

# Memorandum

From: Allan Snell

Date: October 22, 2009

To: Private Bar Appointees

Phone:

Re: Taxation Clarification

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The Saskatchewan Legal Aid Commission recognizes and appreciates the fact that in agreeing to act for Legal Aid clients pursuant to the approved tariff, private bar lawyers are undertaking to act, in most cases, for an hourly rate and with limitations on their preparation time substantially below what they would charge paying clients. We know that our private bar appointees recognize that this is a function of our limited resources and further that they understand the need for us to closely monitor expenditures in order to stay within our budget.

Part of this monitoring process is the taxation procedure. In the interest of complete transparency, we thought it appropriate to advise the private bar as to items which we do not reimburse in addition to the policy provided to you.

Except in unusual circumstances, Legal Aid will not reimburse for time spent on the following activities:

- Opening files
- Discussing the acceptance of a file with Legal Aid staff
- Discussing a client/file with colleagues in your office
- Instructing support staff
- Support staff time engaged in photocopying, typing, etc.
- Closing a file (it should be noted that the flat rate of \$25.00 to compensate office administration is intended to capture all of this type of disbursement)
- Preparing Legal Aid account
- Discussing the tariff with Central office staff
- Notes to file which exceed ¼ hour unless otherwise approved
- File organization (except in big cases or exceptionally complex files)

Further, costs of paper and/or printing is deemed to be included in the hourly rate.

While we appreciate that often times lawyers do not have control over when their matter is called on docket, Chambers, etc. we do expect that efforts will be made to bring a matter to the Court expeditiously and therefore we will not pay for lawyers' court time which is simply waiting excessively for their matter to be called.

The distance between the starting city and the destination for travel is obtained through Government publications or the internet. We do allow a reasonable allowance to cover travel start point to the highway and from highway to end point. We allow one hour travel time per 100 kms unless we are advised that you encountered inclement weather, roads that have posted speed limit under 100 km/hour or other conditions which would require you to travel at a slower rate.

Where there is an overlap between Legal Aid files and other files on which a lawyer is acting where there is travel involved, we will pay a prorata share of travel costs.

The above does not represent a change in policy, but rather, as noted, a clarification. Again, we do appreciate and thank you for your assistance and cooperation.