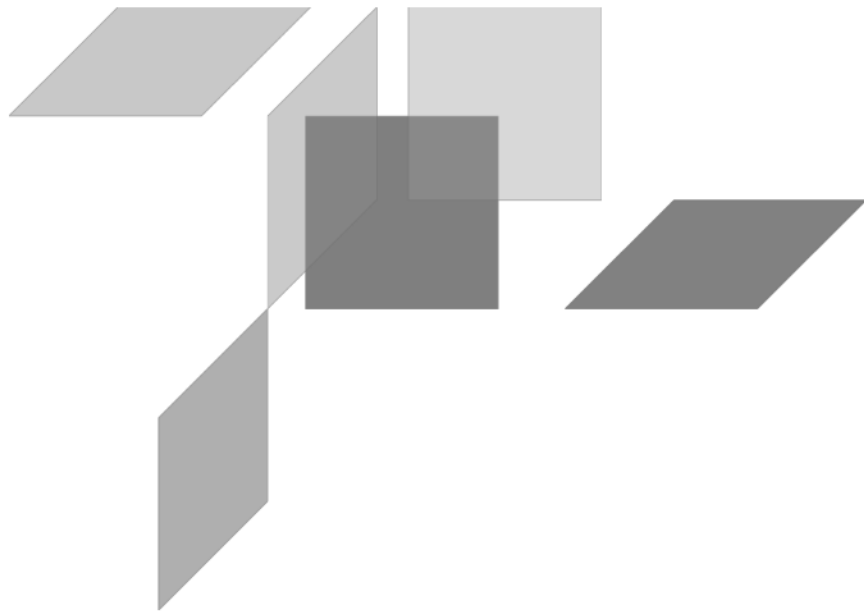


Page 001 to/à Page 005

Withheld pursuant to/removed as

s.12



Legal Services Society Local Lawyer Incentive Survey

Prepared for:

Brooke Knowlton, Evaluations and Policy Coordinator

September 21, 2018 [FINAL]

Page 007 to/à Page 031

Withheld pursuant to/removed as

Copyright

Tapiador, Almira AG:EX

From: Valentinuzzi, Emma AG:EX
Sent: Tuesday, October 2, 2018 1:23 PM
To: Rawlinson, Kathleen AG:EX; Williams, Julie AG:EX
Cc: Watters, Treena M AG:EX; Tapiador, Almira AG:EX; Salkus, Beverley AG:EX
Subject: FW: 554508 - AG DBN - Decision Survey re LSS Legal Aid Incentive Plan
Attachments: 554508 - AG DBN - Decision Survey re LSS Legal Aid Incentive Plan Sep 25 2018.pdf

Please see the attached DBN, option one has been approved by Minister

From: Engelbrecht, Maya AG:EX
Sent: Tuesday, October 2, 2018 1:22 PM
To: Salkus, Beverley AG:EX; Valentinuzzi, Emma AG:EX; Halicki, Ashley AG:EX
Cc: Richter, Connie AG:EX
Subject: 554508 - AG DBN - Decision Survey re LSS Legal Aid Incentive Plan

Good afternoon,

Please see the attached, option one has been approved by the Minister. Thank you.

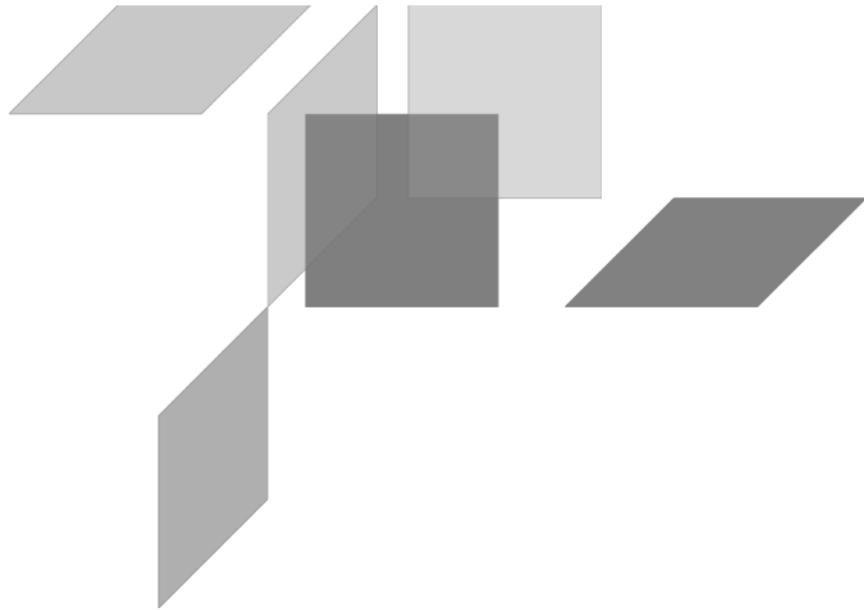
Best Regards,
Maya Engelbrecht
Acting Senior Executive Assistant
Deputy Attorney General's Office, Ministry of Attorney General
PO Box 9290 Station Provincial Government, Victoria, BC V8W 9J7
Phone: 778-974-3796

This message, including any attachments to it, is not to be disclosed outside of the Provincial Government without prior written approval from the Ministry of Attorney General. If you have received this communication in error, please destroy the email message and any attachments immediately and notify me by telephone or by email.

Page 033 to/à Page 037

Withheld pursuant to/removed as

s.12



Legal Services Society Local Lawyer Incentive Survey

Prepared for:

Brooke Knowlton, Evaluations and Policy Coordinator

September 21, 2018 [FINAL]

Page 039 to/à Page 063

Withheld pursuant to/removed as

Copyright

Tapiador, Almira AG:EX

From: Rawlinson, Kathleen AG:EX
Sent: Tuesday, October 9, 2018 11:42 AM
To: Jackson, Wendy AG:EX; Cheema, Kashmiro K AG:EX; Grills, Sean C AG:EX
Subject: FW: Local Lawyer Incentive Report
Attachments: 554508 - AG DBN - Decision Survey re LSS Legal Aid Incentive Plan Sep 25....pdf

fyi

From: Rawlinson, Kathleen AG:EX
Sent: Tuesday, October 9, 2018 11:41 AM
To: Harold Clark (harold.clark@lss.bc.ca)
Cc: 'Teresa Nesbitt'
Subject: RE: Local Lawyer Incentive Report

Hi Harold:

The AG has now reviewed the survey report & officially given approval for implementation of the Incentive Payment Plan, as LSS proposed, & with reports on uptake provided quarterly.

So, you can announce it & start flowing the funding from the \$1M.

If you have or develop any announcement materials, it would be great if you would please provide me with an advance copy, then I can let Kurt know & he can share with the Minister's Office, Gov Communications etc.

Thanks,
Kathleen

From: Sherry MacLennan [<mailto:Sherry.MacLennan@lss.bc.ca>]
Sent: Friday, September 21, 2018 4:46 PM
To: Sandstrom, Kurt AG:EX
Cc: Harold Clark; Rawlinson, Kathleen AG:EX
Subject: Local Lawyer Incentive Report

Hi Kurt –

I'm acting for Mark until Tuesday, and in that capacity am forwarding to you the report on lawyer incentive survey. Also attached is a copy of the lawyers' survey comments, referred to in the report. I understand that there is a standing liaison call with Harold & Kathleen on Thursday, and trust that any questions regarding the report will be answered then.

Warm regards,

Sherry MacLennan
Vice President, Public Legal Information & Applications
Legal Services Society

--The information in this e-mail, and any documents that may be attached, is confidential and may be legally privileged. Any unauthorized use, or disclosure of this message by an unintended recipient, is strictly

prohibited. If you received this e-mail in error, please notify the sender immediately by replying to this e-mail and delete the material from your system. Thank you.--

Tapiador, Almira AG:EX

From: Valentinuzzi, Emma AG:EX
Sent: Tuesday, October 9, 2018 11:31 AM
To: Rawlinson, Kathleen AG:EX
Cc: Fast, Courtney AG:EX; Wallbank, Cindy M AG:EX; Watters, Treena M AG:EX
Subject: FW: 554508 - AG DBN - Decision Survey re LSS Legal Aid Incentive Plan
Attachments: 554508 - AG DBN - Decision Survey re LSS Legal Aid Incentive Plan Sep 25 2018.pdf

Please see the attached!

