meals are based on the BC Public Service Agency (Employee Group 1) rates (www.bcpublicserviceagency.gov.bc.ca/policy/down/Appendix_1_Travel_Allowances.pdf)

Meterage

- The LSS meterage rate is \$0.52 per kilometre, billable per trip, not per client, no matter how many clients you see.
- LSS provides a meterage allowance per kilometre for actual distance travelled from an office or home to a specified destination other than your office (such as attendance at a courthouse, detention facility, mediation, meeting with clients and witnesses, or examination for discovery) when using a personal vehicle for business relating to a legal aid referral. The LSS rate for meterage is based on the BC Public Service Agency rate (see link above, under Meals).
- Meterage is not billable for distance travelled between your home and office or for the portion of distance travelled by aircraft or ferry.

Parking

- Claim actual costs up to \$16 per day.
- LSS will not pay parking charges that are part of your overhead costs.

Videoconferencing

- Prior authorization required for witnesses to testify via videoconferencing.
- Please inquire whether government rates are available when booking the videoconference.
- This item relates only to videoconferencing expenses and not to the witness expenses.

Transcripts

Wherever possible, LSS does not require you to obtain prior authorization for necessary and reasonable transcripts. However, most transcripts are not automatically authorized, or are authorized only for a specific category of transcript. To be reimbursed for these, you must obtain authorization *before* incurring the expense or ordering a different category of transcript, or you may not be paid.

Do I need (and how do I get) prior authorization?

If you submit inaccurate or incomplete forms, your request may be delayed.

- You must obtain prior authorization from the Case Management or Appeals Section before ordering most transcripts (see [Transcript Items](#)).
- To find out how to request prior authorization, see the relevant “To order...” instructions under [Transcript Items](#).
- If you order a transcript that requires prior authorization without getting that prior authorization, LSS may not pay for it. See the [Retroactive Authorization Requests — Disbursements policy](#).
- LSS will not pay rates higher than those specified on the transcript authorization.

Which transcript service provider can I use?

LSS and the Ministry of Justice have exclusive service provider contracts with private transcription companies to produce transcripts from digital audio recordings of Provincial Court (criminal and civil) and Supreme Court (criminal) proceedings. Each transcription company has the exclusive right to produce transcripts for specific court registries. See [Appendix: Transcript Service Providers](#) for a list of the transcription companies and their service areas.

The transcription company contracts do not cover proceedings before other courts or tribunals, examinations for discovery, Supreme Court civil proceedings, proceedings in (or within the appellate jurisdiction of) the Federal Court, or court proceedings that a court reporter has been retained to attend. If you are representing a legal aid client in proceedings where another party has proposed retaining a court reporter, contact the Case Management Section about the arrangement.

For appeals and judicial reviews, the exclusive rights of the transcription companies extend only to preparing the original transcript of a Supreme Court (criminal) or Provincial Court (criminal and civil) proceeding. For the production of Red Books and Blue Books required for an appeal, you may retain the designated transcription company or an independent appeal book coordinator. However, LSS will *not* pay rates higher than what the transcription company would charge to produce the Red Books and Blue Books. Also note that if you choose to use the designated transcription company to prepare an Appeal Book, you must

obtain *all* copies required under the applicable *Court of Appeal Rules* from that transcription company.

Which category of transcript can I order?

LSS expects you to order the most economical transcript possible that satisfies your time requirements (see [How are transcripts categorized?](#)). Transcription companies charge premium rates for daily and expedited transcripts, so these are authorized only in exceptional circumstances. Delayed transcripts cost less due to the more flexible deadlines. If you do not require the transcript for a month or more, choose a delayed one.

How many copies can I order?

Unless otherwise noted in each item below (including appeals and judicial reviews), when you order a transcript, the transcription company will send one original copy to the court registry and one paper plus one electronic copy (via an electronic storage device or email) to you. LSS will not ordinarily authorize you to obtain additional copies from the transcription company.

Can I order an electronic copy?

If you did not request an electronic copy when you initially ordered the transcript but you subsequently require one, you will have to pay for it yourself.

Who gets the bill for transcripts?

Once your order is complete, the court reporter or transcript service provider will usually send an invoice directly to LSS. Lawyers may only bill LSS for transcripts in exceptional circumstances approved by the Case Management Section.

Can I make copies of transcripts?

