

Disbursements requiring prior authorization



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LAO authorizes roster members representing certificate clients to incur and bill to LAO the cost of actual disbursements that are reasonably necessary to support the legal services authorized by the certificate, bearing in mind the costs and expenses that a reasonable client of modest means would likely agree to incur.

Special disbursements requiring prior authorization include any disbursements not identified as Inherent Disbursements in Appendix A to the LAO Disbursements Handbook.

Requesting prior authorization for disbursements

A roster member shall seek prior authorization for special disbursements by:

1. providing as much detail as possible including the type of disbursement, the name and credentials of the disbursement provider, the estimated cost, including details regarding the charges, such as the hourly rate, the rate per page, and the number of words in the case of a transcription
2. explaining the reason the disbursement is required, and whether it is time-sensitive; and
3. including all relevant facts of the case and explaining how the disbursement will advance the client's case

When authorized to incur a disbursement, a roster member shall:

1. inform disbursement providers in advance of the terms/limits of the authorization, including limits on hourly rates, number of hours, billing deadlines and total cost of the disbursement
2. select disbursement providers who accept legal aid rates for services provided
3. bill LAO promptly for disbursements incurred
4. ensure the quality of the work obtained is worth the expense charged by the disbursement provider
5. itemize all disbursements in the account and attach invoices whenever possible

6. not bill disbursements accounts totalling less than \$50.00, unless the account is being submitted to comply with billing deadlines or as a final account; and
7. not consent to a court order regarding the payment of disbursements by LAO

Where prior authorization for a disbursement is required but not obtained, LAO may decline to pay the cost of the disbursement. A roster member may request retroactive authorization, which may be granted where authorization would clearly have been granted if sought in advance. If retroactive authorization is denied, LAO will not pay for disbursements incurred.

A roster member shall not bill disbursements that require prior authorization as inherent disbursements covered by the certificate.