From: Engelbrecht, Maya AG:EX
Sent: Tuesday, October 9, 2018 11:24 AM
To: Valentinuzzi, Emma AG:EX
Cc: Richter, Connie AG:EX
Subject: FW: 554508 - AG DBN - Decision Survey re LSS Legal Aid Incentive Plan

Hi Emma,

Please see the attached, signed by the Minister. Thanks.

-M

From: Engelbrecht, Maya AG:EX
Sent: Tuesday, October 2, 2018 1:22 PM
To: Salkus, Beverley AG:EX; Valentinuzzi, Emma AG:EX; Halicki, Ashley AG:EX
Cc: Richter, Connie AG:EX
Subject: 554508 - AG DBN - Decision Survey re LSS Legal Aid Incentive Plan

Good afternoon,

Please see the attached, option one has been approved by the Minister. Thank you.

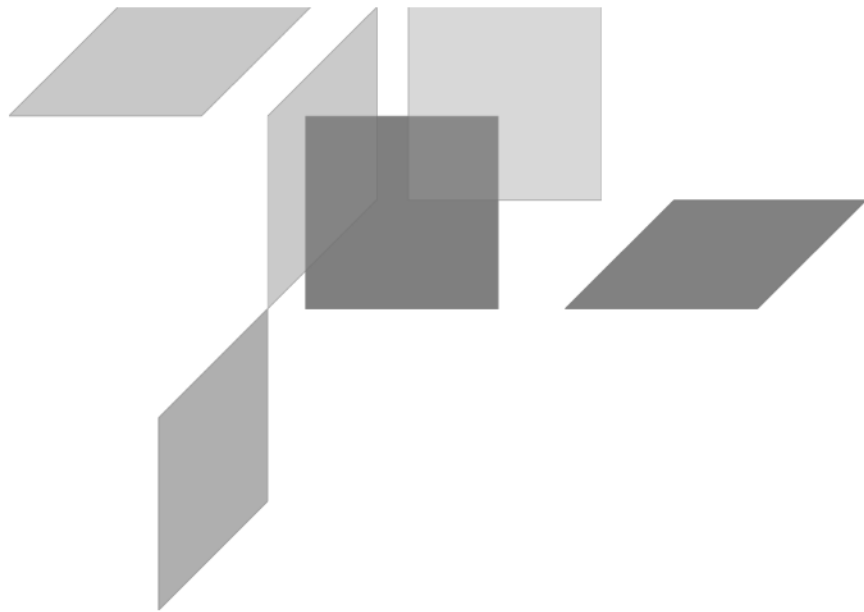
Best Regards,
Maya Engelbrecht
Acting Senior Executive Assistant
Deputy Attorney General's Office, Ministry of Attorney General
PO Box 9290 Station Provincial Government, Victoria, BC V8W 9J7
Phone: 778-974-3796

This message, including any attachments to it, is not to be disclosed outside of the Provincial Government without prior written approval from the Ministry of Attorney General. If you have received this communication in error, please destroy the email message and any attachments immediately and notify me by telephone or by email.

Page 067 to/à Page 071

Withheld pursuant to/removed as

s.12



Legal Services Society Local Lawyer Incentive Survey

Prepared for:

Brooke Knowlton, Evaluations and Policy Coordinator

September 21, 2018 [FINAL]

Page 073 to/à Page 097

Withheld pursuant to/removed as

Copyright

Tapiador, Almira AG:EX

From: Harold Clark <Harold.Clark@lss.bc.ca>
Sent: Wednesday, October 10, 2018 11:51 AM
To: Rawlinson, Kathleen AG:EX
Cc: Teresa Nesbitt; Heidi Mason; Brad Daisley
Subject: RE: Local Lawyer Incentive Report

Kathleen

I have informed everyone here to proceed to implement.

We will forward to you communications we send out and will report out uptake accordingly.

...hvjc

Harold V. J. Clark, CPHR
Vice President, Strategic Planning, Policy & Human Resources
LEGAL SERVICES SOCIETY
400-510 Burrard St.
Vancouver, BC. V6C 3A8
Phone: 604-601-6025
Cell: 604-315-7132
E-Mail: harold.clark@lss.bc.ca

From: Rawlinson, Kathleen AG:EX <Kathleen.Rawlinson@gov.bc.ca>
Sent: Tuesday, October 09, 2018 11:41 AM
To: Harold Clark <Harold.Clark@lss.bc.ca>
Cc: Teresa Nesbitt <Teresa.Nesbitt@lss.bc.ca>
Subject: RE: Local Lawyer Incentive Report

Hi Harold:

The AG has now reviewed the survey report & officially given approval for implementation of the Incentive Payment Plan, as LSS proposed, & with reports on uptake provided quarterly.

So, you can announce it & start flowing the funding from the \$1M.

If you have or develop any announcement materials, it would be great if you would please provide me with an advance copy, then I can let Kurt know & he can share with the Minister's Office, Gov Communications etc.

Thanks,
Kathleen

From: Sherry MacLennan [<mailto:Sherry.MacLennan@lss.bc.ca>]
Sent: Friday, September 21, 2018 4:46 PM
To: Sandstrom, Kurt AG:EX
Cc: Harold Clark; Rawlinson, Kathleen AG:EX
Subject: Local Lawyer Incentive Report

Hi Kurt –

I'm acting for Mark until Tuesday, and in that capacity am forwarding to you the report on lawyer incentive survey. Also attached is a copy of the lawyers' survey comments, referred to in the report. I understand that there is a standing

liaison call with Harold & Kathleen on Thursday, and trust that any questions regarding the report will be answered then.

Warm regards,

Sherry MacLennan
Vice President, Public Legal Information & Applications
Legal Services Society

--The information in this e-mail, and any documents that may be attached, is confidential and may be legally privileged. Any unauthorized use, or disclosure of this message by an unintended recipient, is strictly prohibited. If you received this e-mail in error, please notify the sender immediately by replying to this e-mail and delete the material from your system. Thank you.--

--The information in this e-mail, and any documents that may be attached, is confidential and may be legally privileged. Any unauthorized use, or disclosure of this message by an unintended recipient, is strictly prohibited. If you received this e-mail in error, please notify the sender immediately by replying to this e-mail and delete the material from your system. Thank you.--

Tapiador, Almira AG:EX

From: Sandstrom, Kurt AG:EX
Sent: Wednesday, September 12, 2018 6:30 PM
To: Rawlinson, Kathleen AG:EX
Subject: Fwd: Incentive payment survey

Setting up a call Friday... I have your notes of course.

Begin forwarded message:

From: Mark Benton <Mark.Benton@lss.bc.ca>
Date: September 12, 2018 at 5:08:58 PM PDT
To: QC Kurt Sandstrom <Kurt.Sandstrom@gov.bc.ca>
Subject: Incentive payment survey

We did not get a chance to touch on this today. I will have final results in a week but the indications are that more than 50% of the respondents would take more family and child protection referrals if LSS offered the bonus payment.
I would like to move this forward asap. Any availability to talk about this Friday?
Mark

Sent from my iPhone

--The information in this e-mail, and any documents that may be attached, is confidential and may be legally privileged. Any unauthorized use, or disclosure of this message by an unintended recipient, is strictly prohibited. If you received this e-mail in error, please notify the sender immediately by replying to this e-mail and delete the material from your system. Thank you.--

Tapiador, Almira AG:EX

From: Rawlinson, Kathleen AG:EX
Sent: Thursday, September 13, 2018 10:13 AM
To: Jackson, Wendy AG:EX; Cheema, Kashmiro K AG:EX; Grills, Sean C AG:EX
Subject: FW: Incentive payment survey

fyi

From: Sandstrom, Kurt AG:EX
Sent: Wednesday, September 12, 2018 6:30 PM
To: Rawlinson, Kathleen AG:EX
Subject: Fwd: Incentive payment survey

Setting up a call Friday... I have your notes of course.

