

RULE 2023/4, NO.2
 Made by the Board on 2023-12-18
 under the *Legal Aid Services Act, 2020* and
 published on 2024-02-26

RULES AMENDING THE LEGAL AID SERVICES RULES (FEES AND DISBURSEMENTS, NO. 2)

AMENDMENTS

1 Table 6 of Schedule 2 to the *Legal Aid Services Rules* is amended by revoking item 8 and substituting the following:

8	For preparation and attendance for each day of a fitness hearing	3
	Impact of Race and Culture Assessment	
9	For the preparation or delivery of an Impact of Race and Culture Assessment (IRCA) submission when a publicly funded IRCA report has been prepared for the specific offence or a recently prepared report was used	5
	Offences Resolved Together	
10	For substantive offences contained on a separate information and resolved at the same time in accordance with clause 7(1)(i), whether added to an existing certificate or contained on a separate certificate:	
	(a) when the most serious offence in the added information is an offence included in Table 3	4
	(b) when the most serious offence in the added information is an offence included in Table 4	3
	(c) when the most serious offence in the added information is an offence included in Table 5	2
	Interpreter Services	
11	For all services related to the use of an interpreter when interviewing a client or reviewing documents with a client, when the services are billed as a disbursement	2

2 Table 7 of Schedule 2 to the Rules is amended by adding the following after item 15:

	Interpreter Services	
16	For all services related to the use of an interpreter when interviewing a client or reviewing documents with a client, when the services are billed as a disbursement	2

3 Table 8 of Schedule 2 to the Rules is revoked and the following substituted:

Table 8
Criminal Block Fees

Areas other than Northern Areas				
Item	Block fee type	Type of charge	Block fee rate	
	Resolution block fee		Rate effective July 29, 2024	Rate effective April 1, 2025
1	Guilty plea to all charges Conduct and complete services rendered in connection with a guilty plea, including sentencing	Summary Indictable	\$887.28 \$1,495.68	\$931.65 \$1,570.47
2	One or more charges withdrawn or stayed -- Conduct and complete a withdrawal or stay proceeding, including if a guilty plea occurs on a different day Unless some of the charges are being heard separately pursuant to clause 7 (1) (h) in Part B The withdrawal fee is not payable if a charge is withdrawn pursuant to the Kienapple principle	Summary Indictable	\$1,163.35 \$1,620.32	\$1,221.51 \$1,701.34
	Block fees for ancillary services			
3	Judicial pre-trial Conduct and complete one judicial pre-trial	Summary or Indictable	\$335.03	\$351.78
4	Judicial interim release Conduct and complete the first application for a judicial interim release order, whether contested or on consent	Summary or Indictable	\$670.06	\$703.56
5	2nd bail hearing Conduct and complete a 2nd bail hearing under subsection 524(4) of the CCC	Summary or Indictable	\$837.57	\$879.45
6	Bail variation Prepare and file an application for bail variation under section 519.1 of the CCC	Summary or Indictable	\$167.51	\$175.89

7	<p>Bail review</p> <p>For all services for an application to the Superior Court of Justice for a review of an order made under section 515 of the CCC</p> <p>Payable when the roster member conducted a bail review or the Crown consented to a release after materials were prepared and filed</p> <p>All other services provided are included in the block fee payment.</p>	Summary or Indictable	\$1,005.08	\$1,055.34
8	<p>Detention review</p> <p>For all services for an application to the Superior Court of Justice under section 525 of the CCC to determine whether or not the accused should be released from custody</p>	Summary or Indictable	\$1,005.08	\$1,055.34
9	<p>Gladue</p> <p>For the preparation or delivery, or both, of a Gladue submission at a bail hearing or at sentencing:</p> <p>(a) when a publicly funded Gladue report is prepared for the specific charge; or</p> <p>(b) when a recently prepared report is used.</p>	Summary or Indictable	\$502.53	\$527.66
10	<p>Mental health</p> <p>The mental health block fee is authorized based on the accused having an identifiable history of mental health issues and is only available on certificates when the matter has not been set down for trial.</p>	Summary or Indictable	\$251.27	\$263.83

	The mental health block fee may only be billed on a final account or supplementary account following a resolution of the charges.			
11	For preparation and attendance at a fitness hearing	Summary or Indictable	\$301.52	\$316.60
12	Impact of Race and Culture Assessment (IRCA) For the preparation or delivery, or both, of an IRCA submission (a) when a publicly funded IRCA report is prepared for the specific charge; or (b) when a recently prepared report is used	Summary or Indictable	\$502.53	\$527.66
13	Offences Resolved Together For substantive offences contained on a separate information resolved at the same time in accordance with clause 7 (1) (i), whether added to an existing certificate or contained on a separate certificate			
	When the election on the most serious offence was:	Summary Indictable	\$301.52 \$351.76	\$316.60 \$369.35
14	Interpreter services For all services related to the use of an interpreter when interviewing a client or reviewing documents with a client, when the services are billed as a disbursement	Summary or Indictable	\$201.01	\$211.06
Northern Areas				
Item	Block fee type	Type of charge	Rate effective July 29, 2024	Rate effective April 1, 2025
	Resolution block fee			

