LEGAL AID ONTARIO
AIDE JURIDIQUE ONTARIO

Temporary Tariff Framework for Refugee Legal Aid Services

John Norquay, Senior Advisor, Immigration & Refugee Law Services
Elsa Arismendi, Staff Lawyer, Centralized Services Dept.

November 17, 2026

Agenda



Part 1: Changes to the Refugee Claim Process

- New IRCC refugee claim application portal
- Changes to the refugee claim process
- Designated Representatives appointed by CBSA

Part 2: Temporary Tariff Framework

- Applying current certificate fee structure to the new refugee claim process
- Pre-Removal Risk Assessments

Overview of refugee claim process changes

The Immigration and Refugee Board (IRB)'s Basis of Claim (BOC) Form is discontinued effective November 3, 2026.

New **Refugee Claim Application portal** through Immigration, Refugees and Citizenship Canada (IRCC).

The new portal application combines:

1. Biographical and personal information questions; and
2. Basis of claim questions, including a section to enter the claimant's narrative.

Portal questions and instructions are available in the IRCC User Guide:

- Guide 0174: Inland Refugee Claims Portal

Overview of refugee claim process changes: deadlines



Port of Entry (POE) Claims

- Eligibility determination by CBSA officer
- **60 days** to complete entire portal application
- Includes biographical information, risk-related questions, and narrative

Inland Claims

- Claimant first completes biographical information section only
- Eligibility interview with IRCC officer
- Only if eligible, **60 days** to complete risk-related questions and narrative



For both POE and inland claims, a 30 day one-time extension is available upon request

Overview of refugee claim process changes: next steps after submission

New: Phase called Minister's Due Diligence (MDD) – up to 365 days

- Maximum wait, not a minimum. IRCC says typical wait will be 2-3 months.

Upon completion of MDD, claim will be referred to the Refugee Protection Division (RPD) and receive Confirmation of Referral

- If Minister will intervene, Notice of Intervention will accompany the referral

New: Personal disclosure is then due to be submitted to the RPD within 30 days of referral

Work with client on personal evidence should begin EARLY – **before referral**

Overview of refugee claim process changes: personal disclosure

- IRB has issued a Practice Notice explaining how the new personal disclosure deadline will be applied
  - Refugee Protection Division: Practice notice on procedural issues

Claim referred before Nov 3, 2026	Claim referred between Nov 3, 2026 and Jan 3, 2027	Claim referred on or after Jan 4, 2027
• Disclosure due **10 days** before hearing	• Personal disclosure due **60 days** after referral	• Personal disclosure due **30 days** after referral

Overview of refugee claim process changes: pre-referral abandonment

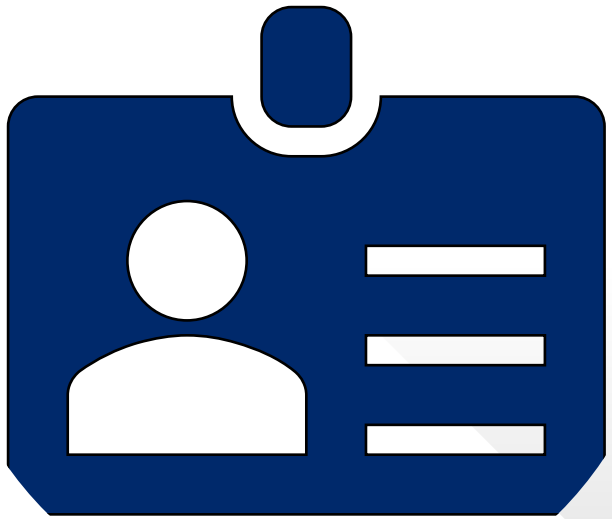
New: If a client misses a deadline or fails to appear for a proceeding:

The claim can be sent to a pre-referral abandonment hearing before the RPD

Applies to:

- Eligibility interviews / biometrics collection
- Submission of refugee claim application portal within 60 day deadline
- Any other obligation

Designated Representatives in CBSA directed proceedings



CBSA can now appoint **Designated Representatives** for minor clients and for adult clients who cannot appreciate the nature of the proceedings:

- PRRA initiation
- Danger opinion submissions
- Enforcement of removal proceedings (e.g. deferral requests)

LAO Response: Temporary Tariff Framework

Because of the substantial changes to the refugee claim process, LAO will be making permanent changes to the refugee claim and pre-removal risk assessment tariff.

30-day consultation period in early 2027

Roster lawyers may provide input now

Email: immigrationandrefugee@lao.on.ca

In the meantime, LAO has issued a Notice re Temporary Tariff Framework

The Notice explains how the existing certificate structure is to be used for work on new claims in the new system on a temporary basis while the new tariff is set up

Refugee claim certificates: Current refugee claim certificate wordings

	9-hour BOC certificates	12-hour BOC certificates
Stage 1	*For refugee claim filing, including preparation of the BOC and refugee portal application. Tariff maximum of **9 hours**.*	*For refugee claim filing, including preparation of the BOC and refugee portal application. Additionally, for filing of documents in accordance with the IRB expedited process for refugee claimants. Tariff maximum of **12 hours**.*
Stage 2	*For representation at RPD proceedings. Tariff maximum of **9 hours** for all services other than attendance at the hearing.*	*For representation at RPD proceedings following referral of expedited claim to full hearing. Tariff maximum of **6 hours** for all services other than attendance at the hearing.*

