

Memorandum



From: CRAIG GOEBEL, CEO

Date: December 22, 2017

To: LAS PANEL OF PRIVATE BAR LAWYERS

Phone: 306.933-5303

Re: REQUESTS FOR ADDITIONAL TIME AND ACCOUNTING FOR COURT APPEARANCES

1. Account details

This revised memo is in response to observations that some lawyers' accounts are lacking in detail about activities, which does not help us to decide whether the time being billed has been meaningfully spent. This is not to suggest that lawyers are wasting time. An account should contain enough details about what was done that the client would not need to ask questions.

For examples, stating 't/c w X' or 'research' or 'file review' is not sufficiently indicative for Legal Aid to discern that the activity was useful. Each of those entries should be followed by some specific indicator of who and/or what transpired. Also, some entries, such as 'attend to file' (without more detail), especially when standing-alone, are devoid of any information that would indicate any value-added and should not be used.

2. Requests for more preparation time

The Legal Aid Tariff of Fees, Schedule "A" General Conditions states:

"This tariff is intended to reflect fees that would customarily be paid by a client of modest means. The Chief Executive Officer may, if a solicitor can show **extremely exceptional circumstances** due to: the nature of the offence, complexity of the case, and/or any other factors that would warrant an increase in preparation time, allow an increase in the preparation time for the file, provided in his/her opinion an increase is justified. "1 (emphasis added)

Generally, requests for additional time continue to be made in advance of lawyers exceeding the Tariff allotment of preparation time; thank you for that. Lawyers keeping an eye on their work-in-progress time and knowing the prep time allotment for the main charge or for the process being undertaken in family matters helps Legal Aid respond positively and promptly to their time requests. Depending on the nature of the request, it may take up to two weeks to properly review, so please ask as early as possible and don't be afraid to send a reminder.

When a request for more time is submitted on its own or with an interim account (or with a final account when no extra time request was made), accounting staff will require additional information for consideration.

Requests for additional time can be sent to Head Office by email to central@legalaidsk.ca or regular mail. The lawyer making *the request will be advised if additional information is required.* Requests for large amounts of additional time may require the submission of a budget and/or accounting of time to date.

Please consider the elements noted in the **Additional Preparation Time Request Form** – it is in Word format for easy copying and pasting into a template for use in requests as appropriate.

3. Court time

The Legal Aid Tariff of Fees, General Conditions, section 2 states:

“Court time means the actual time appearing in court and does not include jury waits, wait time to appear before the Judge, travel time, gown time, interviewing witnesses or any other preparation.”¹

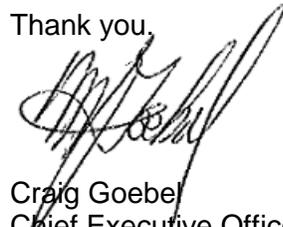
Additional information regarding court appearances is requested generally because in the review of accounts we must be able to determine how time has been utilized and to satisfy governmental audit requirements.

Ensure that accounts include a reference to the type of court appearance that was made on behalf of the client, i.e. adjournment, Show Cause Hearing, Sentencing, Trial, etc. It will be assumed that a court appearance entry of 0.5 hour or less was an adjournment. If an adjournment takes longer than 0.5 include explanatory information in your time entry.

Feel free to contact Head Office at central@legalaid.sk.ca if you have any questions.

These processes help Legal Aid administer its budget in a manner acceptable to the Provincial Auditor.

Thank you,



Craig Goebel
Chief Executive Officer
Legal Aid Saskatchewan

¹ *Ibid*, s 2.