

B3: Better Billing Bulletin

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New on Legal Aid Ontario external website

- Sample forms to help you prepare discretion requests under the clarified discretion guidelines:
 - Sample criminal discretion request [PDF, 687 KB]
 - Sample family discretion request [PDF, 670 KB]
 - Sample CSFA discretion request [PDF, 682 KB]
 - Sample refugee discretion request [PDF, 762 KB]
- A contacts for lawyers section to help you find the correct department or person if you have questions or issues.

Motion to get off the record

LAO treats your motions to get off the record as part of your preparation time for the case.

You may bill for, and we will cover, reasonable fees for motions to get off the record if the fees are within tariff.

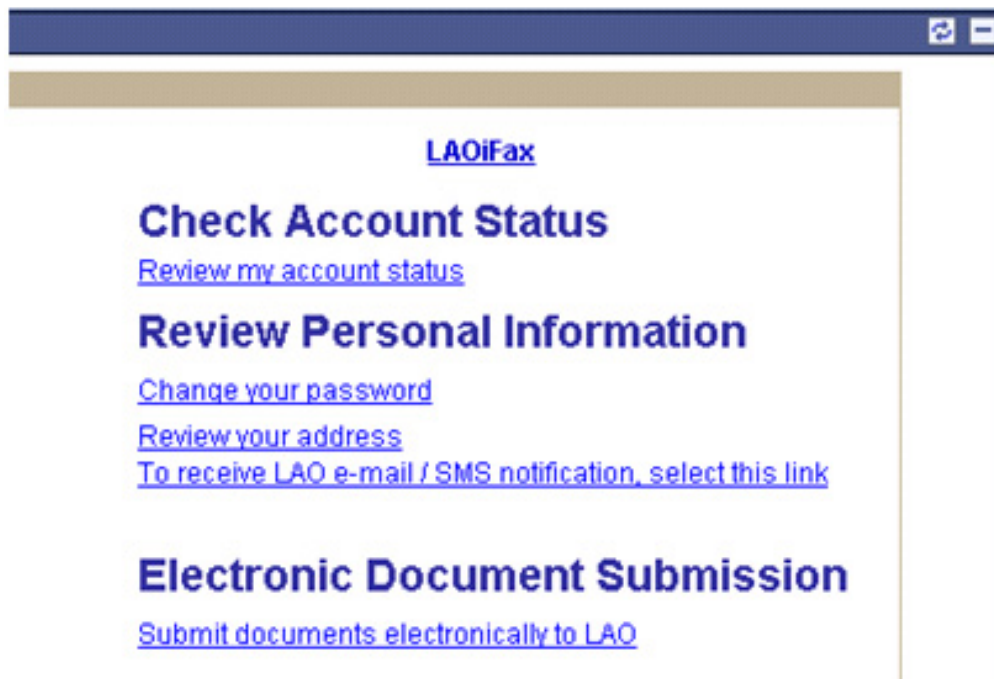
You may request discretion for such fees if they exceed the tariff. LAO's Lawyer Services and Payments (LSP) will make its decision for discretion based on the reason for your motion and the point in the proceedings at which you have made the motion.

What to do if you are locked out of *Legal Aid Online*

Effective this August, you will be able to use the password reset feature if you are locked out of *Legal Aid Online*.

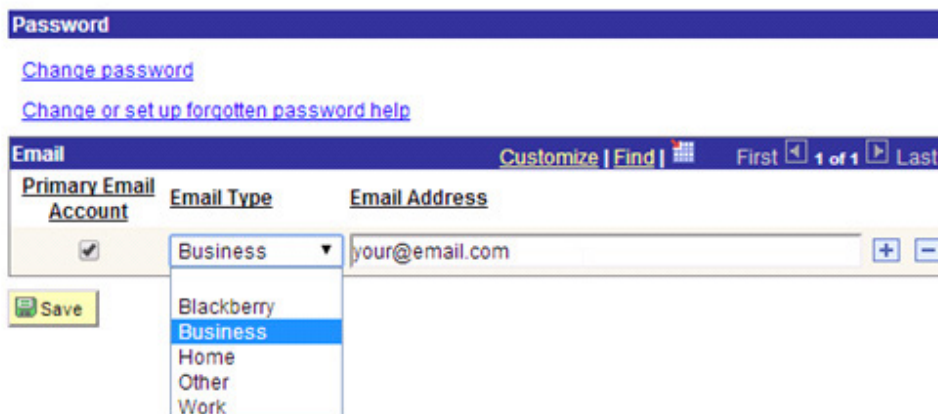
To use this feature, you must provide a security question and update your account information as follows:

1. Log in to *Legal Aid Online*
2. Go to 'Review Personal Information' and select 'Change your password' (see page capture below).



