

Project objectives

The goal of the Gladue Report Disbursement Pilot Project is to fund Gladue report court submissions, which are separate and distinct from the Gladue component in a probation officer's pre-sentence report. Gladue reports are meant to effectively activate the remedial aspects of Gladue principles by providing the court with comprehensive information on the offender, the offender's community, and a plan that looks at realistic and viable alternatives to prison. Reports will be funded for pre-sentence reports, bail hearings, and sentence appeals. Continuing this initiative will depend on evaluation and funding.

Procedure

- Lawyers will request a Gladue report by submitting a *Request for Authorization of Disbursements* form to the Case Management Section.
- LSS will assign a writer from the roster of LSS-certified writers maintained by Aboriginal Services. The report writer will require a minimum of eight weeks to complete the report.
- Unless the client explicitly requests that a report writer not be connected to his or her community, Case Management will match the client with a Gladue report writer who is:
 - familiar with the client's culture and community, and
 - close to the client's residence or the correctional facility.
- The report writer must submit his or her invoice to the lawyer for payment. The lawyer is responsible for paying the report writer upon receipt of this invoice.

Priority for Gladue reports

You are encouraged to apply on behalf of female clients or single parents. Priority will be given to cases where the client:

- is a youth
- has a lengthy record
- faces an indictable charge (excluding first degree murder)
- 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
- has a bail hearing

Requests *may* not be approved if:

- The client resides outside a 200 km radius for in-person interviews. While this is to avoid LSS incurring excessive travel expenses, it is subject to exceptional circumstances and budget availability.
- Fewer than eight weeks are available for the writer to prepare the report.

If requesting a report in these circumstances, please indicate any specific considerations about your client that LSS should take into account.

Bail hearings

Gladue reports are available for bail hearings if the client agrees to have the matter adjourned to allow for the eight weeks to complete the report.

Compensation for tariff lawyers

LSS does not normally compensate lawyers for dealing with Gladue reports. If addressing the issues covered in a Gladue report requires significant extra preparation, counsel may request extra legal fees. Please refer to items 41 and 42 in the *General Terms and Conditions* chapter of *LSS Tariffs*. Payment of extra legal fees is discretionary and will need to be justified with time sheets and by the specific circumstances of the case.

Payment

Referral lawyers bill for Gladue report writing in the Hourly Experts section of the billing form.