Do not provide paper or electronic copies of the transcript to other parties, as they must obtain transcripts directly from the transcription company. You may, however, make copies for use within your own firm, or for another LSS lawyer acting for another LSS client in a multi-party proceeding (e.g., a co-accused).

How are transcripts categorized?

Transcripts are classified by the production time required, as follows:

- **Daily transcripts** must be prepared and made available to the ordering party by 9 a.m. on the business day following the date the transcripts were requested, provided the order was placed with the registry before 4 p.m.
- **Expedited transcripts** must be prepared and made available to the ordering party by the third business day after the date on which they were ordered.
- **Ordinary transcripts** are delivered to the ordering party within 22 business days after they were ordered. Different timelines apply to certain types of transcripts:
 - o **Oral reasons for judgment, sentencing, rulings, or jury charges** must be delivered to the judicial officer for editing within five business days after the transcript is ordered. (Note: Written reasons for judgment for Supreme Court matters are automatically posted on the Internet. Oral reasons for judgment for Supreme and Provincial Court matters are posted on the Internet only at the direction of the presiding judge.)
 - o **Transcripts or transcript extracts required for an appeal** must be delivered to the ordering party within 60 days of filing the Notice of Appeal, unless further extensions are granted by the Court of Appeal.
 - o **Transcripts for reciprocal maintenance hearings**, including hearings under the *Interjurisdictional Support Order Act*, must be delivered to the ordering party within 14 business days after the transcripts are ordered.
- **Delayed transcripts** are prepared and made available to the ordering party more than 22 business days from the date the transcripts were ordered and on a date agreeable to the ordering party.

Business day means a day, other than a Saturday or Sunday, on which provincial government offices are open for normal business in British Columbia.

Transcripts may also be classified by the party ordering them, as follows:

- **First party** refers to the first order placed by any person for a transcript, or portion of a transcript (in paper or electronic format, or both). Transcription companies charge a higher rate for first party orders. The court registry will require the transcription company to file the original transcript, so you will receive a copy of the original. (The cost of the original plus the copy will be reflected in the first party rate).
- **Second party** refers to the second or subsequent order placed by any person for a transcript, or portion of a transcript (in paper or electronic format, or both), if the transcript has already been produced or is in the process of being produced by a transcription company or court reporter. Transcription companies charge a second party (copy) rate that is lower than the first party rate. If you are aware that another party is submitting a first party order, and you place your order on the same day as the other party, you are entitled to receive the transcript at the same party copy rate.

Transcript Items

This section describes the transcript items, and indicates whether or not prior authorization is required.

You need authorization for most transcript items/categories. Any transcript item *not* listed below requires prior authorization.

Bail reviews

- No prior authorization required to order *first party ordinary* transcripts for bail reviews in Provincial Court only.
- When you order at the first party ordinary rate, you will receive one additional copy of the transcript (i.e., the original for the court registry and two copies for you).

Preliminary inquiries

- No prior authorization required to order *delayed* transcripts.

Section 11 (b) Charter applications

- No prior authorization required to order *delayed* transcripts.
- When you order at the first party delayed rate, you will receive one additional copy of the transcript (i.e., the original for the court registry and two copies for you).

To order transcripts for bail reviews, preliminary inquiries, and s.11(b) Charter applications

1. If no authorization is required, complete the [Criminal Transcript Order Form](#).
2. If authorization is required, complete the [Request for Authorization of Transcripts Form](#) and fax or email the form to the Case Management Section at 604-681-7963 or helpdesk.case-mgt@lss.bc.ca. Use the transcript authorization information to complete the **Criminal Transcript Order Form**.
3. Send the **Criminal Transcript Order Form** and a copy of the LSS transcript authorization (if applicable) directly to the transcription company. To identify the appropriate transcription company, see [Appendix: Transcript Service Providers](#).

Examinations for discovery and applications to set aside ex parte orders

- No prior authorization required to order *first party ordinary* transcripts if you are:
 - o discovering the opposing party, or
 - o making an application to set aside an ex parte order.

The court reporter will provide the original transcript to the court registry and one copy to you.

- No prior authorization required to order one copy at the *second party ordinary* rate if the opposing party is discovering your client.
- Court reporters transcribe examinations for discovery in family cases, and you may retain any court reporter you choose for this service.
- LSS will pay attendance and room fees only if you discover the opposing party.
- LSS will *not* pay any amount that exceeds the rates set out in the current [Official Reporters Regulation](#).

