



# Welcome to LAA's Roster!

APRIL 2023



# Welcome to Legal Aid Alberta!

It is wonderful to welcome new faces to our talented pool of roster lawyers. Roster lawyers are an integral part of Legal Aid Alberta (LAA) and are pivotal to helping LAA protect Albertan's legal rights in the criminal justice system.

Our mission is to provide legal services and expertise to individuals and the legal community to support fairness in the justice system. As part of that mission, we rely on roster lawyers to provide a large proportion of these legal services.

We have put together a welcome package to assist you in navigating LAA's administrative policies, certificates, procedure, and tariffs. We hope this will address any questions or concerns you may have regarding your Legal Aid certificates.

## Disclaimer:

Please be advised that this Welcome Handbook for roster lawyers does NOT override the Tariff or any associated LAA policy or Rules.

The purpose of this document is to provide assistance in understanding how the Legal Aid Alberta operates and to address common confusions regarding business process and policies.

\*\*\*This Handbook is subject to change. An updated and current version will always be found on the Roster Resources - Legal Aid Alberta \*\*\*



## Table of Contents

Overview of Legal Aid .....	3
What is LAA? .....	3
Who is LAA? .....	3
LAA Clients .....	4
How do people qualify for LAA? .....	4
Financial Eligibility Guidelines .....	4
Service Eligibility Guidelines.....	5
Service Eligibility for Criminal Matters.....	5
Service Eligibility – Family Law Matters .....	5
Can the decision to be refused legal representation services be appealed?.....	6
Roster Lawyers.....	7
What is my role as a roster lawyer?.....	7
What are the lawyer’s obligations to the client in relation to the Certificate?.....	7
What are my obligations to LAA when a request for change of counsel is made?.....	7
What is an LAA roster panel?.....	7
How can I help my client apply? .....	8
Types of Roster Certificates .....	8
(a) Duty counsel certificates .....	8
(b) Client-based certificates: .....	8
Client-Based Representation Certificates.....	8
How are lawyers selected for certificates?.....	9
Can another lawyer appear on a certificate if it is in my name?.....	9
In what circumstances can I allow another lawyer to appear on my certificate?.....	9
What are the requirements for delegating work to a second lawyer?.....	10
Opinion Certificates .....	11
Writing Opinions for Appeals.....	11
Limited-Hours and Appropriate-Hours Certificates.....	12
Complainant’s Counsel Certificates (Duty Counsel for Complainants on 276 Applications, etc.).....	12
FAQ-Certificates.....	13
General Inquiries .....	13
Billing and Invoicing.....	14
What are LAA’s rules for billing?.....	14
What are my responsibilities for ensuring my accounts are accurate and complete?.....	14
Lawyers Issued Certificates are Responsible for Other Lawyers’ Records .....	15
What do you need help with?.....	16



# Overview of Legal Aid

## What is LAA?

LAA is an independent organization that is accountable to the Minister and Law Society of Alberta for the operation of LAA and the Legal Aid Plan. A copy of the Governance Agreement and a list of our mandated services can be found on our website [here](#).

By partnering with our Roster members across the province, LAA provides essential legal services for eligible Albertans to ensure access to justice through a variety of service delivery programs. LAA advances the public interest by helping people resolve their legal problems through a cost-effective, innovative, and flexible program within an affordable funding envelope.

LAA has over 300 staff members and 1200 private practice roster lawyers acting for LAA to deliver our client and legal services for certain areas of law. LAA provides a full spectrum of legal services – from Duty Counsel services to full-representation Counsel in criminal and family law, including child welfare matters, as well as some limited civil matters such as Adult Guardianship and Trusteeship matters.

## Who is LAA?

As a new member of our roster, it is important to understand how Legal Aid's vision, mission, and values influence the way we deliver services and operate.

**Vision:** An Alberta where everyone is able to understand and protect their legal rights.

**Mission:** We resolve legal problems for disadvantaged Albertans and, in doing so, protect the Rule of Law for the benefit of everyone.

**Values:** We are one, we are protectors, we are exceptional, we are independent.

The bottom line is that our Clients, however they may interact with LAA, deserve **easy access** to **effective Counsel** and an assurance that both Counsel and LAA is **accountable** to the client.

