

20 - 2013

NOTICE TO THE PROFESSION

Language Services:

Legal Aid Manitoba has an agreement with CanTalk Canada Inc. to provide interpretation for custody calls. CanTalk provides on demand interpretation for most languages and dialects spoken around the world. CanTalk also provides this service in our application/intake offices to facilitate the taking of applications. Clients whose first language is not English may attend at the local Application Centre or Area Office and arrangements will be made to use the CanTalk interpretive service to take applications. No special advance arrangements are necessary to use the CanTalk service.

Application Form Changes:

Legal Aid Manitoba is committed to providing services equitably to all Manitobans. Those who fund the provision of services have sometimes asked if we can gather information to assess whether our services are reaching groups that may traditionally have been marginalized, or had other difficulties accessing public services. Our Application forms have collected biological gender information for some time. The form will soon include three additional check boxes that invite Applicants to voluntarily self-identify as an Aboriginal Person, Visible Minority, and/or Person with a Disability. Filling out this portion of the Application is voluntary, but we ask that anyone who takes an application provide the Applicant with the opportunity to self-identify by drawing their attention to these check boxes. If the information is gathered consistently, it may be of significant benefit to Legal Aid in assessing our programs, and when requesting additional funding.

We have included a question in the "Criminal and Youth Cases Only" section to record the name of the Applicant's existing Parole/Probation Officer or Mental Health Worker. This information is being requested to assist counsel in contacting the worker where appropriate.

The new Application also includes at the end a declaration and signature box for any interpreter used during the interview process. This portion must be filled out where any third party is used to assist with the Application Interview. Where assistance is provided by telephone, identifying information should be recorded in this box even if no signature is available.

Mileage Rates:

Counsel are reminded that all claims for travel time and mileage to locations outside the perimeter are compensated according to the Legal Aid rates. The rates are the same for both staff and private bar. All mileage claims are taxed to reflect these standard rates.

GST:

Legal Aid Manitoba is GST exempt. Counsel should indicate this to any goods or service provider when incurring disbursements on a LAM certificate matter. LAM's GST Registration Number is **R107863847**. If you choose not to use LAM's GST Registration Number, you will need to recover the GST through your internal accounting procedures with Revenue Canada. LAM does not reimburse GST on invoices submitted by counsel.

PBOnline:

PBOnline is Legal Aid Manitoba's internet based Certificate management system. It is currently in the user acceptance testing process and we expect it will be deployed in early 2014. It is anticipated that PBOnline will greatly simplify and accelerate the process of certificate issuance and acceptance. It will anchor LAM's electronic documentation, and ultimately development of Private Bar online billing. The use of this system will require all lawyers to have internet access and an active email address.

One part of this service will be creation of an electronic copy of disclosure received by LAM in the Application process. Paper copies of disclosure will no longer be retained by LAM. Electronic copies will be provided to assigned counsel and, in circumstances where the applicant is denied legal aid, the electronic copy will be sent to Manitoba Justice, Public Prosecutions for redistribution to new counsel. In light of this potential sharing of disclosure, it is imperative to refrain from writing on the face of particulars so counsel notes are not disclosed inappropriately.

Interim Accounts:

Legal Aid Manitoba has changed its policy on interim payment of accounts. Interim accounts may be submitted in more instances.

Where completed service has been provided for a discreet tariff item that exceeds \$200.00, counsel will be permitted to interim bill the tariff amount and any BCM authorized with respect to that tariff item. Counsel will note that this now excludes only a few minor items in the tariff such as bail hearings at first instance, Pre-trial and Case Management conferences, and "Also's".

A trial will be considered a completed tariff item where a conviction has been entered and the sentence hearing is not scheduled to take place in the 30 days following the conviction. BCM hours, as agreed with respect to Legal Matters, can be billed along with the tariff item.

Discretionary Increases continue to be payable only when submitting the final account on a Legal Matter. This is required to ensure that complexities (which sometimes arise unexpectedly even following conviction) are properly redressed in a single Discretionary Increase assessment.

Legal Accounts Backlog

As a result of staff shortages, our Legal Accounts Department has been running at partial staff most of the summer. This has resulted in a backlog of legal accounts being taxed and paid. We have taken steps to relieve as much of the delay as possible and ask for your patience for the short term while we endeavour to catch up.