9-hour certificates: coverage for claims in the new system

	9-hour BOC certificates	Work covered
Stage 1 **9 hours**	For refugee claim filing, including preparation of the BOC and refugee portal application. Tariff maximum of 9 hours.	• Preparation and filing of the new refugee claim application portal
Stage 2 **9 hours**	For representation at RPD proceedings. Tariff maximum of 9 hours for all services other than attendance at the hearing.	• Advice related to personal disclosure (provided during MDD period) • Preparation and filing of personal disclosure within 30 days of RPD referral • Preparation for and attendance at abandonment hearings • All other services pertaining to representation before the RPD

9-hour certificates: How to request stage 2

Stage 2 (additional 9 hours) is available:

After completion of all stages of the refugee claim application portal, **OR**

Upon scheduling of a pre-referral abandonment hearing

How to request in *Legal Aid Online* portal:

Upload copy of the first page (with name) and "Basis of Your Claim" section of the portal submission

- Select "Document code 115 – Signed/Dated BOC and Narrative"

Upload document showing proof of submission (see right for Acceptable Documents)

- In Description field enter "Requesting hearing authorization"
- Select "Document code 102 – RPD authorization materials"

Acceptable documents

Screenshot from IRCC portal showing refugee claim application submitted

Confirmation of Referral

Notice to Appear for a hearing

(including Abandonment hearing)

For full instructions: Requirements for submitting Basis of Claim forms (on LAO website)

12-hour certificates: coverage for claims in the new system

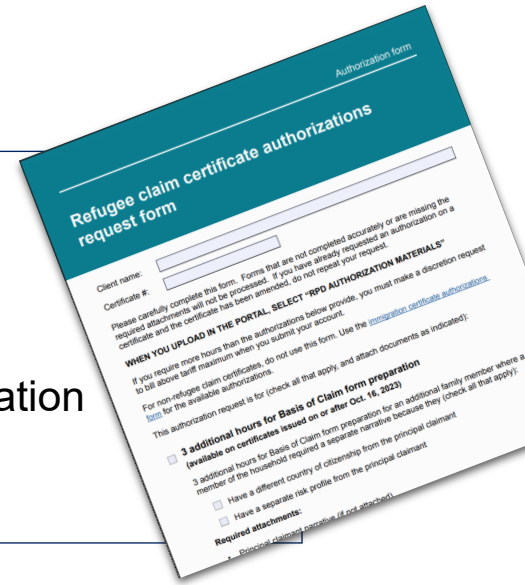
	9-hour BOC certificates	Work covered
Stage 1 **12 hours**	*For refugee claim filing, including preparation of the BOC and refugee portal application. Additionally, for filing of documents in accordance with the IRB expedited process for refugee claimants. Tariff maximum of **12 hours**.*	• Preparation and filing of the new refugee claim application portal • **Advice related to personal disclosure (provided during MDD period)** • **Preparation and filing of personal disclosure within 30 days of RPD referral**
Stage 2 **6 hours**	*For representation at RPD proceedings following referral of expedited claim to full hearing. Tariff maximum of **6 hours** for all services other than attendance at the hearing.*	• Preparation for and attendance at abandonment hearings • All other services pertaining to representation before the RPD

NOTE: Stage 2 available only when a hearing is scheduled (including abandonment hearing)

Other tariff modifications:

3 hour “enhancer” for Family Member Narrative

- Where a family member has:
  - a separate risk profile
  - a different country of citizenship
- This may now be used for work on the basis of claim section of the refugee claim application portal
- Request using **Refugee Claim Certificate Authorization** request form.



3 hour “enhancer” for working with a Designated Representative

- Where a Designated Representative has been appointed for:
  - An unaccompanied or separated child
  - An adult who cannot appreciate the nature of the proceedings
- This may now be used for work when a DR has been appointed by the IRB (any division) or CBSA for an adult client or an unaccompanied/separate child.
  - PRRA initiation
  - Danger opinion
  - Removal proceedings (deferral requests)
- Request using **Immigration Certificate Authorization** request form.



Ineligible Claimants: PRRA work

Early PRRA work can be billed on BOC certificates if the client's refugee claim has been found ineligible due to:

- Bill C-12 bars (e.g. one year bar)

- Any other eligibility bar

Clients will still be eligible to apply for a 10-hour PRRA certificate when CBSA is ready to initiate their PRRA application

We'd like to hear from you.



If you have ideas on possible tariff designs, please share your thoughts with us:



immigrationandrefugee@lao.on.ca

Thank you for your ongoing commitment to supporting immigration and refugee clients with Legal Aid Ontario.

General Billing Resources

Resources:

- Tariff and Billing Handbook
  - Billing work prior to the certificate effective date not permitted (30 day grace period)
  - Billing Deadlines
- Billing Tutorials
  - Practical Tips for Refugee Roster Lawyers training (May 2025)
- Docketing Requirements
- Disbursements Handbook
- Quality Service Expectations
  - General
  - Appellate
- Refugee Roster Resources
  - BOC upload requirement
  - Bill C-12 resources

Lawyer Service Centre
416-979-9934
pl-lsc@lao.on.ca

I&R Department
immigrationandrefugee@lao.on.ca