# LAA Clients

## How do people qualify for LAA?

Service and Financial eligibility guidelines for Legal Aid Alberta are established by the LAA Rules. Service Eligibility Guidelines describe the types of law and legal issues for which legal representation services may be provided. Financial Eligibility Guidelines describe the levels of income and assets that a client can have.

*Financial Eligibility guidelines do not apply to Duty Counsel Services, Independent Counsel for the Children, or court-ordered representation such as Amicus or Counsel appointed for a limited purpose via Court Order.*

## Financial Eligibility Guidelines

There are two measures for determining financial eligibility – last 30 days income and last 12 months income. Legal Aid Alberta will make financial eligibility decisions by collecting information about a Client’s income, family size, assets and deductible expenses to determine if they fit within our financial eligibility guidelines as below:



### FINANCIAL ELIGIBILITY GUIDELINES

Family Size	Brydges Services	Legal Representation		Discretionary Coverage Program	
		Monthly	Annual	Monthly	Annual
1	Financial Eligibility Guidelines do not apply	\$1,805	\$21,668	\$2,256	\$27,085
2		\$2,236	\$26,827	\$2,795	\$33,534
3		\$3,182	\$38,176	\$3,977	\$47,720
4		\$3,439	\$41,271	\$4,299	\$51,588
5		\$3,697	\$44,367	\$4,621	\$55,459
6+		\$3,956	\$47,462	\$4,945	\$59,328

*If either the 30 day guideline or 12 month guideline is surpassed, the client may be financially ineligible for LAA services outside of Duty Counsel Services.*



## Service Eligibility Guidelines

### Service Eligibility for Criminal Matters

LAA may provide legal representation services to an eligible client charged with the following criminal offences:

- (a) indictable offences, whether in the Criminal Code or any other Federal act.
- (b) summary conviction offences with a:
  - i. likelihood of imprisonment upon conviction.
  - ii. likelihood of loss of the means of earning a living upon conviction; or
  - iii. a circumstance which Legal Aid Alberta, in its sole discretion, decides is exceptional enough for it to give legal services to the client.
- (c) Youth Criminal Justice Act offences.
- (d) Extradition Act offences.
- (e) any other offences, issues, or circumstances that Legal Aid Alberta includes, from time to time, through a Board Policy and approved in accordance with the Governance Agreement.

A client who is charged with a criminal offence and *does not* fall into any of these categories may only receive duty counsel services.

### Service Eligibility – Family Law Matters

Subject to Rule 3.13 and 3.17, LAA may provide legal representation services to an eligible client with:

- (a) Child welfare matters.
- (b) Interjurisdictional Support Orders Act.
- (c) Protection Against Family Violence Act or other forms of protection related to family violence;
- (d) Divorce Act or Family Law Act matters which may include custody, access, guardianship, parenting or contact time, spousal, or child support.
- (e) matrimonial property where:
  - i. there are also one or more matters in Rule 3.11.b.; or
  - ii. the client's equity in the property is \$50,000 or more.
- (f) constructive trust matters where the client's equity in the property is \$50,000 or more.
- (g) partition and sale matters between spouses where the client's equity in the property is \$50,000 or more; and
- (h) other family law matters that Legal Aid Alberta includes from time to time, through a Board Policy and approved in accordance with the Governance Agreement.

Further, LAA may provide legal representation services, on behalf of the Minister, if a court in Alberta orders the appointment of a lawyer for a child in a high-conflict child custody, access, guardianship, parenting or contact time matter and LAA determines that:

- (a) the lawyer is necessary to protect the best interests of the child.
- (b) the lawyer will be paid in accordance with the Legal Aid Tariff; and
- (c) either or both parents, having regard to their financial means, will be asked to reimburse Legal Aid Alberta for the costs of the lawyer.



Legal Aid Alberta will not provide legal representation services for:

- (a) uncontested divorces; or
- (b) contested divorces, where:
- (c) there are no corollary relief or matrimonial property issues, or
  - i. the matrimonial property is the only issue in dispute and the client's equity in that property is less than \$50,000.
  - ii. A client with family matters not referred to in Rules 3.11 or 3.12 may only receive Duty Counsel services

**NOTE:** A merit opinion from a LAA Assessment Team staff lawyer may be required before coverage is approved for Family Law Matters, and post PGO applications.