3. Follow the prompts to change your password and set up your security question. You must also add an email address to your account.
4. Check the box next to the email address you'd like to use for password recovery (see page capture below).

General Profile Information



How to request a new password for *Legal Aid Online*

If your password is locked or has expired, or you have forgotten it, you can request a new one through the password reset form on the *Legal Aid Online* sign-in page.

You will need to enter your user ID and answer your security question. The system will then email a temporary password to the address it has for you on file.

Authorizations for costs orders

You can request an authorization from the district office for services relating to obtaining a costs order and taking the necessary steps to protect LAO's interest in the costs awarded. "FA025 For all preparation for—and attendance on— assessment of bill of costs, obtaining assignment of costs and filing execution. Additional tariff maximum of 3 hours".

Detailed information on obtaining costs orders is in the Costs & Contributions chapter of the Tariff and Billing Handbook.

Disbursements for refugee proceedings

Interpreters

All certificates for preparation of the Basis of Claim (BOC) and/or hearing at the Refugee Protection Division (RPD) include ten hours for interpretation services. You do not require prior approval to bill for these ten hours; this amount of time is sufficient for more than 90 per cent of disbursements.

If, however, ten hours is insufficient, you may submit a request for additional interpreter services, in writing, to Lawyer Services & Payments through *Legal Aid Online* with an estimate or actual amount of the additional hours required and the reasons.

Document translation

Lawyers may now bill up to a total of 3,500 words for document translation for both identity and non-identity documents. Up until now, certificates for BOC (or PIF) and RPD certificates were limited to:

- document translation without prior approval for 1,000 words for identity documents and
- document translation without prior approval for 2500 words for non-identity documents.

Until LAO finalizes a technical solution to support this change, please continue to break down translation costs into either identity or non-identity documents when billing online. LAO will process payment for its new total limit of up to 3,500 words no matter what the type of document has been translated.

If a total of 3,500 words is insufficient, you may submit a request for additional translation disbursements through *Legal Aid Online*, using the Disbursement Authorization - Translations form available on the LAO website.

Interpreter and translation disbursements requiring pre-approval

Before you submit your account, please obtain approval for your translation disbursement to receive timely payment and avoid processing delays.

When you submit your account, always attach invoices for interpreter and translation disbursements over the standard threshold.

For more information on interpreters, translation and other disbursements refer to the Disbursement Handbook.

Transcription services

As of June 9, 2014, you must order all court transcripts through the Registry of Authorized Court Transcriptionists for Ontario. LAO has received clarification on the following issues that have arisen since the registry was introduced.

- **The Ministry of the Attorney General (MAG) continues to reproduce copies for the Court of Appeal.** The ordering party should only be charged \$4.30 per page. Here is a detailed confirmation from the registry's online FAQs

1.5 Q. What fee should be charged for Court of Appeal or Divisional Court transcripts?

A. In accordance with the transcript fees outlined in O. Reg. 94/14, ordering parties are charged \$4.30 per page for the first certified copy of the transcript. The Ministry will continue to print copies of court transcripts required for the Court of Appeal for Ontario or the Divisional Court at no cost to the authorized court transcriptionist. Deposits and/or payment of the regulated fees are arranged between you as the ordering party, and the transcriptionist you choose.

- When defence counsel orders a transcript of a preliminary hearing, the transcriptionist expenses **the copy for the Federal Crown to the Federal Crown**, not to defence counsel. Court services is billed for the copy for the court. Please note that this process has not changed. It is the correct interpretation of Section 6.2.1 in the Court Transcript Standards and Procedures manual regarding Invoicing Court Services Division.

- LAO will approve and reimburse the cost of transcripts based on the principles outlined in the Court transcript standards and procedures manual. If there is any dispute regarding the amount charged or the number of copies billed, the ordering party should resolve the matter with the transcriptionist directly.
- Lawyers are required to co-ordinate the cost of transcripts for co-appellants. LAO will pay for one original transcript only, and will pay for all other copies of the appeal transcript at a copy rate.

Order transcripts or obtain more information on the new model for ordering transcripts.

Questions?

Please let us know if you have questions or if there are topics you'd like to see us cover by contacting the Lawyer Service Centre at pl-lsc@lao.on.ca

