

Introduction Case Management

Criminal Law – 1 Year Trial

LEGAL AID
SASKATCHEWAN



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Purpose

To orient the criminal panel to the new case management policy

To answer questions and address concerns

CASE MANAGEMENT

Case Management Policy

- Objectives – adequate resources for complex criminal cases based on approved budgets
- Program eligibility
 - The case contains at least one of the listed charges in the Criminal Case Management Policy
 - A preliminary hearing or trial date has been set
 - The tariff will be insufficient to complete the proceeding, and exceptional circumstances payments would be significant and inappropriate, i.e., complex criminal cases likely to cost more than \$10,000 eligible for case management.
- Budgets
 - Budgets set based on existing tariff authorizations and case management (CM) authorizations.
 - CM authorizations to be added to letters of appointment in increments of 10, 25, 50, 75, 100 or 150 hours.
 - Budgets will be determined in consultation with the Private Bar Services Director
- Process – complete case management assessment form, discuss with PB Director

Factors Considered for Authorizing Case Management Budget

Length of the proceedings	Disclosure, e.g., complexity, volume, etc.
Charge(s) and tariff preparation hours provided	Client with special needs (e.g., mental health issues, serious non-criminal law consequences if convicted).
The merits of the proposed pre-trial motions.	Crown litigation strategy (e.g., prosecution acting unreasonably).
Novel legal issues (e.g., constitutional challenges to legislation, expansion of common law defences).	Extended sentencing hearing (e.g., matter resolved but detailed Gardiner hearing required).
The nature of forensic and expert evidence (e.g., novel forensic evidence that may be challenged at trial by either defence or the Crown).	The historical billing pattern of the service provider (e.g., regularly exceeds tariff and requests exceptional circumstances payments).

Case Management Process

The Direction “Matter is potentially eligible for Case Management” is included in appointment letters for services which cover charges eligible for case management.

1. Where costs are likely to exceed \$10,000, counsel should complete either of the following forms as appropriate:

- Criminal Case Management Assessment Form—Preliminary Hearing
- Criminal Case Management Assessment Form—Trial

2. Counsel should submit the completed Case Management Assessment Form to the Private Bar Services Clerks via *email*: pboffice@legalaid.sk.ca

3. The Private Bar Services Clerks will review the form for completeness and forward to Private Bar Services Director who will contact counsel to discuss the case and set a budget, if appropriate. Case management (CM) hour authorizations may be added to the appointment.

4. Counsel completes work and submits account for payment. Payment is made within 25 days if the account does not exceed the established budget, is not billed late, etc.

A close-up photograph of a hand holding a blue pencil, poised to write on a document. The document has a red bar at the bottom. The background is blurred, showing a person's face and hands. The text is overlaid on the image.

Criminal Case Management

FORM-Prelim
FORM - Trial

Resources

Private Bar Billing and Payments Handbook 2024

Chapter 3.4 Criminal Case Management

<https://legalaid.sk.ca/lawyer/policies-conditions/>

Trial – Case Management



Trial Period: Monday, February 15, 2025, to February 13, 2026



Eligibility: All appointments with **no prior requests** for “additional hours” are eligible for case management consideration



Support: Case Management Trial support meetings will be scheduled if needed



PB Support: Private bar clerk support

pboffice@legalaid.sk.ca



Access: Case management materials on LAS website:

Orientation Materials

Policies

Forms