



Legal Aid Ontario Job Aid: Recording Criminal Case Outcomes

April 2023

Lawyer Services and Payments

For more information please contact the Lawyer Service Centre at:

Telephone: (416) 979-9934

Toll free: 1-866-979-9934

Fax: (416) 979-7326

Email: pl-lsc@lao.on.ca

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1. Background

On April 29, 2023, Legal Aid Ontario is introducing expanded outcome reporting for all adult and youth proceedings, including bail hearings. Similar to outcomes currently recorded for block fee accounts, outcome reporting will be required for all final billed accounts.

Outcome reporting for Long Term Offender designations, Detention Orders, bail reviews and appeals will be introduced at a later date as part of Legal Aid Ontario’s overall goal to collect data on all proceedings.

Outcome reporting is in keeping Legal Aid Ontario’s commitment, “to develop metrics, measures and report outcomes”, outlined in the Legal Aid Ontario Strategic Plan 2019 - 2024 . It is also a requirement of LAO’s mandate under LASA

Rule 63 (1) (c) requires roster members to maintain records that include “the outcome or results of the proceedings that were the subject of the legal aid services that were provided under the certificate”

Collecting and measuring outcomes is an important component of Legal Aid Ontario’s client-centred approach. It allows us to identify issues such as unfair treatment or unequal treatment in the justice system, identify the need for improvement, and develop appropriate response. It allows Legal Aid Ontario to place clients at the centre of what we do by holding us accountable to the core clients groups served by Legal Aid Ontario, in particular Indigenous, Black and racialized communities.

LAO will analyze outcome data and the other data that LAO collects to measure the impact of legal aid services and report the progress.

» Important

The collection of data is for reporting purposes only and does not impact the settlement of an account.

Introduction

What’s New:

- Reporting case outcomes on hourly accounts
- Collecting bail hearing outcomes for all matters
- Collecting pre-trial custody information for all matters
- Reporting the reasons a case is not resolved when submitting an hourly account

This enhancement is designed to:

- Provide lawyers with the ability to easily record bail and case outcomes for all proceedings when submitting an account.
- Provide Legal Aid Ontario with data to identify trial, pre-trial, bail and sentencing trends and link them to data on race collected during the application process.
 - **Outcomes are mandatory on final accounts.**

» Important prior to April 29

Prior to implementation, all draft accounts for criminal block fee and hourly accounts should be submitted by **April 27**. All outstanding draft accounts will be deleted as part of the implementation process and those accounts will need to be recreated.

» Reminder: Billing deadlines

The reporting of case outcomes does not change the requirement to meet billing deadlines. Do not delay submitting an account in order to record the outcome.

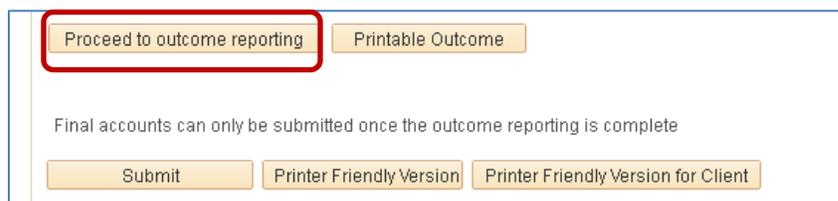
2. Submitting Accounts Overview

Changes come into effect on **April 29, 2023** and apply to all accounts created on or after that date. Accounts previously submitted are not impacted by this change, with one exception: new column headings will appear on already created block fee accounts, but values will not be displayed.

For hourly accounts, case outcomes are reported on a separate page accessed via the *Proceed to outcome reporting* button. For final accounts, the button must be accessed and case outcomes recorded before the account can be submitted.

Case outcomes on block fees will continue to be reported on the account as in the past with the addition of three additional fields.

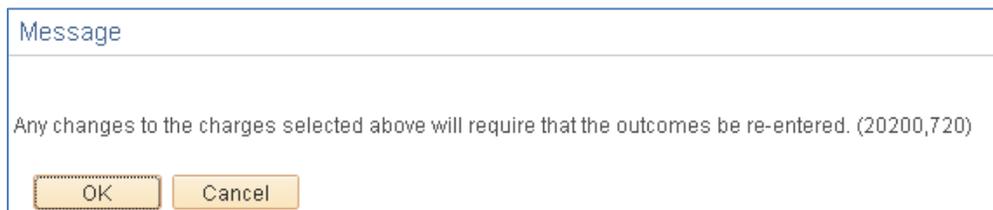
For both block fee and hourly accounts, bail outcomes are reported on a separate page which can be accessed by clicking on the “Proceed to outcome reporting” button found at the bottom of the account. At this time, bail outcomes are required for the first and second bail hearings, but not for bail reviews.