15	<p>Guilty plea to all charges-</p> <p>Conduct and complete services rendered in connection with a guilty plea, including sentencing.</p>	<p>Summary Indictable</p>	<p>\$976.01 \$1,645.25</p>	<p>\$1,024.81 \$1,727.52</p>
16	<p>One or more charges withdrawn or stayed-</p> <p>Conduct and complete a withdrawal or stay proceeding, including if a guilty plea occurs on a different day.</p> <p>Unless some of the charges are being heard separately pursuant to clause 7 (1) (h) in Part B</p> <p>The withdrawal fee is not payable if a charge is withdrawn pursuant to the Kienapple principle.</p>	<p>Summary Indictable</p>	<p>\$1,279.68 \$1,782.35</p>	<p>\$1,343.67 \$1,871.47</p>
	Block fees for ancillary services			
17	<p>Judicial pre-trial</p> <p>Conduct and complete one judicial pre-trial</p>	<p>Summary or Indictable</p>	<p>\$368.53</p>	<p>\$386.96</p>
18	<p>Judicial interim release</p> <p>Conduct and complete the first application for a judicial interim release order, whether contested or on consent</p>	<p>Summary or Indictable</p>	<p>\$737.06</p>	<p>\$773.91</p>
19	<p>2nd bail hearing</p> <p>Conduct and complete a 2nd bail hearing under subsection 524(4) of the CCC</p>	<p>Summary or Indictable</p>	<p>\$921.33</p>	<p>\$967.40</p>
20	<p>Bail variation</p> <p>Prepare and a file an application for bail variation under section 519.1 of the CCC</p>	<p>Summary or Indictable</p>	<p>\$184.27</p>	<p>\$193.48</p>
21	<p>Bail review</p>	<p>Summary or Indictable</p>	<p>\$1,105.59</p>	<p>\$1,160.87</p>

	<p>For all services for an application to the Superior Court of Justice for a review of an order made under section 515 of the CCC</p> <p>Payable when the roster member conducted a bail review or the Crown consented to a release after materials were prepared and filed</p> <p>All other services provided are included in the block fee payment.</p>			
22	<p>Detention review</p> <p>For all services for an application to the Superior Court of Justice under section 525 of the CCC to determine whether or not the accused should be released from custody</p>	Summary or Indictable	\$1,105.59	\$1,160.87
23	<p>Gladue</p> <p>For the preparation or delivery, or both, of a Gladue submission at a bail hearing or at sentencing:</p> <p>(a) when a publicly funded Gladue report is prepared for the specific charge; or</p> <p>(b) when a recently prepared report is used.</p>	Summary or Indictable	\$552.78	\$580.42
24	<p>Mental health</p> <p>The mental health block fee is authorized based on the accused having an identifiable history of mental health issues and is only available on certificates when the matter has not been set down for trial.</p> <p>The mental health block fee may only be billed on a final account or supplementary account following a resolution of the charges.</p>	Summary or Indictable	\$276.40	\$290.22

25	For preparation and attendance at a fitness hearing	Summary or Indictable	\$331.67	\$348.26
26	Impact of Race and Culture Assessment (IRCA) For the preparation or delivery, or both, of an IRCA submission (a) when a publicly funded IRCA report is prepared for the specific charge; or (b) when a recently prepared report is used	Summary or Indictable	\$552.78	\$580.42
27	Offences Resolved Together For substantive offences contained on a separate information resolved at the same time in accordance with clause 7 (1) (i), whether added to an existing certificate or contained on a separate certificate			
	When the election on the most serious offence was:	Summary Indictable	\$331.67 \$386.94	\$348.26 \$406.29
28	Interpreter services For all services related to the use of an interpreter when interviewing a client or reviewing documents with a client, when the services are billed as a disbursement	Summary or Indictable	\$221.11	\$232.16

4 Table 9 of Schedule 2 to the Rules is amended by adding the following after item 86:

86.1	For all services related to the use of an interpreter in civil matters provided for in items 1 to 86, when interviewing a client or reviewing documents with a client, when the services are billed as a disbursement	2
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APPLICATION

5 Sections 1 to 4 of these Rules apply to certificates issued on or after July 29, 2024.

COMING INTO FORCE

6 These Rules come into force on July 29, 2024.