To order transcripts for examinations for discovery and applications to set aside ex parte orders

1. If no authorization is required, complete a [Civil Transcript Order Form](#).
2. If authorization is required, complete the [Request for Authorization of Transcripts Form](#) and fax or email the form to the Case Management Section at 604-681-7963 or helpdesk.case-mgt@lss.bc.ca. Use the transcript authorization information to complete the **Civil Transcript Order Form**.
3. For examinations for discovery, send the **Civil Transcript Order Form** to the court reporter of your choice.
4. For applications to set aside an ex parte order, send the **Civil Transcript Order Form** and a copy of the LSS transcript authorization (if applicable) to the designated transcription company.

Non-appeal proceedings before a court or tribunal

- Prior authorization required for any transcripts of pre-trial or trial proceedings or proceedings before a tribunal.
- For **trial transcripts on continuation**, LSS will consider transcript requests only if:
 - o more than three months have elapsed since the last trial date,
 - o there has been a change of lawyer,

- o there has been more than one continuation, or
- o the court has requested written submissions.
- For **transcripts of Chambers orders**, LSS will authorize transcripts only if the content of the order cannot be determined from the clerk's notes.

To order transcripts for non-appeal proceedings before a court or tribunal

1. Complete a [Request for Authorization of Transcripts Form](#). Fax or email the form to the Case Management Section at 604-681-7963 or helpdesk.case-mgt@lss.bc.ca (unless you require the transcripts for an appeal or judicial review, in which case, see [To order transcripts for appeals or judicial reviews](#)).
2. Use the LSS transcript authorization information to complete a [Transcript Order Form](#). Send this form and a copy of the LSS transcript authorization to the designated transcription company. When ordering Supreme Court oral reasons for judgment, sentencing, rulings, or jury charges, also complete and send a [Finalization and Distribution of Oral Transcription Request Form](#) (Word) to the transcription company.

Court reporter's attendance at proceeding

- LSS will authorize a court reporter's attendance at a proceeding only in exceptional circumstances. Please submit a [Request for Authorization of Transcripts Form](#) to Case Management, explaining why a court reporter is necessary.

Appeals and judicial reviews — BC Superior Courts

- Consider ordering only those parts of the transcript necessary to advance the issues you have decided to argue and only those exhibits required to determine the appeal or judicial review. Discuss with opposing counsel *before* ordering the transcript as opposing counsel may feel that additional evidence must be available for the court to consider, especially in cases where you are suggesting the verdict was unreasonable. If in doubt about the sufficiency of the portions of the transcript you and opposing counsel are proposing to use, seek direction from a Chambers judge.

Court of Appeal

- Prior authorization required. LSS will only authorize transcripts if the appeal or judicial review has already been authorized.
- You usually require a transcript of the proceedings in the lower court or tribunal (the Red Book), and an Appeal Book containing all relevant pleadings, exhibits, orders, and rulings (the Blue Book). For most criminal appeals, you must file an original plus

five copies of both books (one for the registry, three for the judges hearing the appeal, and one each for the lawyers).

- You are responsible for deciding what material the Appeal Book should include. For exhibits, contact the trial court registry to obtain an exhibit list, select the relevant material, and ask the transcription company to include it in the Appeal Book.
- For more information about transcript requirements, consult the *Court of Appeal Rules* (for civil appeals), or the *Criminal Appeal Rules* (for criminal appeals), and/or contact the Court of Appeal Registry.
- For *Crown appeals* (of acquittals, sentences, or other matters), the Crown is responsible for ordering the transcripts and providing them to you. If Crown has not provided transcripts for the portions of the trial that you need, contact the LSS Appeals coordinator to request a transcript authorization for a supplemental transcript (see [To order transcripts for appeals or judicial reviews](#)).
- For appeals *against sentence only*, the Court of Appeal Registry will order transcripts of the proceedings at sentence, and provide you with a copy if the transcripts of the lower court sentencing proceeding are no longer than 100 pages. If they exceed 100 pages, you will have to order the transcripts. Contact the LSS Appeals coordinator to request a transcript authorization (see [To order transcripts for appeals or judicial reviews](#)).