- If you are submitting an interim account, or final account for which outcomes are not required (i.e. No Plea Entered), the *Proceed to outcome reporting* button will be greyed out.

Types of outcomes available for reporting are determined by the selections made. For example: sentencing outcomes display if a finding of guilt is recorded, but pre-trial custody fields are displayed regardless of the disposition selected. Bail outcomes only display if a bail hearing is billed.

- Outcome data for hourly accounts is entered on the new page. Click *Proceed to outcome reporting* and fill in the required information.
- The following pop-up message appears when the button is selected as a reminder to select the same charges on the outcomes page as those selected in the “Determining the Applicable Tariff Maximum” section of the account page:
 - For example, if a charge is selected and outcomes recorded and the selected charge is changed, outcome data needs to be re-entered.



- Once completed select the *Save & Return* button to return to the account page.



- Select the *Submit* button to submit the account.
- To cancel the information entered, use the back button at the top of the screen to return to the Accounts page.
- If, based on the selections made, the outcome data is incomplete you will receive a pop-up message
 - If trial outcomes are missing the message will read “Trial outcome reporting is incomplete. Please click on *Proceed to outcome reporting*”.
 - For example: if the outcome includes a custodial sentence, sentencing details are required.
 - If bail outcomes are missing the message will read “Bail outcome reporting is incomplete. Please click on *Proceed to outcome reporting*”
 - For example: if bail has been billed but bail outcomes are not entered, the account cannot be submitted until the bail outcome is recorded.

- You are required to complete all required selections prior to submitting the final account.
- If “no plea entered” is selected, and if a bail hearing has not been billed, the following message appears

Message

Based on your selection, outcome reporting is not required. (20200,722)

- If “no plea entered” is selected and a bail hearing is billed, bail outcomes are required.
- Once submitted, the outcome page is available as read only and cannot be edited.
 - If you immediately realize there is an error, contact the Lawyer service Centre the same day and ask for the information to be corrected. Changes can only be made the same day as submission.
- Click on *Printable Outcome* to view and print the outcomes submitted.
- It is not possible to edit or update data if submitting a supplementary account.

Attachments

Attached File	Attach Type	Attach	View Attachment		
<input type="radio"/> Submitted by Acknowledging Lawyer or <input type="radio"/> Submitted by: Name: <input style="width: 90%;" type="text"/> Phone: <input style="width: 30%;" type="text"/> Email: <input style="width: 90%;" type="text"/>	▼	✎	📄	Add new file	Delete file

Final accounts can only be submitted once the outcome reporting is complete

3. Submitting Hourly Accounts

The Trial and Bail Outcome sections will become available when the “*Proceed to outcome reporting*” button is selected only after the “Account Type:” selected is Final, an item is selected and plea/outcome entered. Otherwise the “*Proceed to outcome reporting*” button will be greyed out.

- Once an outcome is selected, click on the magnifying glass to view the list of available options for a required field related to the outcome selected..

Click on the magnifying glass to display the selections for Sentence, Grounds for detention order and Conditions of release.

Trial Outcome							Personalize	Find	Print	First	1 of 1	Last
Long Description	Outcome	Not Resolved Reason	Sentence	Pre-trial custody?	Length of Pre-trial custody	In-custody cjt: bail sought?						
1 Sexual Assault			<input type="text" value=""/>									

Bail Outcome								Personalize	Find	Print	First	1 of 1	Last
Long Description	Bail Hearing	Criminal record of client	Domestic violence allegations?	MH/Addic. addressed at CPT/BH?	Bail Hearing outcome	Grounds for detention order?	Conditions of release?						
1 Sexual Assault	Bail Hearing												

Save & Return Printable Outcome

On certificates which allow for charges heard separately to be billed, when this box is checked off, an additional Trial outcome section will appear for each separate charge selected so that outcomes can be entered per case/charge.

Trial Outcomes:

A variety of all possible outcomes are available to select, including “not resolved”. A trial outcome is required for all final accounts.

- Outcomes are not required for some proceedings, such as a bail review. If an outcome is not required, the magnifying glass and outcomes fields will not be available.

Sentencing

- When one of the “Guilty” outcomes is selected, the sentence outcomes will become available.
 - Sentence outcomes are: conditional sentence, custody, fine/restitution, suspended sentence, conditional discharge, and absolute discharge.
 - Check the Probation box for any sentence that includes a probation order.