Begin forwarded message:

From: Mark Benton <Mark.Benton@lss.bc.ca>
Date: September 12, 2018 at 5:08:58 PM PDT
To: QC Kurt Sandstrom <Kurt.Sandstrom@gov.bc.ca>
Subject: Incentive payment survey

We did not get a chance to touch on this today. I will have final results in a week but the indications are that more than 50% of the respondents would take more family and child protection referrals if LSS offered the bonus payment.
I would like to move this forward asap. Any availability to talk about this Friday?
Mark

Sent from my iPhone

--The information in this e-mail, and any documents that may be attached, is confidential and may be legally privileged. Any unauthorized use, or disclosure of this message by an unintended recipient, is strictly prohibited. If you received this e-mail in error, please notify the sender immediately by replying to this e-mail and delete the material from your system. Thank you.--

Tapiador, Almira AG:EX

From: Rawlinson, Kathleen AG:EX
Sent: Tuesday, September 18, 2018 10:58 AM
To: Harold Clark
Cc: Teresa Nesbitt; Kathryn Spracklin
Subject: RE: Incentive plan survey update

Harold:

Is tomorrow still the date you plan on sending us the final report on the survey results? (I say 'still' as I have the date of Sep 19 in mind, though frankly I can't recall now where I got that from).

I ask, in particular, because in answer to your question last week of what are next steps for approval to actually flow the funding, I checked with Kurt who asked me to do a briefing note for decision of the AG & attach your report. (I think Kurt was also planning to let Mark know this, but am not sure whether that got communicated). So I'm just trying to plan accordingly.

Thanks,
Kathleen

From: Harold Clark [<mailto:Harold.Clark@lss.bc.ca>]
Sent: Friday, August 10, 2018 10:46 AM
To: Rawlinson, Kathleen AG:EX
Cc: Teresa Nesbitt; Kathryn Spracklin
Subject: Incentive plan survey update

Kathleen

LSS received feedback from Sentis, who is conducting the Incentive Plan Survey which began this Wednesday August 8, has already received 104 completed surveys out of 347 invitations which is a current response rate of 30% - a great start. Will continue to keep you posted.

...hvjc

Harold V. J. Clark, CPHR
Vice President, Strategic Planning, Policy & Human Resources
LEGAL SERVICES SOCIETY
400-510 Burrard St.
Vancouver, BC. V6C 3A8
Phone: 604-601-6025
Cell: 604-315-7132
E-Mail: harold.clark@lss.bc.ca

--The information in this e-mail, and any documents that may be attached, is confidential and may be legally privileged. Any unauthorized use, or disclosure of this message by an unintended recipient, is strictly prohibited. If you received this e-mail in error, please notify the sender immediately by replying to this e-mail and delete the material from your system. Thank you.--

Tapiador, Almira AG:EX

From: Harold Clark <Harold.Clark@lss.bc.ca>
Sent: Wednesday, September 19, 2018 3:28 PM
To: Rawlinson, Kathleen AG:EX
Subject: RE: Incentive plan survey update

Kathleen

I spoke with Sherry MacLennan who is acting for Mark and she indicates that once the report comes in and she has had a chance to review, and all is ok, I can then send to you, so as to not hold you up from preparing your briefing for AG, so report may come to you sooner than EMC meeting next Tuesday.

...hvjc

From: Rawlinson, Kathleen AG:EX <Kathleen.Rawlinson@gov.bc.ca>
Sent: Wednesday, September 19, 2018 2:34 PM
To: Harold Clark <Harold.Clark@lss.bc.ca>
Subject: RE: Incentive plan survey update

Ok, thanks for the update Harold – much appreciated.

From: Harold Clark [<mailto:Harold.Clark@lss.bc.ca>]
Sent: Wednesday, September 19, 2018 2:08 PM
To: Rawlinson, Kathleen AG:EX
Subject: RE: Incentive plan survey update

Kathleen

We were suppose to get the “final daft” report today, but it is delayed. Mark is out of town this week so we are planning to discuss the report next EMC meeting Tuesday September 25th. So the report will come to MAG following EMC next week.

...hvjc

From: Rawlinson, Kathleen AG:EX <Kathleen.Rawlinson@gov.bc.ca>
Sent: Tuesday, September 18, 2018 10:58 AM
To: Harold Clark <Harold.Clark@lss.bc.ca>
Cc: Teresa Nesbitt <Teresa.Nesbitt@lss.bc.ca>; Kathryn Spracklin <Kathryn.Spracklin@lss.bc.ca>
Subject: RE: Incentive plan survey update

Harold:

Is tomorrow still the date you plan on sending us the final report on the survey results? (I say ‘still’ as I have the date of Sep 19 in mind, though frankly I can’t recall now where I got that from).

I ask, in particular, because in answer to your question last week of what are next steps for approval to actually flow the funding, I checked with Kurt who asked me to do a briefing note for decision of the AG & attach your report. (I think Kurt was also planning to let Mark know this, but am not sure whether that got communicated). So I’m just trying to plan accordingly.

Thanks,
Kathleen

From: Harold Clark [<mailto:Harold.Clark@lss.bc.ca>]
Sent: Friday, August 10, 2018 10:46 AM
To: Rawlinson, Kathleen AG:EX
Cc: Teresa Nesbitt; Kathryn Spracklin
Subject: Incentive plan survey update

Kathleen

LSS received feedback from Sentis, who is conducting the Incentive Plan Survey which began this Wednesday August 8, has already received 104 completed surveys out of 347 invitations which is a current response rate of 30% - a great start. Will continue to keep you posted.

...hvjc

Harold V. J. Clark, CPHR
Vice President, Strategic Planning, Policy & Human Resources
LEGAL SERVICES SOCIETY
400-510 Burrard St.
Vancouver, BC. V6C 3A8
Phone: 604-601-6025
Cell: 604-315-7132
E-Mail: harold.clark@lss.bc.ca

--The information in this e-mail, and any documents that may be attached, is confidential and may be legally privileged. Any unauthorized use, or disclosure of this message by an unintended recipient, is strictly prohibited. If you received this e-mail in error, please notify the sender immediately by replying to this e-mail and delete the material from your system. Thank you.--

--The information in this e-mail, and any documents that may be attached, is confidential and may be legally privileged. Any unauthorized use, or disclosure of this message by an unintended recipient, is strictly prohibited. If you received this e-mail in error, please notify the sender immediately by replying to this e-mail and delete the material from your system. Thank you.--

--The information in this e-mail, and any documents that may be attached, is confidential and may be legally privileged. Any unauthorized use, or disclosure of this message by an unintended recipient, is strictly prohibited. If you received this e-mail in error, please notify the sender immediately by replying to this e-mail and delete the material from your system. Thank you.--

Tapiador, Almira AG:EX

From: Rawlinson, Kathleen AG:EX
Sent: Wednesday, September 19, 2018 2:37 PM
To: Sandstrom, Kurt AG:EX; Jackson, Wendy AG:EX; Williams, Julie AG:EX; Grills, Sean C AG:EX; Cheema, Kashmiro K AG:EX
Cc: Salkus, Beverley AG:EX
Subject: LSS Incentive plan survey update

Fyi – report is delayed 1 week.

From: Harold Clark [<mailto:Harold.Clark@lss.bc.ca>]
Sent: Wednesday, September 19, 2018 2:08 PM
To: Rawlinson, Kathleen AG:EX
Subject: RE: Incentive plan survey update

Kathleen

We were suppose to get the “final daft” report today, but it is delayed. Mark is out of town this week so we are planning to discuss the report next EMC meeting Tuesday September 25th. So the report will come to MAG following EMC next week.

...hvjc

From: Rawlinson, Kathleen AG:EX <Kathleen.Rawlinson@gov.bc.ca>
Sent: Tuesday, September 18, 2018 10:58 AM
To: Harold Clark <Harold.Clark@lss.bc.ca>
Cc: Teresa Nesbitt <Teresa.Nesbitt@lss.bc.ca>; Kathryn Spracklin <Kathryn.Spracklin@lss.bc.ca>
Subject: RE: Incentive plan survey update

Harold:

Is tomorrow still the date you plan on sending us the final report on the survey results? (I say ‘still’ as I have the date of Sep 19 in mind, though frankly I can’t recall now where I got that from).

I ask, in particular, because in answer to your question last week of what are next steps for approval to actually flow the funding, I checked with Kurt who asked me to do a briefing note for decision of the AG & attach your report. (I think Kurt was also planning to let Mark know this, but am not sure whether that got communicated). So I’m just trying to plan accordingly.