### **Can the decision to be refused legal representation services be appealed?**

A client may request a review of an eligibility decision in accordance with the Rules and the Eligibility Review and Appeal Policy. An eligibility decision can be reviewed only if it is a decision that a client:

- (a) does not meet Service Eligibility Guidelines or Policies;
- (b) does not meet Financial Eligibility Guidelines or Policies; or
- (c) should have legal representation services terminated.

Review decisions will be made by LAA staff lawyers. A review decision can only be appealed on the ground that the Reviewer erred in finding that the client:

- (a) does not meet Service Eligibility Guidelines or Policies.
- (b) does not meet Financial Eligibility Guidelines in accordance with the Rules and Administrative Policy; or
- (c) should have their certificate-based legal services terminated.

All appeal decisions are final and cannot be appealed further.



# Roster Lawyers

## What is my role as a roster lawyer?

Administrative Policy 6 ([here](#)) focuses on roster and panel management issues. It is important to become familiar with this policy as it provides a framework for how LAA makes roster and panel membership decisions, it defines a process for reviewing the quality of roster lawyers' services and sets a process for appealing roster or panel membership decisions.

## What are the lawyer's obligations to the client in relation to the Certificate?

A lawyer who represents a client on a certificate must make reasonable efforts to inform the client about:

- (a) the scope of the certificate, the breadth of the lawyer's retainer, and any limits on the representation the lawyer is authorized to provide under by the certificate;
- (b) any certificate conditions that LAA has imposed on the lawyer or the client; and
- (c) the financial consequences of any discretionary funding authorizations.

## What are my obligations to LAA when a request for change of counsel is made?

A lawyer or client who requests a change of counsel must tell LAA why they are making the request. If LAA needs more information to assess the criteria mentioned in the preceding section, the lawyer and client must respond to LAA's requests for information. LAA may share the information it receives with both the lawyer and client.

LAA may ask a lawyer to attempt to address a client's concerns before LAA processes the client's request for a change of counsel. LAA may re-assess a client's service eligibility or financial eligibility (under the relevant LAA policies) whenever LAA considers a request for a change of counsel. LAA may limit or cancel coverage if LAA determines the client is no longer eligible for services.

## What is an LAA roster panel?

A roster panel is comprised of a group of lawyers who specialize in certain matters or practice areas to achieve the following goals:

- (a) promote specialization and excellence within those practice areas;
- (b) help ensure that lawyers who represent LAA clients have the interest, aptitude, experience, and competencies required to successfully undertake the clients' matters;
- (c) give lawyers an incentive to develop, maintain, and enhance their competencies in certain subjects or practice areas; and
- (d) encourage lawyers to undertake continuing professional development.

Further information can be found on your Lawyer Portal and watch the Roster Newsletter for new and upcoming roster panels.





## How can I help my client apply?

Legal Aid Alberta Client Gateway is an alternative way for roster lawyers to help their **existing LAA clients** apply for new coverage on criminal charges without having to call LAA's main line.

The **Client Gateway** is an online portal – accessed by combining your Lawyer Portal username with “@legalaid.ab.ca” – and using your Lawyer Portal password.

You can find the Client Gateway login page [here](#) and instructions for how to use the Gateway [here](#).


## Types of Roster Certificates

LAA appoints lawyers, authorizes services for clients, and keeps track of billing and payments using certificates. There are several different kinds of certificates, including:

- (a) **Duty counsel certificates:** where LAA appoints a lawyer to provide summary or short-term legal assistance, generally without regard for the client's financial circumstances, which can be further subdivided into:
  - i. *Schedule-based duty counsel certificates:* where a lawyer provides summary or short-term assistance for more than one person in a specific place, on a specific day, or with a common legal issue (for example, acting as duty counsel in a criminal docket courtroom on a given day); and
  - ii. *Client-based duty counsel certificates:* where a lawyer provides summary or short-term legal assistance to a specific individual with respect to a narrowly defined legal issue that usually concludes in one or two appearances (for example, assisting a specific person at an emergency protection order review hearing);
- (b) **Client-based certificates:** which generally require the client to be financially eligible for LAA's services, and which can be further subdivided into:
  - i. *Client-based representation certificates:* where a lawyer acts for the client with respect to a defined legal issue or issues (for example, defending the accused on an ongoing basis with respect to a specific criminal charge);
  - ii. *Opinion certificates:* where a lawyer is retained to provide LAA with a written opinion about the merits or details of a client's legal issue or issues (for example, preparing an opinion about whether there is arguable merit to a client's appeal); and
  - iii. *Limited-hours and appropriate-hours certificates:* where a lawyer acts for a client with respect to a defined legal issue or issues, but where the lawyer may only provide a specified number of hours of assistance for the client until LAA specifically approves additional coverage or hours (for example, a certificate for helping a client before an immigration tribunal or a bail-only certificate).

## Client-Based Representation Certificates

Pursuant to Administrative Policy 5, A lawyer named on the certificate is Counsel for the client. Rule 1.8 states that if LAA issues a client-based certificate to a lawyer, that lawyer (the “certificate lawyer”) must act for the client with respect to any matters that fall within the scope of the certificate.



Further, a certificate lawyer must appear as counsel of record before a court or tribunal that hears the client's matter unless the certificate:

- (a) is for a duty counsel service;
- (b) is an opinion certificate; or
- (c) has a condition qualifying the scope of the lawyer's retainer that makes it inappropriate for the lawyer to appear as counsel of record. 1.10 A lawyer who accepts a certificate with a less-than-full-scope retainer must disclose the scope of that retainer as required by any rules of the court or tribunal.

Coverage begins on the day LAA issues a certificate. Lawyers cannot submit an account for services they performed (or disbursements they incurred) before LAA issued the certificate. However, LAA may agree to cover services performed (or disbursements incurred) before a certificate was issued, but only in exceptional circumstances.

### **How are lawyers selected for certificates?**

If LAA concludes that a client is eligible for certificate-based representation, LAA may take the following factors into consideration when deciding which lawyer should be offered a certificate:

- (a) for those matters where LAA typically offers certificates to a client's preferred lawyer, the client's choice of counsel, subject to any rules surrounding choice of counsel set out in the Governance Agreement, the Rules, or internal LAA policy;
- (b) whether there are specialized panels or lawyer qualifications that apply to a practice area or a type of certificate;
- (c) whether a lawyer practices within a geographic service area, and any internal policies about whether LAA will reimburse a lawyer from outside that geographic service area for the lawyer's travel time or travel expenses;
- (d) the operational capacity, specialization, geographic service locations, and file selection criteria for any group of LAA staff lawyers
- (e) any criteria or offer processes set out in LAA's internal appointing rules.

### **Can another lawyer appear on a certificate if it is in my name?**

If LAA issues a client-based certificate to a lawyer, that lawyer (the "certificate lawyer") must act for the client with respect to any matters that fall within the scope of the certificate. A certificate lawyer must appear as counsel of record before a court or tribunal that hears the client's matter unless the certificate:

- (a) is for a duty counsel service;
- (b) is an opinion certificate; or
- (c) has a condition qualifying the scope of the lawyer's retainer that makes it inappropriate for the lawyer to appear as counsel of record.

A lawyer who accepts a certificate with a less-than-full-scope retainer must disclose the scope of that retainer as required by any rules of the court or tribunal.

A certificate lawyer must not delegate work under a certificate to a lawyer who is not named on the certificate (a "second lawyer") unless one of the exceptions outlined in Administrative Policy 5 allows the certificate lawyer to delegate such work.