Supreme Court

- Prior authorization required. LSS will only authorize transcripts if the appeal or judicial review has already been authorized.
- For *summary conviction appeals* in Supreme Court, you usually have to file an original plus three copies of the transcript (the original for the court file, and copies for the judge and counsel). Exhibits that form part of the trial record in Provincial Court are transferred directly to the Supreme Court registry where the appeal will be heard, so a separate Appeal Book is not generally required. For more information, consult the *General Criminal Rules*, or contact the court registry.
- For other appeals and judicial reviews in Supreme Court, consult the applicable rules, and/or contact the court registry to determine exactly what is required.

Appeals and judicial reviews — Federal Court

- Prior authorization required. LSS will only authorize transcripts if the appeal or judicial review has already been authorized.
- To determine what you are required to file, consult the *Federal Court Rules*, or the *Federal Court Immigration Rules*, or contact the court registry.

To order transcripts for appeals or judicial reviews

1. If the LSS Appeals Section has approved funding for an appeal or judicial review, the Appeals coordinator or Appeals assistant will automatically include a transcript authorization with your initial referral form that specifies which transcripts you may order after you provide an estimate of the proceeding length. Do *not* send a **Request for Authorization of Transcripts Form** to the LSS Appeals Section unless you are specifically asked for it.
2. Use the LSS transcript authorization information to complete a [Transcript Order Form](#). Send this form and a copy of the LSS transcript authorization to the appropriate transcription company or appeal book coordinator. When ordering Supreme Court oral reasons for judgment, sentencing, rulings or jury charges, also complete and submit a [Finalization and Distribution of Oral Transcription Request Form](#) (Word).
3. For Federal Court judicial reviews on immigration matters, contact the LSS Appeals Section or email helpdesk.appeals@lss.bc.ca to request transcript authorization. If you receive authorization, you will need to request a recording of the proceedings from the Immigration and Refugee Board, and submit that recording, the **Transcript Order Form**, and a copy of the LSS transcript authorization to the appropriate transcription company.

Transcript Forms

The links below will open fillable versions of the transcript forms:

[Request for Authorization of Transcripts Form](#) (PDF)

[Transcript Order Form](#) (PDF)

[Criminal Transcript Order Form](#) (PDF)

[Civil Transcript Order Form](#) (PDF)

[Finalization and Distribution of Oral Transcription Request Form](#) (Word)

Appendix: Transcript Service Providers

 Legal Services Society British Columbia www.legalaid.bc.ca Transcript Service Providers		
Service area	Location	Transcript service provider (see over for contact info)
South Island District:		
1.0	Duncan, Ganges, Sidney, Victoria, and Western communities	JC WordAssist
North Island District:		
2.0	Campbell River, Courtney, Gold River, Nanaimo, Port Alberni, Port Hardy, Powell River, Tahsis, Tofino, and Ucluelet	JC WordAssist
South Fraser District:		
3.0	Abbotsford, Richmond, and Surrey	Verbatim Words West
North Fraser District:		
4.0	Chilliwack, New Westminster, and Port Coquitlam	McEachern & Associates
Vancouver Law Courts:		
5.0	Vancouver Law Courts	JC WordAssist
Robson Square:		
5.1	Robson Square	JC WordAssist
Vancouver Provincial Court District:		
6.0	Bella Bella, Bella Coola, JJP Centre, Klemtu, Vancouver Provincial Court (222 Main)	JC WordAssist
Vancouver Coastal District:		
6.1	North Vancouver, Pemberton, Sechelt	JC WordAssist
Kamloops/Kootenays District:		
7.0	Ashcroft, Castlegar, Chase, Clearwater, Cranbrook, Creston, Fernie, Golden, Grand Forks, Invermere, Kamloops, Lillooet, Merritt, Naksup, Nelson, Rossland, and Sparwood	JC WordAssist
Okanagan District:		
8.0	Kelowna, Penticton, Princeton, Revelstoke, Salmon Arm, and Vernon	JC WordAssist
Northern District:		
9.0	100 Mile House, Alexis Creek, Anahim Lake, Atlin, Burns Lake, Chetwynd, Dease Lake, Dawson Creek, Fort St. James, Fort St. John, Fort Nelson, Fort Ware, Fraser Lake, Good Hope Lake, Houston, Hudson Hope, Kitimat, Lower Post, Mackenzie, McBride, Masset, New Aiyansh, New Hazelton, Prince George, Prince Rupert, Queen Charlotte City, Quesnel, Smithers, Stewart, Terrace, Tumbler Ridge, Tsay Keh Dene, Valemont, Vanderhoof, and Williams Lake	JC WordAssist

