



February 2005

Annual Billing Limits

What are the billing limits?

Each lawyer's annual billings for legal aid work in LAO's fiscal year are capped. Effective April 1, 2004, annual billing limit, regardless of tier level, is 2,350 hours per year.

When does the year begin?

LAO's fiscal year runs from April 1 each year to March 31 of the following year. On April 1 each year, every lawyer's annual billing limit starts over again. Only hours billed to LAO that are paid in the fiscal year are included in your annual billing limit. If you submit accounts that are not processed for payment by March 31, they will be included in your annual billing limit for the next fiscal year starting April 1, that is, in the fiscal year in which they are processed.

What's included in the annual billing limit?

Only the hours paid for work performed by an individual lawyer are included in his or her annual billing limit. For example, if you acknowledge a certificate, but another lawyer performs the work required by the client, the hours billed will be included in the other lawyer's annual billing limit, not in yours, even though you are required to sign the account because you acknowledged the certificate. Student or law clerk time is also excluded from hours allocated to your annual billing limit.

What happens when I reach the limit?

Notices are sent to lawyers who are reaching the annual billing limit, however it is your responsibility to monitor your own legal aid billings. You are in the best position to know the hours you have billed LAO. Notices are sent when a lawyer reaches 50%, 75%, 90% and 100% of the limit.

You should take all necessary steps to ensure that you do not exceed the annual billing limit. If the number of hours of work allocated to you reaches 100% of the annual limit, Legal Aid Ontario will examine any further accounts to see if there are any agents' fees or other disbursements which can be paid. The balance of the accounts, consisting of fees paid to the lawyer, cannot be paid. The unpaid fees cannot be resubmitted for reconsideration or payment at a later date.

If you are at risk of reaching the annual billing limit, you may wish to consider whether it would be wise to hold back accounts and not submit them until the new fiscal year, which commences April 1 of each year. All accounts (whether held back or not) must be submitted within the billing deadlines. For more information on the billing deadlines, please see the Tariff and Billing Handbook.

Are there any exemptions to the billing limit?

It is possible to request an exemption from the application of the annual billing limit if special circumstances exist in relation to a particular certificate. Your request must be in writing and must provide sufficient details to enable the President to exercise her discretion properly. Please submit your request to:

Legal Aid Ontario, Legal Accounts Department
40 Dundas Street West, Suite 200
Toronto, M5G 2H1
ATTN: Manager, Lawyer Payments

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