Thanks,
Kathleen

From: Harold Clark [<mailto:Harold.Clark@lss.bc.ca>]
Sent: Friday, August 10, 2018 10:46 AM
To: Rawlinson, Kathleen AG:EX
Cc: Teresa Nesbitt; Kathryn Spracklin
Subject: Incentive plan survey update

Kathleen

LSS received feedback from Sentis, who is conducting the Incentive Plan Survey which began this Wednesday August 8, has already received 104 completed surveys out of 347 invitations which is a current response rate of 30% - a great start. Will continue to keep you posted.

...hvjc

Harold V. J. Clark, CPHR
Vice President, Strategic Planning, Policy & Human Resources
LEGAL SERVICES SOCIETY
400-510 Burrard St.
Vancouver, BC. V6C 3A8
Phone: 604-601-6025
Cell: 604-315-7132
E-Mail: harold.clark@lss.bc.ca

--The information in this e-mail, and any documents that may be attached, is confidential and may be legally privileged. Any unauthorized use, or disclosure of this message by an unintended recipient, is strictly prohibited. If you received this e-mail in error, please notify the sender immediately by replying to this e-mail and delete the material from your system. Thank you.--

--The information in this e-mail, and any documents that may be attached, is confidential and may be legally privileged. Any unauthorized use, or disclosure of this message by an unintended recipient, is strictly prohibited. If you received this e-mail in error, please notify the sender immediately by replying to this e-mail and delete the material from your system. Thank you.--

Tapiador, Almira AG:EX

From: Sherry MacLennan <Sherry.MacLennan@lss.bc.ca>
Sent: Friday, September 21, 2018 4:46 PM
To: Sandstrom, Kurt AG:EX
Cc: Harold Clark; Rawlinson, Kathleen AG:EX
Subject: Local Lawyer Incentive Report
Attachments: LSS Local Lawyer Incentive Survey - Final with Appendix.pdf; Copy of Local Lawyer Incentive Survey - Verbatim File.xlsx

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Kurt –

I'm acting for Mark until Tuesday, and in that capacity am forwarding to you the report on lawyer incentive survey. Also attached is a copy of the lawyers' survey comments, referred to in the report. I understand that there is a standing liaison call with Harold & Kathleen on Thursday, and trust that any questions regarding the report will be answered then.

Warm regards,

Sherry MacLennan
Vice President, Public Legal Information & Applications
Legal Services Society

--The information in this e-mail, and any documents that may be attached, is confidential and may be legally privileged. Any unauthorized use, or disclosure of this message by an unintended recipient, is strictly prohibited. If you received this e-mail in error, please notify the sender immediately by replying to this e-mail and delete the material from your system. Thank you.--

id (Internal Use Only)	Region	Years Since Called to the Bar	Years Representing LSS Clients	Q1a. Likelihood to Take On More Family Contracts	Q1b. Likelihood to Take On More Child Protection Contracts	Q3. Aside from the proposed incentive program, what, if anything, would incentivize you to take on more legal aid family and/or child protection contracts?
72	Okanagan/West Kootenays	Less than 5 years	Less than 3 years	Probably	Probably not	A direct contribution towards my student loans would have me committing to many more local legal aid files.
81	Vancouver Island	16 to 25 years	More than 20 years	Might or might not	Probably	A higher (reasonable) hourly wage.
126	Vancouver/Sunshine Coast	5 to 10 years	3 to 10 years	Definitely not	Definitely not	A higher hourly rate and or more general prep hours
188	Okanagan/West Kootenays	5 to 10 years	3 to 10 years	Might or might not	Might or might not	A higher hourly rate. Extended services easier to obtain rather than arguing with LSS. Specifically in relation to CCO trials. Should be auto extension of preparation hours at always involves lengthy disclosure.
60	Vancouver Island	5 to 10 years	3 to 10 years	Probably	Probably	A higher tariff rate; the current legal aid rate is less than 1/3 of my private rate.
111	Okanagan/West Kootenays	More than 25 years	More than 20 years	Probably	Probably not	A reasonable hourly rate.
102	Vancouver Island	16 to 25 years	More than 20 years	Definitely not	Definitely not	A tariff that wasn't frozen at 1994 rates. The AGs should roll their, and their staffs, salaries back to what they were in 1994 and then I'll listen to their BS justifications and excuses for how legal aid lawyers have been treated for decades.
178	Okanagan/West Kootenays	11 to 15 years	3 to 10 years	Probably	Probably	Ability to have funding for enough hours to complete case. When u exhaust hours you have to leave case
180	Vancouver/Sunshine Coast	More than 25 years	More than 20 years	Probably	Probably	Additional hours for preparation in family law matters, additional mediation hours for child protection and court hours to the actual number used rather than an arbitrary number that LSS has chosen. In particular, I am always concerned that I will find myself with a judge who will not let me withdraw from a file that has extended too long in court. It has happened in the past.
88	Vancouver Island	Less than 5 years	Less than 3 years	Might or might not	Probably	Alternate financial incentive

89	North West	Less than 5 years	Less than 3 years	Probably not	Probably not	<p>An extra one time fee of \$500 for a file that will last two years will come nowhere close to matching a private retainer. The \$500 fee is like putting a band-aid on a knife wound. It doesn't solve the underlying problem that the hourly tariff is too low. Aside from dealing with the real problem, there are many features of legal aid that make me not want to take files, mostly in the form of telling me I need to request authorization for basic things. In Northern BC, I need to serve clients outside of my town. The cost to do that is usually over \$300 given the distances involved. Instead of hiring a process server to do the job, I need to first waste time logging into LSS and asking to exceed the \$200 limit for one individual service. When it comes to travelling to a different community, stop ripping me off of travel pay if I travel twice in the same day. It costs LSS more to pay for my meals and hotel to travel the day before, and then still pay 2 travels plus my court time, rather than allowing me to get up early and only pay me for the two travels and court time. I do find that I am better rested going the night before and I would not always take the early travel option, but there are days where it would make more sense. When I need to do extended hours requests, stop making me fill out redundant forms. There should be the online authorization on the LSS portal and that is it. I should not have to complete that form, plus another form that I have to attach to the first form. It takes about 2 hours to do a request for more hours, which we are not being paid for. Even if we could bill for doing the request for more hours, that doesn't matter because we are out of hours in the first place! There needs to be a separate fee of 2 hours of billable time for all extended hours requests and that needs to be available after all general prep hours are used. In summary, all the extra time I have to waste having to request services for my client, in addition to the fact that I'm losing out on over half my hourly wage compared to my private rate, hurts my ability and my desire to take legal aid.</p>
78	Vancouver Island	5 to 10 years	3 to 10 years	Probably	Probably	<p>An increase in the hourly tariff and an increase in the amount of hours allowed to at least 50. I have been accepting legal aid contracts for 7 years now and believe that my experience should be recognized in how much I am paid to do the work as I do the work better and more efficiently now than when I started. I also don't think 35 hours (although it is better than 25 hours) is sufficient to reach resolution on either family or child protection files given the number of barriers and complicating factors these clients often face.</p>

123	Vancouver Island	5 to 10 years	3 to 10 years	Probably	Probably	An increase in the number of hours provided for preparation for child protection contracts. An increase in the hourly rates. An increase in the number of contracts overall. Currently, I accept almost all referrals sent to me and the only reason I decline is because I may be too busy at a given moment, but generally speaking the more contracts that legal aid offers me, the more I will take. I do not really need to be provided incentives to take on more contracts, but it is difficult to make a living when contracts do not pay as well as they should or there are not really enough hours provided to properly deal with the issues which are often many in child protection cases.
68	Vancouver/Sunshine Coast	16 to 25 years	11 to 20 years	Probably not	Probably	An increased hourly rate. Once every 20 years isn't too much to ask.
223	North	Less than 5 years	3 to 10 years	Probably	Probably not	An increased hourly rate. Presently, if I am in a full day family or CFCSA trial I actually lose money.
231	Vancouver Island	Less than 5 years	3 to 10 years	Definitely not	Definitely not	Approval for more clients.
137	Vancouver Island	Less than 5 years	Less than 3 years	Probably	Probably	Being able to receive a higher rate per hour for the legal aid contracts.
222	Vancouver Island	5 to 10 years	3 to 10 years	Definitely not	Definitely	Better hourly rate.
139	Vancouver Island	More than 25 years	More than 20 years	Probably	Probably	better hourly rate; CFCSA and FLA cases involve many, many hours of interview and prep time; we are not compensated for those hours that go over the tariff limit.
200	Vancouver Island	16 to 25 years	More than 20 years	Probably	Definitely	better pay
82	Vancouver Island	16 to 25 years	More than 20 years	Might or might not	Might or might not	Can't think of anything
149	Vancouver Island	More than 25 years	More than 20 years	Might or might not	Not applicable	Can't think of anything at present
52	Interior/East Kootenays	5 to 10 years	3 to 10 years	Probably	Definitely	Default authorization on travel for the referrals since almost all contracts issued for local clients will involved court appearances in other towns/cities. Particularly for the child protection contracts.
85	North West	16 to 25 years	11 to 20 years	Probably not	Probably	Different ministry counsel
182	Interior/East Kootenays	5 to 10 years	3 to 10 years	Probably	Probably not	Due to their nature, I just don't know if there's any reasonable incentive that could persuade me to take on more CFCSA legal aid contracts than I already do.
84	Vancouver Island	Less than 5 years	3 to 10 years	Definitely not	Definitely not	Easier to request increased hours for preparation and court, where the case requires it. What is difficult about LSS files is the significant amount of unpaid work put into the file when I have used up the prep/court hours.