Select Sentence

Selected	Description	Probation	Sentence Type	Sentence Length	Global
<input type="radio"/>	conditional sentence	<input type="checkbox"/>			<input type="checkbox"/>
<input type="radio"/>	custody	<input type="checkbox"/>			<input type="checkbox"/>
<input type="radio"/>	fine/restitution	<input type="checkbox"/>			<input type="checkbox"/>
<input type="radio"/>	suspended sentence	<input type="checkbox"/>			<input type="checkbox"/>
<input type="radio"/>	conditional discharge	<input type="checkbox"/>			<input type="checkbox"/>
<input type="radio"/>	absolute discharge	<input type="checkbox"/>			<input type="checkbox"/>

- If the outcome selected is conditional sentence or custody new options are available,

- Select the type of sentence (concurrent, consecutive, N/A) are available for selection.
- Select the length of sentence outcomes (i.e. 1-7 days, 8-30 days, etc.) and,
- Indicate if the sentence is a global sentence
- Once completed, select Apply to return to the outcome page

Pre-trial custody

Pre-trial custody questions will appear for all outcomes and are not dependent on any specific selection.

- For the question “Pre-trial custody?” select Yes or No from the drop down menu
- If yes, select the length of pre-trial custody from the options available.
- For the question “In custody clt: bail sought?” select the appropriate response from the options available.
 - Options are: Not in custody/released by police; Bail not attempted; Bail hearing

Click on the magnifying glass to display the selections for Sentence, Grounds for detention order and Conditions of release.

Trial Outcome							
Long Description	Outcome	Not Resolved Reason	Sentence	Pre-trial custody?	Length of Pre-trial custody	In-custody clt: bail sought?	
1 Sexual Assault							

Not resolved

- If submitting a final account when one or more charges are not resolved after a plea was entered, select the “Not Resolved” outcome. Then select a reason from the available picklist as to why the matter is not resolved.
- The Pre-trial custody fields are still required.

Click on the magnifying glass to display the selections for Sentence, Grounds for detention order and Conditions of release.

Trial Outcome							
Long Description	Outcome	Not Resolved Reason	Sentence	Pre-trial custody?	Length of Pre-trial custody	In-custody clt: bail sought?	
1 Sexual Assault	Not Resolved	Change in lawyer's pr					

Youth sentencing

Similar to adult matters, youth sentencing outcomes are also captured. The list of outcomes includes sentences specific to youth matters.

Length of custodial sentence is recorded similar to adult cases. Youth sentencing includes outcomes with supervision orders.

- If there is a supervision order, select the length of the supervision order from the pick list:
 - 6 months or less; over 6 months – 12 months; over 12 months – 24 months; over 24 months – 36 months; More than 3 years; N/A

Bail outcomes

Select Sentence

Selected Flag	Description	Global	Length of custodial	Length of supervision
<input type="checkbox"/>	Reprimand (42(2)(a))	<input type="checkbox"/>		
<input type="checkbox"/>	Absolute discharge (42(2)(b))	<input type="checkbox"/>		
<input type="checkbox"/>	Conditional discharge (42(2)(c))	<input type="checkbox"/>		
<input checked="" type="checkbox"/>	Fine (42(2)(d))	<input type="checkbox"/>	J. n/a	F. N/A
<input type="checkbox"/>	Damages (42(2)(e))	<input type="checkbox"/>		
<input type="checkbox"/>	Restitution (42(2)(f),(g))	<input type="checkbox"/>		
<input type="checkbox"/>	Other compensation such as personal service (42(2)(h))	<input type="checkbox"/>		
<input type="checkbox"/>	Community service (42(2)(i))	<input type="checkbox"/>		
<input type="checkbox"/>	Prohibition, seizure or forfeiture orders, (42(2)(j))	<input type="checkbox"/>		
<input type="checkbox"/>	Probation of two years or less (42(2)(k))	<input type="checkbox"/>		
<input type="checkbox"/>	Intensive support or supervision program (42(2)(l))	<input type="checkbox"/>		
<input type="checkbox"/>	Non-residential programs of no more than 6 months (42(2)(m))	<input type="checkbox"/>		
<input type="checkbox"/>	Custody and supervision order (42(2)(n))	<input type="checkbox"/>		
<input type="checkbox"/>	Deferred custody and supervision order (42(2)(p))	<input type="checkbox"/>		
<input type="checkbox"/>	Intensive rehabilit custody and supervision order (42(2)(r))	<input type="checkbox"/>		
<input type="checkbox"/>	Any other reasonable and ancillary conditions (42(2)(s))	<input type="checkbox"/>		
<input type="checkbox"/>	Sentenced as an adult	<input type="checkbox"/>		
<input type="checkbox"/>	Condl suprvsn order after custody/suprvsn order 42(2)(o)(q)	<input type="checkbox"/>		