### **In what circumstances can I allow another lawyer to appear on my certificate?**

Certificate lawyers cannot delegate work on certificates unless one of the following exceptions apply: delegating minor or peripheral work:



- (a) A certificate lawyer may allow a second lawyer to provide minor or peripheral assistance in a client's matter if the certificate lawyer has express or implied authority to delegate such work to another lawyer. For example, in most circumstances, a certificate lawyer may delegate a straightforward scheduling appearance or docket court appearance to a second lawyer.
- (b) Delegating certain work when lawyer is not available: A certificate lawyer may delegate work to a second lawyer if:
  - i. the certificate lawyer is temporarily unavailable to assist the client
  - ii. because of the urgency of the matter or possible prejudice to the client, a reasonable lawyer would not wait until the certificate lawyer was available; and
  - iii. the client consents to the second lawyer's involvement in the matter. For example, in most cases, this exception will allow a second lawyer to:
    - a. assist a client with a straightforward bail hearing or a straightforward guilty plea for "time served" when the certificate lawyer is occupied in the trial of another matter; and
    - b. assist a client with an urgent family law application when the certificate lawyer is away on vacation
- (c) delegate with consent of the client and LAA: A certificate lawyer may delegate work to a second lawyer if:
  - i. the client consents to the second lawyer's involvement in the matter; and
  - ii. the certificate lawyer only delegates work as approved by LAA in response to the certificate lawyer's Authorization Request.


*Delegated trials DO NOT fall within these exceptions and require special permission.*

Notwithstanding any of the exceptions outlined above, **a certificate lawyer must not delegate the conduct of a trial to a second lawyer without the consent of both LAA and the client.** LAA will only consent in exceptional circumstances. If a certificate lawyer cannot conduct a trial, in most cases, the lawyer should request a change of counsel or ask for the certificate to be transferred to another lawyer.

### **What are the requirements for delegating work to a second lawyer?**

When a certificate lawyer delegates work to a second lawyer:

- (a) the certificate lawyer remains the sole point of contact with LAA on the certificate;
- (b) the certificate lawyer remains personally responsible to LAA for:
  - i. the conduct of the second lawyer in relation to the client's matter;
  - ii. ensuring the second lawyer provides competent service to the client;
  - iii. avoiding any potential conflicts because of the second lawyer's involvement; and
  - iv. ensuring the accuracy of all accounts submitted on the certificate;
- (c) the certificate lawyer must keep records of the specific work the second lawyer performed, and when that work was performed, and must provide these records to LAA upon request;

- 
- (d) LAA has no financial obligations to the second lawyer with respect to their involvement in the matter, and the certificate lawyer and second lawyer must make their own arrangements regarding remuneration of the second lawyer for their involvement in the file;
  - (e) the certificate lawyer will submit all accounts on the certificate, and payments will be made to the certificate lawyer; and
  - (f) the certificate lawyer may invoice LAA for a second lawyer's work only at the rates or block fees authorized under the Tariff.

## Opinion Certificates

### Writing Opinions for Appeals

#### *What is required for a merit opinion?*

If a certificate requires a lawyer to prepare an opinion about the merits of a client's case, application, or appeal, the lawyer must provide both LAA and the client with a copy of the opinion. LAA may require the lawyer to provide the opinion in the form specified by LAA. The lawyer is not authorized to order transcripts to prepare the opinion unless LAA approves a transcript disbursement by way of an Authorization Request.

#### *Criminal Appeal Opinions*

A thorough review of the client's case is necessary for LAA staff to properly assess the merit to the client's application for an appeal. A merit opinion must include the following:

- Summary of the evidence presented at trial, guilty plea, and/or sentencing
- Crown's theory of the case, Defence theory of the case
- Statement of the issues and supporting evidence/argument
- Summary of the trial judge's decision
- Transcripts of proceedings/trial judge's decision, if available

In some cases, the client may be seeking to appeal based on ineffective assistance of counsel, specifically when guilty pleas are entered. While we understand that this may pose a conflict for the lawyer drafting the opinion, we do request a limited overview of whether section 606(1.1) of the *Criminal Code* was complied with, whether written instructions were signed by the client, and any other available information that may assist LAA in deciding whether the guilty pleas were voluntary and informed. Requests for ineffective assistance of counsel are often meritless; however, any assistance in this determination is greatly appreciated.

