

B3: Better Billing Bulletin

Issue #48 | March 2015

Changes to duty counsel accounts

Starting March 30, 2015, duty counsel will notice several new requirements when submitting their accounts. These changes were made to improve service for clients as well as enhance the quality of data we collect.

Mandatory court location

Duty counsel will now be required to indicate from a drop-down menu the court location when submitting their account. Courts available for immediate selection will be based on the location in which you are scheduled to provide duty counsel services and the respective purchase order. For example:

- If you provide criminal duty counsel services in Owen Sound, you will only see court locations for Owen Sound in the drop-down menu.
- If you also provide services in Walkerton, your billings made under the Walkerton duty counsel purchase order will only list courts in Walkerton.

An “other” option is also available for when you provide services outside an Ontario court. This could include:

- Services under the domestic violence program that are provided at a shelter or in the lawyer’s office.
- Any other location, such as a general advice clinic, which is not available.

Double billing

Sometimes we receive duty counsel accounts for services that have already been billed. If the account is not caught immediately, it could lead to a double payment which would result in us requesting a recovery of the overpayment, sometimes months later.

To eliminate this issue, our billing system will now:

- Identify any account submitted that has the same date and time as a previously submitted and approved one; including accounts with overlapping times.
- Flag the account as a duplicate and require manual intervention by an LAO staff member.
- Provide options to reject or request an account revision.

Accounts that are duplicates will be rejected while accounts with overlapping times will be returned with the requirement that revisions be made prior to a payment is processed.

Financial eligibility status

When services provided require a financial eligibility test, the “newly eligible” option should be selected to identify clients who became eligible after the threshold was increased in November 2014.

This new field will allow us to gain a better understanding of how many additional people are eligible for duty counsel services as a result of the recent increases to the thresholds.

Further information about using this field will be made available shortly through the district offices and online.

Details

As counsel I assisted the following persons:

Service Description	Client	First Name	Last Name	Date of Birth (mm/dd/yy)	Financial Eligibility	Service 1	Service 2	Service 3
1 DC Criminal Adult	DC Clier				No Test			

Comments:

Eligible
Newly Eligible
 No Test
 Not Eligible

Amending service types

It is now possible to amend the duty counsel service type prior to submitting an account, or after it is sent back for revision. For example: changing the account type from “DC Criminal Adult” to “DC Criminal Youth.”

Reminder: changing the account type from criminal to family or family to FLIC may require you to change the service codes.

Additional time fields

The number of fields in which to track time has been increased from two to four. This will allow for better tracking of hours worked by staff and per-diem duty counsel.

Hours and Fees Billed				
Start Time:	End Time:	Hours Duration:	Rate:	Fee:
<input type="text"/>	<input type="text"/>		103.94	
<input type="text"/>	<input type="text"/>		103.94	
<input type="text"/>	<input type="text"/>		103.94	
<input type="text"/>	<input type="text"/>		103.94	
		Appearance Fee:		
Total Hours:		Total Fees:		

If you have any questions about any of the changes, please speak with your local Supervisory Duty Counsel or contact the Lawyer Service Centre.

Certificate Disbursements

Gladue Reports

In 2014, we committed funding to Aboriginal Legal Services Toronto and to Nishnawbe-Aski Legal Services Corporate to provide Gladue report writing services to their clients.

In locations where a publicly-funded Gladue report service is not available, Gladue panel members may request disbursement authorization for a report by a private organization. We've updated the Disbursement Handbook to reflect the processes to request pre-approval for a Gladue report and the policies that will be applied to requests.

A request can be made by submitting the Request for an Expert/Other Service Provider form, found on *Legal Aid Online*, to Lawyer Services and Payments. Your request must include the following information:

- written confirmation that a funded Gladue report program is not located in your geographical area of Ontario
- the Gladue report writer's information and qualifications
- a summary of the charges

- the disposition sought by the Crown
- services provided by the Gladue report writer
- estimate of the number of hours to write the report
- other expenses, such as travel and accommodation

We will normally approve 30 hours at a rate of \$50.00 per hour. Increased hours up to 40 may be approved for complex reports for which there are serious consequences to the client.

Other disbursements

Secure electronic document exchange (Family & CFSA)

Web-based services for secure document exchange in family and CFSA matters are now available for lawyers in Ontario. Lawyers interested in, or are already using this service for private clients, will soon be able to use it with their legal aid clients.

The web-based service provides a mechanism to electronically provide disclosure and serve documents on other parties and has been confirmed as valid notice of service by the Courts. The service provides electronic confirmation that the document has been delivered and provides a permanent record of all entries, and may also include production of the Affidavit of Service.

To support lawyers who are interested in using this service, a new regular disbursement will be available based on rates that have been provided to us from service providers.

- The regular rate is \$20 per year up to \$60 to reflect the average life of a certificate.
- If additional amounts are required, requests may be submitted to Lawyer Services and Payments for approval.
- Invoices are to be submitted with the online account.

New disbursement for printing Crown disclosure

Lawyers acting on tariff and block fee certificates are now able to bill for printing up to 250 pages of Crown disclosure from disc without requiring approval from us.

Staying up to date

We'll continue to notify you in advance of any impacts to Legal Aid Online by email, on Twitter and through messages posted on Legal Aid Online's login screen. Have an issue with something? The Lawyer Service Centre is available to answer your questions from Monday to Friday, 8 a.m. to 5 p.m.

Lawyer Service Centre

Telephone: 416 979-9934

Toll-free: 1-866-979-9934

Fax: 416 979-7326

Email: pl-lsc@lao.on.ca

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



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