



New Simplified Criminal and Family Tariffs

The Legal Services Society is pleased to announce that it will implement simplified tariffs for all new criminal and family referrals, effective June 29, 2010. A [summary](#) of the new tariffs is now on the LSS website.

Background

The simplified tariffs, which were developed with input from referral lawyers around the province, are designed to reduce the administrative burden on counsel and LSS staff, to maintain services, coverage, and eligibility, and to ensure the same level of compensation overall.

Although LSS's tariff schedules were originally concise, simple documents, they grew over the decades as items were added to cover changes in laws and procedures. The criminal tariff became 72 pages long with 58 billable items of which only six accounted for two-thirds of all billings. The family tariff grew to be 46 pages long with 46 billable items of which only nine were used regularly.

Lawyers told us the tariffs were difficult to administer, that their complexity made it hard to explain coverage issues to clients, and that a more user-friendly system was needed.

Responding to these concerns, LSS began to work on simplifying the tariffs in the fall of 2009. This included examination of legal aid tariffs in other provinces and countries, and development of a database to analyze the impact of proposed billing models on different areas of practice.

Consultation

Early in the development of the new tariffs, LSS held discussions with its criminal and family tariff advisory committees who reviewed the proposals and suggested refinements. LSS then posted discussion papers on its website along with a survey, and invited comments from the tariff bar. This was followed by meetings with referral lawyers in Vancouver, Kamloops, Prince George, Surrey, Nanaimo, and Victoria.

These consultations identified a number of issues — particularly on the criminal side — which were addressed in subsequent versions of the simplified tariffs.

The Legal Services Society would like to thank the many lawyers who assisted in developing the simplified tariffs by responding to questions, commenting on reports, and meeting with LSS staff.



New criminal tariff

The criminal tariff has been reduced to 25 billable items on 24 pages, largely through consolidating seldom-used services and expanding the scope of major events in the criminal process. There are fewer billing rules, a revised rate structure for summary and indictable offences, and a more even distribution of tariff payments that better reflects the work involved in more complex cases.

New family tariff

The family tariff now has 9 billable items on 8 pages, with a larger allocation of hours spread among fewer billable items, an allowance for matters in Supreme Court, and the re-introduction of extended services.

The family tariff costing is less certain and could potentially exceed budget targets. LSS will closely monitor average case costs and will make adjustments to the family tariff if and when required.

New CFCSA tariff

LSS originally considered amalgamating the family and CFCSA tariffs but after consultation with the bar, concluded that the two should remain separate. LSS will be posting the proposed CFCSA tariff for feedback, likely in late summer 2010, with the expectation of implementing this new tariff in the fall.

Transition to the new tariffs

LSS will post a new tariff guide on the LSS website on June 29, 2010. As well, a Notice to Counsel will be sent out at the end of June that will cover the rules for transition. LSS tariff accounts staff will also be available to assist referral lawyers with the new tariffs.

As always, your feedback is appreciated. Please email your comments to lawyersresources@lss.bc.ca.

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