Bail outcomes will now be recorded for hourly and block fee accounts for both the first and second bail hearings (s. 524). The offence listed in the long description will correspond to the offence selected in the “Determining the Applicable Tariff Maximum” section of the account page. The bail outcome fields are the same for first and second bail hearings.

Click on the magnifying glass to display the selections for Sentence, Grounds for detention order and Conditions of release.

Trial Outcome							Personalize	Find	1 of 1	Last
Long Description	Outcome	Not Resolved Reason	Sentence	Pre-trial custody?	Length of Pre-trial custody	In-custody cit: bail sought?				
1 Sexual Assault										

Bail Outcome								Personalize	Find	1 of 1	Last
Long Description	Bail Hearing	Criminal record of client	Domestic violence allegations?	MH/Addic. addressed at CPT/BH?	Bail Hearing outcome	Grounds for detention order?	Conditions of release?				
1 Sexual Assault	Bail Hearing										

Save & Return Printable Outcome

- In the “Criminal record of client field”, record whether or not the client has a criminal record at the time of the bail hearing. More than one option may be selected: for example, both Criminal record and Current probation may be selected. The options for selection are:
 - A. No convictions
 - B. FTA convictions
 - C. FTC-release convictions
 - D. FTC-other (prob.,811,etc)
 - E. Violence convictions
 - F. DV convictions
 - G. Firearm convictions
 - H. Drug convictions
 - I. Property convictions
 - J. O/S chgs at the time of BH
- Next, indicate if the allegations include Domestic Violence: Yes or No
- The “MH/Addic. addressed at CPT/BH” field allows counsel to select whether any issues relating to addiction and/or mental health were raised at a Crown pre-trial or the bail hearing.
- The “Bail Hearing outcome” field records whether the accused was released or if a detention order was made. There are a number of selections depending on whether the hearing was contested or on consent, and whether there was a s. 524 application or the hearing only dealt with one set of charges.

Bail Hearing Outcomes:

- Contested hearing with s.524 – DO
- Contested hearing single set of charges – DO
- Consent DO with s.524
- Consent DO - single set of charges
- Released after contested hearing - single set of charges
- Released after contested hearing – s.524
- Consent hearing release - single set of charges
- Consent release - s.524

- If the bail hearing outcome is a detention order, the “Grounds for detention” fields will display once you have clicked on the magnifying glass. Multiple options may be selected.

Selected Flag	Bail Detention Order
<input type="checkbox"/>	Primary
<input type="checkbox"/>	Secondary
<input type="checkbox"/>	Tertiary

Buttons: Select All, Clear All, Apply, Cancel

- If the bail hearing outcome is a release the “Conditions of release” fields will display once the magnifying glass is clicked on. Multiple options may be selected.
- Select the appropriate response(s) from the available pick lists and click Apply.

For accounts allowing charges to be billed separately

- Bail outcomes are available when 1 or more bail hearings are recorded
- If the number of offences selected in the “Determining the Applicable Tariff Maximum” section matches the number of bail hearings entered then bail outcome sections will appear prepopulated with the offence(s) selected in the “Determining the Applicable Tariff Maximum” section

Click on the magnifying glass to display the selections for Sentence, Grounds for detention order and Conditions of release.

Trial Outcome		Personalize Find [Print] [Refresh] First 1-2 of 2 Last					
Long Description	Outcome	Not Resolved Reason	Sentence	Pre-trial custody?	Length of Pre-trial custody	In-custody cit: bail sought?	
1 Assault	Guilty lesser offence		[Magnifying Glass]	Yes/Oui	A. 1 - 7 Days	Bail hearing	
2 Threatening death/bodily harm	Withdrawal of all charges		[Magnifying Glass]	No/Non		Not in custody/relea	

Bail Outcome		Personalize Find [Print] [Refresh] First 1-2 of 2 Last						
Long Description	Bail Hearing	Criminal record of client	Domestic violence allegations?	MH/Addic. addressed at CPT/BH?	Bail Hearing outcome	Grounds for detention order?	Conditions of release?	
1 Assault	Bail Hearing	[Magnifying Glass]	No/Non	None	s. 524 contested - DO	[Magnifying Glass]	[Magnifying Glass]	
2 Threatening death	Bail Hearing	[Magnifying Glass]	No/Non	None	Charges(1 set) consent re	[Magnifying Glass]	[Magnifying Glass]	

Buttons: Save & Return, Cancel, Printable Outcome

- If the number of offences selected in the “Determining the Applicable Tariff Maximum” section differs from the number of bail hearings, select the item/charge from the “Long Description” drop down that corresponds to the bail hearing outcome that is being reported.

