

Amount to be recovered by LAO



Published: October 2021

In determining the amount that LAO can recover under a contribution agreement or in relation to LAO's statutory charge, the primary factor is the "cost of providing the services" as defined in Rule 111.

The "cost of providing the services" is the total of all fees and disbursements paid (without HST). This is calculated by multiplying the service provider's hourly rate by the number of hours spent providing the services and adding the amount spent on disbursements (without HST).

Once the "cost of providing the services" is determined, an administrative fee, calculated at 10 per cent of the total net fees and disbursements paid, is added. In the case of a contribution agreement, any interest owing on overdue amounts is also added.

Since different service providers may have different hourly rates, the cost of providing the services may vary depending on who provided the legal aid services.

(a) Services provided by Roster Member:

In the case of legal aid services provided by a roster member, the cost of providing the services is determined in accordance with the following formula:

(Hours docketed x applicable hourly certificate rate, as settled by LAO) +
disbursements (without HST)

(b) Services provided by LAO Staff Member:

If services were provided by an LAO staff member, the cost of providing the services is determined in accordance with the following formula:

(Hours spent providing services x applicable hourly certificate rate for the service provider in LAO's computer system) + disbursements (without HST)