58	North	16 to 25 years	11 to 20 years	Might or might not	Probably	Fix the red-tape administrative SNAFU situation at head office, with respect to getting authorised for additional hours &c, and stop the perpetual run-around when an ex-client whose contract has expired wants coverage again. Moreover, and above all ... you make people want to take LSS files by making the ONLINE PORTAL SYSTEM not such an ABSOLUTE PAIN IN THE @\$\$ to use!!!!!!!!!!!!!!!!!!!!!!!!!!!!
202	Okanagan/West Kootenays	16 to 25 years	11 to 20 years	Probably	Probably	For child protection. More preparation hours specifically trial prep. .these files can really take a toll on counsel as they are extremely paper heavy...i think that might be a reason lawyers choose not to accept referrals.
213	Interior/East Kootenays	More than 25 years	More than 20 years	Probably not	Might or might not	Given the present rates paid for legal aid family and child protection contracts, I regard these types of LSS files as virtually pro bono. Rates would have to be significantly increased, if the basis of taking a case is the remuneration paid.
51	Vancouver Island	5 to 10 years	3 to 10 years	Probably	Probably	Good question. A significant disconnect between lawyer and client can occur if the client is unaware of how legal aid operates and especially the limited scope of a legal aid certificate. The expectations of the client in terms of services provided by the lawyer can be overly difficult to manage; adding some burden to the lawyer.
226	Vancouver Island	Less than 5 years	Less than 3 years	Probably	Might or might not	Higher fees for preparation time on files.
69	Vancouver/Sunshine Coast	5 to 10 years	3 to 10 years	Definitely	Probably	Higher hourly rate
155	Okanagan/West Kootenays	16 to 25 years	More than 20 years	Might or might not	Probably	Higher hourly rate
174	Okanagan/West Kootenays	11 to 15 years	3 to 10 years	Probably	Probably	Higher hourly rate.
163	Interior/East Kootenays	More than 25 years	More than 20 years	Probably	Probably	Higher hourly rates in accordance with experience of each Lawyer
109	Vancouver Island	11 to 15 years	11 to 20 years	Probably	Definitely	Higher rate of pay
113	North	11 to 15 years	3 to 10 years	Might or might not	Probably	Higher tariff rates.
201	Vancouver Island	More than 25 years	More than 20 years	Might or might not	Might or might not	Higher tarrifs
167	Okanagan/West Kootenays	11 to 15 years	11 to 20 years	Probably not	Probably not	I am a criminal lawyer, and I do not wish to practice family law. It's too stressful and life is too short.
119	Vancouver Island	5 to 10 years	3 to 10 years	Probably not	Probably not	I am no longer practicing family law.
74	Okanagan/West Kootenays	Less than 5 years	Less than 3 years	Definitely not	Might or might not	I am not interested in practicing contested family law.
121	Vancouver Island	5 to 10 years	3 to 10 years	Definitely	Probably	I believe a further increase in general preparation hours will be helpful.

67	North West	Less than 5 years	3 to 10 years	Probably	Definitely not	I do not do child protection contracts so I have no comment on that. What I would like to see is the legal aid intake office begin actually receiving the financial documents that are required for a financial statement. This way it minimizes the hours I need to spend on that on the file; gets the clients organized; and has LSS receive the documents it needs for income verification.
198	North	16 to 25 years	11 to 20 years	Definitely not	Definitely not	I do not practice family law.
135	Interior/East Kootenays	11 to 15 years	11 to 20 years	Probably	Definitely not	I don't do child protection matters - this is the reason why the incentive program would not make me take on more of these files. I would take on other family files, however.
214	Vancouver Island	5 to 10 years	3 to 10 years	Probably not	Probably not	I hate to say it, but the tariff would have to increase; or even have a specialized tariff that would allow contract lawyers to coach clients one on one from behind the scenes. It would probably help even just to have more hours on a contract.
120	North West	5 to 10 years	3 to 10 years	Might or might not	Might or might not	I suggest to increase the tariffs for the communities with need. Increase the hourly rates. Provide continued training and other incentives to rural lawyers.
53	Interior/East Kootenays	5 to 10 years	3 to 10 years	Might or might not	Might or might not	I take every legal aid contract I can get. I would gladly take more even without the incentive.
238	North West	More than 25 years	More than 20 years	Probably	Definitely	I think an increase in the number of general prep hours for CFCSA referrals would be of great assistance. These referrals, especially CCO and difficult cases, can be lengthy, complex undertakings, with hundreds of pages of disclosure. Giving CFCSA referrals the same general prep cap as family referrals would be of assistance. For travel costs, the provincial government rate for mileage is not even remotely keeping up with the increased cost of fuel when counsel have to drive. A realistic kilometerage rate, increasing as gas costs increase, would be helpful. Right now, the rate acts as a disincentive to counsel to take files out of town-I lose money driving to other communities to attend court. Finally, an increase in the hourly rate, even a modest one, would make a significant psychological impact on counsel. The costs of running a business have increased significantly over the past 15 years, and the hourly rate paid to counsel has not. Even increases matched to inflation would help. I understand the funding problems, but a small rate change would help to make counsel feel like their work has as much value now as it did years ago, rather than the gradual increasing economic losses over time as costs increase but the level of payment does not. I appreciate the efforts LSS has undertaken to try to do its best given the continual erosion of funding to the Society.

245	Interior/East Kootenays	11 to 15 years	3 to 10 years	Not applicable	Might or might not	I think the \$500 is a really good idea. There is a lot of work to legal aid referral files and having the additional \$500 is helpful. I don't presently take legal aid files because my work (contracting with one organization) does not allow me time for legal aid (or other litigation matters much)....so this is the primary reason I did not take legal aid files in 2017. I think it would be a good idea to give a small increase to the hourly rate for legal aid work as well...it is low.
154	Vancouver Island	More than 25 years	More than 20 years	Might or might not	Definitely	I think this is the right way. The only other incentive I can think of that would affect my attitude would be if there was an easier provision for continuing files when the hours are expended.
185	Vancouver Island	16 to 25 years	11 to 20 years	Probably	Probably	I would take on more LSS contracts if: (1) More hours were authorized on the contracts; (2) the duration of the contract was shorter; and (3) LSS was more resistant to allowing clients to request new counsel. To elaborate on this point, frequently on LSS files, especially CFCSA files, the clients involved have legal problems for a reason. The most common reason is they are unwilling to modify their behavior or conduct. In these cases, I believe it is part of my role to tell the client hard truths, such as "stop taking drugs", "You must attend all supervised visits with your children", or "the social worker will never return your child if you continue to live with Bob". Occasionally my client becomes offended when I tell them hard truths, and they request new counsel. Sometimes new counsel is appointed. Sometimes this new counsel is not so inclined to tell the client hard truths, as they know they will be fired for doing so. This is bad for two reasons: (a) My diligent efforts to resolve the underlying concern have caused the client to fire me, which punishes me financially; and (b) another lawyer, who is not as vigorous in trying to resolve the underlying problem (and instead just allows the client to flounder and fail) becomes enriched. For this reason I thank LSS for the efforts it has made to limit 'Change of Counsel' requests and I ask that such requests only be granted under exceptional circumstances.
114	Interior/East Kootenays	Less than 5 years	Less than 3 years	Probably not	Probably not	If LSBC or Legal Aid assisted in paying off student loans and/or set up a program whereby office support was provided by legal Aid. The issue with small towns in my area is partly an issue of not enough lawyers, and partly an issue of not being able to make enough money and partly an issue of not enough multi-lawyer firms who are able to provide office support to help newer lawyers focus on legal work. Newer lawyers are more likely to take legal Aid files. I've chosen to focus on criminal legal Aid because on our court circuits it's next to impossible to do both criminal and family due to court scheduling. But it's also really hard to run your own business with little to no office support. If we got help with office-admin we could take more files.