4. Submitting Block Fee Accounts

Outcomes will continue to be recorded in the same location for block fee accounts with the addition of three new fields for pre-trial custody and bail outcomes which will be reported on a separate page.

Pre-trial custody on block fee accounts

Pre-trial custody questions have been added to the current block fee outcomes section on the main account page. They will appear for all outcomes and will not be dependent on any specific selection

- For the question “Pre-trial custody?” select Yes or No from the drop down menu
- If yes, select the length of pre-trial custody from the options available.
- For the question “If the accused was in custody did they attempt to get bail?” select the appropriate response from the options available
 - Not in custody/released by police; Bail not attempted; Bail hearing
 -

Long Description	Election or Type of Offence	Block Fee Plea/Outcome	Extra days of proceedings	Trial Outcome	Sentence	Probation	Sentence Type	Length of Sentence	Global	Other Certificate	Pre-Trial Custody	Pre-Trial Custody Length	Attempt to get bail
1 Drive Suspended	Provincial Offence	Charge Withdrawn				<input type="checkbox"/>			<input type="checkbox"/>		Yes	1-7 Days	Bail Hearing
1 Fail to Comply	Indictment I	Guilty 1/2 D 5hrs prep or less				<input type="checkbox"/>			<input type="checkbox"/>				

Bail outcomes on block fee accounts

When submitting a final account, the section to record bail outcomes is displayed if data for the bail enhancer has been entered, either in the current account or in a previous interim account.

- If the bail enhancer was previously billed and a bail outcome is not recorded when submitting a final account, a message will pop-up advising bail outcomes must be recorded
- Bail outcomes are recorded on a separate page accessed through the “*Proceed to outcome reporting link*” in the same manner and using the same menus as on hourly accounts
- On accounts paid by block fees, the bail outcome section will display the most serious offence based on your selections in the “Plea/Outcome” field on the main account page, below.

5. Separate Certificates, Charges Resolved Together

Where matters are covered under two certificates and resolved together, outcomes are recorded as follows:

For block fee accounts:

- On the certificate billed as “Resolved on another certificate”.
 - Pre-Trial custody fields are required to be completed
 - Bail outcomes for the charges covered by the certificate are required if a bail block is billed
- On the second certificate where the resolution is billed
 - all outcome fields for the charges on the certificate must be recorded
 - Pre-trial custody fields are required to be completed
 - Bail outcomes are required if a bail block is billed for the charges covered by the certificate

Select Group	Long Description	Election or Type of Offence	Block Fee Pleva/Outcome	Trial Outcome	Sentence	Probation	Sentence Type	Length of Sentence	Global	Other Certificate	Pre-trial custody?	Length of Pre-trial custody	In-custody cti: bail sought?
1	1 Assault Police	Summary Convic	Resolved on other Certificate			<input type="checkbox"/>			<input type="checkbox"/>				
2	1 Assault with a Weapon	Summary Convic	Resolved on other Certificate			<input type="checkbox"/>			<input type="checkbox"/>		No		Bail hearing
3	1 Threatening Death	Summary Convic	Resolved on other Certificate			<input type="checkbox"/>			<input type="checkbox"/>				

For hourly accounts

- Only one certificate is billed. Trial and pre-trial outcomes are required. Bail outcomes are required if bail is billed.
- The second certificate remains unbilled, therefore outcomes are not recorded.

6. Print Version

The print version of the account on the portal will include only those outcomes and responses entered. For example. If bail outcomes did not appear on the page to complete, the section will not appear on the print version.

Where multiple selections apply (i.e. youth sentencing and bail) all the selections and responses will appear on the print version.

Contact the Lawyer Service Centre at (416) 979-9934 or toll free at 1-866-979-9934 if you require assistance recording outcomes and submitting your account.

For general information on preparing and submitting accounts through Legal Aid Online, refer to the resources available on the website at [Billing – Legal Aid Ontario](#)