#### *SCC Leave Application Opinions*

In addition to the above-noted requirements, SCC leave applications require the following documentation:

- Trial judge's decision
- Court of appeal decision
- Factums
- A detailed argument regarding 'public interest'



### *Mental Health Appeal Opinions*

To properly assess whether there is merit to an appeal of the Mental Health Review panel decision, the following information is required:

- Summary of the evidence presented at the hearing
- A detailed history of the client's mental health issues including hospitalizations
- Statement of the issues and supporting evidence/argument
- Transcripts of the Mental Health Review Panel decision, if available

### *Family Appeal Opinions*

- Summary of the evidence presented at the hearing
- Statement of the issues and supporting evidence/argument
- Transcripts of the trial judge's decision

### *Immigration Appeal Opinions*

To properly assess whether there is merit to an appeal of a decision by the Immigration and Refugee Board of Canada, the following information is required:

- Summary of the history of the client's immigration history;
- Summary of the main issues for the hearing;
- Summary of CBSA's case against the client or the evidence they seek to rely on;
- A brief summary of the client's situation or response to the proposed evidence;
- Summary of the outcome sought by the client;
- Summary of the outcome sought by the CBSA;
- A detailed overview of the decision;
- A copy of the decision, if available.

## Limited-Hours and Appropriate-Hours Certificates

### **Complainant's Counsel Certificates (Duty Counsel for Complainants on 276 Applications, etc.)**

If LAA issues a client-based duty counsel certificate for a lawyer to assist a complainant or another witness in a criminal matter with respect to an application brought under the provisions of sections 276 to 278.96 of the Criminal Code or analogous common law rules: (a) the lawyer must ensure the client, the court, and the other lawyers understand that the lawyer is limited to providing summary, short-term assistance in relation to that specific application and that the lawyer does not act for the complainant or witness at large or on other applications; and (b) the lawyer may submit an Authorization Request to LAA seeking additional time to assist the complainant in relation to that application – beyond the time initially authorized under the certificate – but LAA will only grant these requests in exceptional circumstances.

\*Please refer to Administrative Policy 5 for further rules, policies, and procedures in relation to LAA certificates



## FAQ-Certificates

### General Inquiries

1. Who do I contact if I have questions about invoicing (that is not high cost)?  
All inquiries about invoicing (that is not high cost) must be directed to the Taxation department (Taxation@legalaid.ab.ca).
2. How do I add charges or Informations to my Certificate?  
To request charges or Informations be added to a Certificate, you must submit your request under “Add Legal Issue”, provide the Information number and charges, and Certificate Management will assist.
3. Who do I contact if I require an extension of time to bill or need the certificate amended?  
  
For all inquiries relating to the Certificate, for example, extension of time to bill, amendments, etc., please forward your request to Certificate Management ([CertificateManagement@legalaid.ab.ca](mailto:CertificateManagement@legalaid.ab.ca)).
4. How do I obtain more detailed information about LAA’s Rules and Policies?  
  
This handbook is meant only to provide an overview of LAA’s rules and policies. For more detailed information please visit [LAA’s website](#).



# Billing and Invoicing

## What are LAA's rules for billing?

The below rules are only highlights of the rules surrounding invoicing which are contained within our Administrative Policy 5 (here) and Administrative Policy 6 (here). Please also see The Criminal Tariff Invoicing Guide and Family/Civil Invoicing Guide which provide specific direction in relation to those areas of law. Under LAA's Modernized Tariff for example, criminal certificate invoicing has transitioned to block fee billing as opposed to the Family/Civil tariff which relies on hourly based billing.

### *Lawyer May Not Accept Additional Payments for Certificate Services*

When a lawyer acts on a certificate or as duty counsel, LAA must be the sole source of funding for any matters falling within the scope of that certificate or duty counsel appointment. A lawyer must not:

- (a) seek or accept any payment or reimbursement from the client or from any source other than LAA for any services provided (or disbursements incurred) when acting on that certificate or as duty counsel, or,
- (b) accept any gift or gratuity of more than a nominal value, unless LAA specifically approves that payment, reimbursement, gift, or gratuity in writing.

### *No Referral or Transfer Fees*

A lawyer must not pay or accept a referral fee, or give or accept any gift of more than nominal value, for:

- (a) recommending a lawyer to an LAA client for a certificate matter; or
- (b) transferring a certificate to another lawyer or recommending the transfer of the certificate to another lawyer.
- (c) A Lawyer Cannot Claim Lien or Withhold a Client's File.