63	Okanagan/West Kootenays	Less than 5 years	Less than 3 years	Definitely	Probably	If the government of British Columbia would raise the tariff rate to acceptable levels.Ontario pays \$109.14 per hour and Alberta is approx. \$93.40 per hour. BC needs to get on board with the rest of the country
170	Okanagan/West Kootenays	5 to 10 years	3 to 10 years	Definitely not	Not applicable	If the tariff rate were reasonable, I would do nothing but LSS child protection. It's my passion.
228	Vancouver Island	16 to 25 years	Less than 3 years	Might or might not	Might or might not	In town, I think I take on as much as I can. Out of town would require both time and travel to be provided. It just takes too much time away from the office to do out of town when only KM's are covered. I could not continue to maintain my office expenses otherwise.
59	Vancouver Island	More than 25 years	More than 20 years	Probably not	Might or might not	incentive does not help me. i generally take the more complex files or needy clients. rather than an incentive, I would like the number of hours to increase. that would better suit the needs of the client
145	North	More than 25 years	More than 20 years	Might or might not	Might or might not	Increase of hours. More money available for specialists like psychologists.
101	Vancouver Island	5 to 10 years	3 to 10 years	Probably	Probably	Increase tariffs and hours available for preparation time in contracts
161	Okanagan/West Kootenays	More than 25 years	More than 20 years	Definitely not	Definitely not	Increase the hourly rate.
79	North	Less than 5 years	Less than 3 years	Probably	Probably	increase the maximum number of hours to work on the file
116	North West	5 to 10 years	3 to 10 years	Might or might not	Might or might not	Increase the tariff for lawyers
183	North West	11 to 15 years	11 to 20 years	Definitely	Probably	Increase the tariff rate!
115	Interior/East Kootenays	5 to 10 years	3 to 10 years	Probably	Probably	Increased hourly rate.
107	North	Less than 5 years	3 to 10 years	Probably	Probably	Increased hours and ability travel to attend meetings with MCFD if they are in a different location.
158	Vancouver Island	11 to 15 years	11 to 20 years	Probably	Probably	increased legal aid rateA new contract issued when there is a re-removal or a new child is removed from the same family. That's how it used to be but once LSS started requiring me to use existing hours (there weren't any usually) or make me fill out that extended services form so i could be denied, I started taking less child protection files.

227	North	16 to 25 years	More than 20 years	Probably not	Probably not	Increased rate of pay.
244	Okanagan/West Kootenays	11 to 15 years	11 to 20 years	Might or might not	Might or might not	Increased tariff rates. Increased hours for general preparation for CFCSA files.
50	Vancouver Island	More than 25 years	More than 20 years	Probably not	Definitely	increased tariffs
194	Vancouver Island	5 to 10 years	Less than 3 years	Definitely	Might or might not	Increasing the legal aid tariff.
236	Vancouver Island	16 to 25 years	11 to 20 years	Probably not	Probably not	It's not an incentive that Legal Aid needs for lawyers to take on files. It needs to offer a much more comprehensive funding so lawyers can feel confident to take on such files and to keep them for the duration. Focussing on Child Protection contracts (though not exclusive), having only 20 hours of general preparation is absurd. This needs to go up to a range of 100 hours and extra hours should be virtually automatic for every additional 6 months and/or activity (court; multiple mediations etc.). For files out of Duncan and Nanaimo, Victoria lawyers need to be compensated for the travel time. It adds anywhere from 2-4 hours to travel to those courts and to not be paid for that time is one very serious factor which puts lawyers off taking these hard to place files. It also needs to be easier to secure the assistance of experts by a proper compensation being able to be offered to those experts to work for parent's counsel. Right now, it is (1) difficult to obtain funding (2) the funding is for an low amount but, more importantly, for far fewer hours than experts need -- so they decline the work which makes taking on these files even more difficult as one is only able to mount a shoddy response as opposed to all the resources able to be mustered by the Director. Finally, look at the practices of the audits that lawyers are put under -- this is hugely off putting to lawyers in the field and/or looking at entering the files. We are questioned about why it has taken so long for us to read disclosure (which can be boxes) and the like. How can we sell this line of work to new lawyers or to lawyers who are practising in this area when experienced counsel know about all of these barriers involved in taking on legal aid files. Rather than incentives, Legal Aid needs to listen to the lawyers practising in these areas about what they need to take a file from the beginning to the end i.e. proper funding!
220	Vancouver Island	5 to 10 years	3 to 10 years	Might or might not	Might or might not	More competitive hourly wage
106	North	More than 25 years	11 to 20 years	Might or might not	Definitely	More free time
243	Okanagan/West Kootenays	5 to 10 years	3 to 10 years	Probably	Definitely	More hours per contract Easier to obtain authority for more hours Easier for parents to qualify for legal aid
209	Okanagan/West Kootenays	More than 25 years	More than 20 years	Might or might not	Might or might not	More lawyers in the community. As a sole practitioner in a one lawyer town, my work is busy enough., and much of it is time sensitive. As well the court does not sit often here, so I am required to travel 1 - 2 hours away, which again significantly cuts into my time . I suppose I am saying that I prefer the work I am doing., even if LSS provided additional funding. To be clear, I am not taking any family work, even private, if it involves court.

237	Okanagan/West Kootenays	More than 25 years	More than 20 years	Might or might not	Definitely	More money
212	Interior/East Kootenays	Less than 5 years	Less than 3 years	Probably	Probably	More pre-authorized preparation time.
240	Vancouver Island	More than 25 years	3 to 10 years	Might or might not	Definitely not	No
242	Okanagan/West Kootenays	Less than 5 years	3 to 10 years	Probably	Probably	no suggestions
140	North	5 to 10 years	3 to 10 years	Might or might not	Not applicable	Not having to scan and send in timesheets.
130	Interior/East Kootenays	Less than 5 years	Less than 3 years	Probably	Definitely	Nothing
117	Vancouver Island	More than 25 years	More than 20 years	Probably not	Probably not	Nothing, I am taking on limited legal work at present.
95	Okanagan/West Kootenays	5 to 10 years	3 to 10 years	Probably	Probably	Overall increase in tariff rates
73	Vancouver Island	Less than 5 years	Less than 3 years	Probably not	Probably not	Paid travel time
125	Vancouver Island	16 to 25 years	More than 20 years	Definitely not	Definitely not	Pay scale and benefits for legal aid contract lawyer employees that are commensurate with the pay and benefits provided to other government lawyer employees. Clear and unambiguous tariff definitions with actual examples, and an end to adversarial audit interpretations of lawyers' professional judgements.
57	Vancouver/Sunshine Coast	16 to 25 years	More than 20 years	Definitely not	Definitely not	Payment of reasonable hourly rates for legal fees. You likely are not aware, but \$85.00 per hour was not enough to pay legal fees and overhead even 20 years ago, in a low rent small town. I tell lawyers that they cannot have a store front office if they take legal aid files, and that the only way they can be dealt with is if the lawyer works out of their car or home.
230	Okanagan/West Kootenays	11 to 15 years	3 to 10 years	Probably not	Definitely not	Provision for payment for legal assistant performing work on files. Higher hourly rate for work performed. Higher allotment of time for each file. If matter is going to trial, payment for preparation for all days of trial and payment for trial day 9:30am to 4:30pm inclusive of time from 12:30 to 2pm.
150	Vancouver Island	More than 25 years	More than 20 years	Not applicable	Definitely	raise the hourly rate and give more hours for child protection cases
132	Interior/East Kootenays	5 to 10 years	Less than 3 years	Probably	Probably	Raise the overall base rates. Right now it is nearly a cost recovery level.
239	Interior/East Kootenays	Less than 5 years	3 to 10 years	Definitely not	Definitely not	Raising the Legal Aid Hourly Rate.

