



March 31, 2025

58 - 2024 NOTICE TO THE PROFESSION

New Tariff

The Legal Aid Manitoba Management Council is pleased to announce that a new tariff will be applied to all certificates issued to counsel on or after April 1, 2025. Consultations on the Tariff were conducted between senior management of Legal Aid Manitoba and members of both the private bar and staff counsel. The Executive Management Committee of LAM would like to thank the very hard work of the MBA, CDLA and LALA representatives who provided their valuable assistance and insight into this process.

The new tariff increases the existing tariff across the board by 5%. The nominal hourly rate will now rise to \$105 per hour beginning in April 1st, 2025 This is the 3rd increase to the tariff since 2021.

The new tariff is attached to this notice. For greater ease of counsel the amended sections are highlighted.

Itemized Time

Legal Aid Manitoba requires detailed itemized time for certain matters identified in our Tariff of Fees in order to process the counsel's legal account.

The Legal Aid Manitoba Taxation Manual specifies:

2.2.1 Detailed itemized billing means that an indication of each billable activity billed in a given work day is accounted for separately, and an accurate indication of the time spent on that activity in each work day is separately recorded on the face of the bill. Unless otherwise stated in this Manual, all hourly accounts require detailed itemization of each discrete work activity in units not to exceed 10 minutes per unit.

Our Taxation Manual is available online here:

https://www.legalaid.mb.ca/wp-content/uploads/taxation_manual-1.pdf

While the minimum requirement is to divide an hour into sixths, the preferred standard for itemization is to divide time into 10 units per hour.

0.1	6 minutes
0.2	12 minutes
0.3	18 minutes
0.4	24 minutes
0.5	30 minutes
0.6	36 minutes

0.7	42 minutes
0.8	48 minutes
0.9	54 minutes
1	60 minutes

Where counsel provides time details which do not follow the requirements outlined in the Taxation Manual, the processing of their statement of account may be delayed or even rejected. Where multiple activities are completed on the same day, please record each task separately.

For Example:

Date	Activity	Time Spent
February 21, 2025	Review file material	0.7
February 21, 2025	Phone call with client	0.3
February 21, 2025	Emails exchanged with Crown	0.2
February 21, 2025	Draft variation of conditions	0.2

Impact of Race and Culture Assessments (IRCA)

LAM has been informed that the Federal Government is extending the IRCA program for another year. As you know counsel may seek authorization from the Area Director where the client is a Black person being sentenced and where:

- the crown is seeking a sentence of two years or more; or
- a person charged under the Youth Criminal Justice Act who is subject to a custodial sentence.

There may be situations where a client is not facing a sentence of 2 years or more or the youth is not facing a custodial sentence but the effect of an IRCA may be of significant benefit to the client. Counsel are encouraged to seek authorization for an IRCA in such cases and provide an explanation of the unique circumstances to the Area Director and we will make efforts to seek authorization from the Federal Government.

In all cases counsel MUST FIRST seek authorization through POnline / LAMAS and confirm the eligibility or the special circumstances of the client. Counsel may not be reimbursed if they fail to seek prior authorization.

Goods and Services Tax (GST)

LAM is GST exempt. All bills for disbursements should indicate they are billed “net of GST”. If a disbursement includes GST, the amount of the GST must be clearly visible.

Counsel should include GST that is not reimbursed by LAM on their own firm GST claim.

Changes to Terms of the Certificate/Legal Matter

Reminder: changes to the terms of a certificate/legal matter can be made via an authorization request in POnline or by emailing tracing@legalaid.mb.ca. Those are dealt with by the Area Directors. Legal Accounts cannot alter the terms of your certificate when you submit your account.

Junior Counsel Accounts

Please note that Junior Counsel accounts can only be billed as a discretionary increase (DI).