### *Will my accounts be reviewed?*


Most certificate-based services are not free, and clients are expected to repay LAA for the services LAA provides via certificate lawyers. LAA is also publicly funded and is accountable to the Government of Alberta and Law Society of Alberta under the terms of the LAA Governance Agreement. As such, LAA must take steps to ensure that lawyers' accounts are complete and accurate, and LAA must establish processes for the review of these accounts.

## What are my responsibilities for ensuring my accounts are accurate and complete?

Again, the below remains only a highlight of the applicable LAA Policies and Invoicing Guides where more detailed information concerning supporting documentation and justification of LAA accounts.

### **Lawyers Must Keep Time Records and Disbursement Records**

If the Tariff, or a discretionary authorization, allows a lawyer to charge a Block Fee, where the service is inclusive of both preparation and attendance, or an hourly rate, where the time charged is actual time, the lawyer must keep Timekeeping Records that:

- 
- (a) provide a comprehensive and legible record of actual time spent working on the file and legal services performed that is inclusive from the date of certificate acceptance until the date of certificate closure;
  - (b) contemporaneously track actual time spent working on the file and performing legal services that include:
    - (i) the day or days when the lawyer performed any such services and the timeframe of hours spent on that day or days;
    - (ii) a reasonably descriptive and/or itemized list of specific tasks performed and identify how much time was spent on each item;
    - (iii) the place or courtroom where a service was performed; and
    - (iv) any other information required under LAA policy;
  - (c) provide a total number of hours spent providing legal services performed that is inclusive from the date of certificate acceptance until the date of certificate closure;
  - (d) an itemized list of disbursements incurred when representing a client on a certificate;
  - (e) any other information necessary to justify the lawyer's charge under the Tariff or discretionary authorization.

For both ordinary and special disbursements under the Tariff, a lawyer must keep and provide to LAA upon invoicing:

- (a) any invoices, records, receipts, or reports associated with those disbursements that must include:
  - (i) the date;
  - (ii) an identifiable service provider and contact information for the service provider;
  - (iii) an itemized list of services provided;
  - (iv) the total dollar amount of the disbursement; and
  - (v) if GST is applicable, the GST registration number.

### **Lawyers Issued Certificates are Responsible for Other Lawyers' Records**

Where a lawyer submits an account that includes charges for services that were performed by another lawyer – including work charged at an hourly rate and any block Tariff items – the lawyer must:

- (a) keep a record of the name of the lawyer who provided those services;
- (b) ensure that the second lawyer maintains the same records that the lawyer is required to keep under this policy; and
- (c) provide LAA with a copy of those records in the same manner as though the lawyer created the records





## What do you need help with?

### **Billing**

Invoicing, Tariff questions, payments

[taxation@legalaid.ab.ca](mailto:taxation@legalaid.ab.ca)

---

### **Duty Counsel**

DC certificates, Shiftboard

[dutycounsel@legalaid.ab.ca](mailto:dutycounsel@legalaid.ab.ca)

---

### **Certificates**

LAA certificates, certificate, and tariff officer requests

[certificatemanagement@legalaid.ab.ca](mailto:certificatemanagement@legalaid.ab.ca)

---

### **Lawyer Portal**

Technical help, account troubleshooting, reset password, report an issue

[lawyerportal@legalaid.ab.ca](mailto:lawyerportal@legalaid.ab.ca)

---

### **Client Gateway**

Technical help, account troubleshooting, reset password, report an issue

[clientgateway@legalaid.ab.ca](mailto:clientgateway@legalaid.ab.ca)

---

### **Roster Relations**

Questions, comments or concerns about Legal Aid Policies, Rules and/or Agreements

[rosterrelations@legalaid.ab.ca](mailto:rosterrelations@legalaid.ab.ca)

---

### **Modernized Tariff Questions**

Questions, comments or concerns about the Modernized Tariff

[tariff@legalaid.ab.ca](mailto:tariff@legalaid.ab.ca)

---

### **General LAA Feedback**

Comments, content suggestions, website feedback

[communications@legalaid.ab.ca](mailto:communications@legalaid.ab.ca)

---



Legal Aid Alberta