80	Okanagan/West Kootenays	5 to 10 years	3 to 10 years	Probably not	Might or might not	Remove the requirement to submit timesheets when billing cfcsa matters.
90	North West	5 to 10 years	3 to 10 years	Definitely	Probably	Removing the 'cap' on hours, particularly for child protection work.
83	Vancouver Island	16 to 25 years	More than 20 years	Might or might not	Probably not	Seriously? The incentive needs to be more than \$500, and lawyers need to be paid travel if they are expected to take contracts outside of the towns that they normally practice in . The hourly rate paid to family law lawyers needs to be moved to \$140 per hour---up from the current abysmal rate, and the mechanism for obtaining extended services needs to be streamlined. For child protection cases, the number of hours allotted for continuing custody orders needs to be doubled or tripled.
181	Okanagan/West Kootenays	5 to 10 years	3 to 10 years	Probably	Probably	Significantly increased tariff, additional hours (so I actually get paid for the work I do rather than working for free half way through) and having LSS actually pay my assistant for the significant work she does (of course, at a lower rate).
216	Interior/East Kootenays	More than 25 years	More than 20 years	Might or might not	Might or might not	Some legal aid clients who legitimately qualify for legal aid receive the same or greater yearly income than the lawyers helping them. Legal aid has impoverished lawyers. Legal aid is broken. This is not an idle complaint. Speak to a lawyer(s) who have been around long enough to analyze the history and current status of legal aid. It is more than just about the service providers and the delivery and services and the remuneration to those service providers. But until legal aid recognizes that the value of the services providers is much greater than the hourly tariff rate as it exists today and increases that amount to an amount that reflects what the service provide should be paid, legal aid as we know it will continue to fall apart.
49	Interior/East Kootenays	Less than 5 years	Less than 3 years	Definitely	Probably	Speaking generally, the hourly tariff needs to be increased. I practice in a community that has significantly higher demand for family/child protection services compared to lawyers available to take on files. There is an even smaller number of lawyers willing to take on legal aid files. The reality of this situation is when you are operating at a full capacity case load, it is going to be the prospective legal aid clients that are turned away at the door when there is already plenty of prospective private client's having difficult retaining a lawyer. The only other option I would consider is if LSS is to transition to employing full time salaried legal aid lawyers to service their community.

166	Okanagan/West Kootenays	5 to 10 years	3 to 10 years	Probably	Probably	Stop making it so difficult to deal with Legal Aid billing. I have been rejected for additional hours far too often, and when I do, the people I talk to treat me as if I am asking them for favours. You need to remember we are your service providers. Without us, you cannot provide the services. And let's talk about the tariff. It's ridiculous. My office expenses are greater than the hourly rate you pay; I definitely do NOT provide services to Legal Aid clients for the money. How about encouraging government to allow Legal Aid lawyers to write off the difference between our office expenses and the rate you pay as a charitable donation?
206	Vancouver Island	11 to 15 years	11 to 20 years	Might or might not	Probably	Tariff rates that fairly compensate counsel for the work they do, comparable to other provinces and other lawyers in government positions.
110	Vancouver Island	5 to 10 years	3 to 10 years	Might or might not	Might or might not	The cost of doing business is so high (considering law society dues, cba fees, rent etc.) that you need a lot of lss files to break even. I never had enough files and I tended to work a long time past the point when lss funding stopped. I did not feel comfortable deserting clients at that point though I did have to do so sometimes. The work is also emotionally challenging as lss files are, just by their acceptance structure, high conflict. I have stopped taking these files, indeed any law files at all, as I have burnt out and could not keep letting my life at home and my emotional life, be impacted negatively when I also couldn't make a go of being a successful business. This was personal to me. I know many lawyers who persevere. Boundaries and financial compensation may help these lawyers. It may have helped me, too and this is why I say, I may or may not accept files with an incentive scheme as being surveyed. I have, in essence paid to practice law. I need to figure out how to get enough files (part of this has to do with referral success and I can't speak to whether folks just didn't like my lawyering), how to take some private and charge enough...in the end, all business development stuff, really...not anything lss can help with. While i am not finding an alternative career, I would help lss clients if they are in these areas with absolutely no representation. I always did the job because I cared about people and I do not want the system to fall apart as it is the backbone for so many people in dire circumstances.
87	Vancouver Island	5 to 10 years	3 to 10 years	Probably not	Probably	The hourly rate needs to increase. It's simply too low to base a practice on given the rising costs of doing business.
193	North	16 to 25 years	More than 20 years	Probably not	Definitely	The incentive would have to be significantly higher, say, 4 to 5 times as much, to incentivize me to take on more legal aid family. Every file takes a year off my life... child protection is another kettle of fish entirely.

224	Vancouver Island	11 to 15 years	3 to 10 years	Definitely	Definitely not	The legal aid hourly rate is so low that I believe lawyers find it hard to make it worthwhile, after paying their overhead etc. At this stage I only take legal aid files on as a favor or in special cases, because I make so little, after taking into account my own costs.
104	Vancouver Island	16 to 25 years	11 to 20 years	Definitely	Might or might not	The main problem with working in more remote communities is travel time and local facilities. It makes no sense to drive for 2-3 hours for what could be a 10 minute appearance. For multiple day hearings, accommodation and logistical support is a challenge. In most cases the real work is do outside of the courtroom, so having meeting facilities in the local area would be useful. That said, I do work in a number of communities on private retainer and it is possible.
143	Vancouver Island	More than 25 years	11 to 20 years	Might or might not	Probably	The obvious answer is to raise the fee tariff which has remained stagnant for over 20 years while every other participant in the justice system (judges, crown counsel, civil AG lawyers, court clerks, sheriffs, ...) have seen some form of compensation increase.
210	Okanagan/West Kootenays	16 to 25 years	11 to 20 years	Definitely	Probably	The online billing and approval process for additional court time and court ordered disbursements is very frustrating.
171	North	16 to 25 years	11 to 20 years	Probably	Not applicable	The writer always been a huge advocate for LSS and took a number of cases prior to 2017. In 2016, our office entered into a contract with [NAME REMOVED] to act on its behalf as counsel for [NAME REMOVED]. As a result, the writer is not in a position to take on CFCSA matters. Upon inheriting a number of files under this contract, her focus has been on organizing and working through those files. As we enter our third year, the writer is in more of a position to pick up LSS family files. The proposed incentive plan would be a motivator to do so; however, in all honesty, if a request was made, the writer would agree to take on the file incentive or not. LSS is a necessity within the justice system.
144	Vancouver/Sunshine Coast	More than 25 years	More than 20 years	Might or might not	Probably	This question was not missed. I simply do not have a useful response. I did mostly stop taking FLA cases some years ago, mostly because the expectations of the clients were very high. I don't know if LSS is in a position to manage expectations, given the dearth of local offices outside the large centres.
100	Vancouver Island	More than 25 years	More than 20 years	Might or might not	Might or might not	Too much red tape on top of the actual legal work to represent LSS clients.
105	Okanagan/West Kootenays	More than 25 years	More than 20 years	Definitely not	Definitely not	Wake up and increase the basic tariff rate and stop wasting money on surveys!

