October 30, 2026

69 - 2026
NOTICE TO THE PROFESSION

Time, Travel and Mileage Clarification

Certificates in criminal law matters where time, travel, and mileage may be warranted will no longer be pre-authorized on the face of a certificate. Instead, files where time, travel and mileage are barred will be noted on the face of the certificate. For all other files, you may seek authorizations as needed.

When making a travel authorization request, please include at minimum the following information:

- What is the travel itinerary? Where will you be leaving from, going to and what mode of travel are you requesting (rental car, personal vehicle, airplane, Government Air)?
- Do you require an overnight stay? If so, please describe why.
- Will you be claiming meals during your travel?
- What is the purpose of the appearance in court? Is this matter set for trial? Sentencing?
- Do you have any confirmed travel costs? For example, any quotes from rental car companies or airfare tickets?
- With air travel, will you be booking on Gov Air?
- Note any additional legs of the trip you may be seeking authorization for, and include the file numbers involved.

The Area Director will make the authorization and provide a detailed approval in the “Notes” section of the Authorization to clarify or itemize the authorization. One purpose of the notes is to direct the Legal Accounts department on what has been authorized when matters are billed. This should reduce back-and-forth between Legal Accounts and counsel at the time of billing.

All travel expenses must be reasonable and within government rates.

Junior Certificates

When a junior is appointed on a case the practice of LAM has been to issue a fee for the half day attendance at the trial or preliminary inquiry and an additional fee for preparation which was intended to cover the additional time spent preparing for the hearing. This has led to a number of times where counsel has either been denied or overpaid preparation fees because there was confusion as to whether the payment was due or not. In many cases regardless of the outcome it has led to delays while the account was reviewed by Legal Accounts.

Going forward the preparation fee for a Junior has been removed and the attendance fee has been increased accordingly to resolve this confusion. It is hoped that this will be easier for counsel to bill and legal accounts to properly administer.

The Tort of Intimate Partner Violence

The Court of King's Bench released the Practice Direction regarding the Tort of Intimate Partner Violence on October 27, 2026.

Legal Aid Manitoba has not expanded coverage to civil litigation and therefore will not issue certificates in this area. You will not be authorized to receive any payment under the tariff for this work, as it would fall outside your certificate.

If you have a certificate in a family law matter and your client is served with a Statement of Claim respecting Intimate Partner Violence, your certificate does not cover the litigation respecting the Statement of Claim.

LAM recognizes that counsel will be asked about the tort and may find situations where either it is in the client's interest to file a Statement of Claim or they may be served with a Statement of Claim. LAM cannot pay for any work done to file or respond to such a matter as we are not funded for it. Because we do not cover this area, Private Bar Counsel may arrange a private or contingency retainer for that work; payment for this work will not affect your Legal Aid certificate in the family law proceeding. However, you must provide a copy of the private retainer or contingency agreement when you bill out the legal aid file.

Legal Aid Manitoba is working with the Law Society of Manitoba to develop a limited retainer agreement precedent that may be adapted for use when counsel may be at risk of being assumed to be counsel of record in the civil suit.

Criminal Applications must include Particulars:

All applications for Adult or Youth Criminal matters must include a copy of:

- the information / indictment
- the Prosecutor's Information Sheet (PIS / P6); and
- the applicant's criminal record.

Failure to provide these three documents will result in the application being rejected. Please ensure that you have included the documentation so that we can process matters quickly. LAM will not seek particulars on your behalf.