76	Vancouver Island	16 to 25 years	11 to 20 years	Probably	Definitely	with court delays- the CFCSA tariff isn't enough. also it would be nice if we didn't have to fight for compensation, rollbacks on closed files when we do have lengthy trials.
131	Okanagan/West Kootenays	5 to 10 years	3 to 10 years	Definitely	Definitely	
234	North West	16 to 25 years	11 to 20 years	Definitely	Definitely	
173	North West	16 to 25 years	More than 20 years	Definitely	Definitely	
56	Okanagan/West Kootenays	5 to 10 years	Less than 3 years	Definitely	Definitely	
147	Okanagan/West Kootenays	More than 25 years	More than 20 years	Not applicable	Not applicable	
159	Okanagan/West Kootenays	5 to 10 years	3 to 10 years	Not applicable	Not applicable	
103	North	Less than 5 years	3 to 10 years	Definitely	Definitely	
153	Interior/East Kootenays	5 to 10 years	3 to 10 years	Probably	Probably	
128	Interior/East Kootenays	Less than 5 years	Less than 3 years	Definitely	Definitely	
195	North West	Less than 5 years	3 to 10 years	Definitely	Definitely	
47	Interior/East Kootenays	Less than 5 years	Less than 3 years	Definitely	Definitely	

66	Interior/East Kootenays	Less than 5 years	Less than 3 years	Definitely	Definitely	
65	Vancouver Island	5 to 10 years	3 to 10 years	Definitely	Definitely	
118	Vancouver Island	5 to 10 years	3 to 10 years	Definitely	Definitely	
136	Okanagan/West Kootenays	More than 25 years	More than 20 years	Definitely	Definitely	
64	Vancouver Island	11 to 15 years	11 to 20 years	Definitely	Definitely	
61	Vancouver/Sunshine Coast	16 to 25 years	More than 20 years	Definitely	Definitely	
124	North	11 to 15 years	11 to 20 years	Definitely	Definitely	
122	Vancouver Island	More than 25 years	More than 20 years	Definitely	Definitely	
162	Vancouver Island	11 to 15 years	11 to 20 years	Definitely	Definitely	
112	Vancouver Island	16 to 25 years	Less than 3 years	Definitely	Definitely	
235	Okanagan/West Kootenays	More than 25 years	More than 20 years	Definitely	Definitely	
208	Interior/East Kootenays	More than 25 years	More than 20 years	Definitely	Definitely	

127	Vancouver Island	5 to 10 years	3 to 10 years	Definitely	Definitely	
175	North West	More than 25 years	More than 20 years	Definitely	Definitely	
97	North West	5 to 10 years	3 to 10 years	Definitely	Definitely	
152	Interior/East Kootenays	More than 25 years	More than 20 years	Not applicable	Not applicable	
96	Okanagan/West Kootenays	More than 25 years	11 to 20 years	Definitely	Definitely	
93	North West	More than 25 years	11 to 20 years	Definitely	Definitely	

94	Vancouver Island	5 to 10 years	3 to 10 years	Probably	Definitely	
169	Interior/East Kootenays	More than 25 years	More than 20 years	Definitely	Definitely	
164	Vancouver Island	More than 25 years	More than 20 years	Might or might not	Not applicable	
134	North West	16 to 25 years	11 to 20 years	Not applicable	Not applicable	
108	Vancouver Island	More than 25 years	More than 20 years	Not applicable	Not applicable	
141	North West	16 to 25 years	11 to 20 years	Might or might not	Not applicable	
176	Vancouver Island	More than 25 years	11 to 20 years	Not applicable	Not applicable	
91	Vancouver Island	5 to 10 years	3 to 10 years	Probably not	Definitely not	
211	Vancouver Island	16 to 25 years	More than 20 years	Probably not	Not applicable	
196	Vancouver Island	5 to 10 years	3 to 10 years	Not applicable	Not applicable	
179	Vancouver Island	More than 25 years	More than 20 years	Not applicable	Not applicable	
156	Vancouver Island	16 to 25 years	11 to 20 years	Definitely	Definitely	
172	Okanagan/West Kootenays	16 to 25 years	11 to 20 years	Definitely	Definitely	
184	North	Less than 5 years	3 to 10 years	Probably not	Probably	
215	Interior/East Kootenays	Less than 5 years	Less than 3 years	Definitely	Definitely	
168	Interior/East Kootenays	More than 25 years	11 to 20 years	Definitely	Definitely	
48	Vancouver Island	11 to 15 years	11 to 20 years	Definitely	Definitely	
133	North	More than 25 years	More than 20 years	Definitely	Definitely	
70	North	5 to 10 years	3 to 10 years	Definitely	Definitely	
62	North	Less than 5 years	3 to 10 years	Definitely	Definitely	
98	Okanagan/West Kootenays	Less than 5 years	Less than 3 years	Definitely	Definitely	
199	Interior/East Kootenays	More than 25 years	More than 20 years	Definitely	Definitely	
177	Vancouver Island	16 to 25 years	More than 20 years	Definitely	Definitely	
75	Vancouver Island	11 to 15 years	Less than 3 years	Definitely	Definitely	

Q4. Do you have any additional comments on the proposed incentive program?
No
I cannot see that it will increase lawyers taking on these cases as they are often difficult clients who demand a fair amount of time that is poorly remunerated.
Could that money be used to increase the hourly rate for LSS lawyers?
no.
No.
I think this is a good start
I appreciate that LSS is considering how to better serve smaller towns and rural areas. Thanks.

No see my last answer.
No.

<p>It sounds like a band aid solution to part of a larger problem, but I would not complain if I received a bonus payment.</p>
No
<p>I do not think it is a bad idea. It is just not sufficient the lawyer is renting or owns an office space and is employing an assistant.</p>
<p>It is a good start. However, raising the legal aid hourly rate and tariffs would be better.</p>
<p>already answered this above.</p>
No
No
No.
<p>It's a good incentive and is appropriate given lawyers from the immediate community are, or should be, knowledgeable of the people and/or culture. As a First Nations lawyer I am aware of the over-representation of First Nations families in contact with the MCFD. There needs to be a triage set up for immediate referral and access to support services.</p>
<p>It's a worthy effort, but it must be set off against the reality that most family law lawyers in my area who take on legal aid files are already taking on all the Legal Aid files they can reasonably handle, especially given the nature of legal aid clients and an hourly rate that simply cannot support a law practice without private clients making up the difference.</p>
<p>No. I imagine the incentive will be attractive to some but not to me</p>

No
It will likely not incentivise any lawyers presently not taking family and child protection cases to do so. Likely, it will simply result in a bonus for those that are presently willing to take such cases, and will probably not result in any significant uptake, particularly for more experienced counsel.
It may (further) increase the reputation of lawyers as money-grabbing folks incentivized only by money in a physically and mentally demanding area of law.
LSS needs to provide more basic information on the clients referral form.LSS needs to increase the hour rates for Lawyers, not just random incentive programs!
No
It might help, but the problem in this area is not lawyers unwilling to take LSS contracts but rather a shortage of lawyers.
Increase what lawyers are paid and I am sure this and other problems will solve themselves.
A tariff increase for criminal law referrals should also be considered.
No
No. I think you guys are doing a great job. Keep up the good works!

It would be better if the standard rate was higher with no incentive program.
I hope it works, but I worry that it is misspent funds.
The incentive is low I'd recommend an incentive and hourly rate increase.
Sounds like maybe its a good idea in some places. More important here is simply allowing more people to be approved for legal aid.
I hope it helps. There are so many individuals who have to obtain out of town counsel to assist. As counsel in the north, I observe the difficulties clients have to keep in touch with and access Vancouver counsel. As well, local counsel have a far better understanding of their own communities. Having said that, I am the only litigator left in my community of 12,000 people. It is an ongoing struggle to get counsel to come to the north. Thank you again for your efforts.

I like it.
Two: (1) end the requirement of submitting timesheets when billing a file, as creating timesheets is a time consuming process: and(2) If timesheets must be submitted, allow handwritten timesheets, even when the handwriting is hard to read.
it should cover criminal too. At this point we lose money doing local criminal files and make money doing out of town. Because locally we can be at court all day, or stick around all day for a trial that ends up being adjourned, and we might bill nothing. At least with out of town files we can bill an out of town fee.

It is disrespectful to the legal community to throw crumbs at us from time to time when the reality is (and has been for a long time) that you are unable or unwilling to pay a fair tariff rate for our expertise.
I have 27 years of experience and have taken lss files the entire time. I have always told the referring office that i would have gone to more remote locations if they would give me enough files there. They for some reason did not listen. So I refused the Northern Island , Port Alberni and further west and concentrated on just doing work in Nanaimo. It is hard enough to find counsel in Nanaimo, so I just refused to travel. Maybe if you would have offered these incentives in my "younger years" and had a more effective and open method of assigning referrals things might have been different. The hope of the odd file in the north or west was not a way that I could build a practice.
If it will help it is worth a try. People desperately need representation.
Lawyers who are starting out and may want to consider LSS cases, have an incredible debt load from student loans. They cannot afford to take files for LSS due to the poor compensation.
It is something, but LSS really needs to increase the tariff rate!
A per contract incentive may encourage lawyers to take a larger caseload at the cost of providing service to existing clients. An increase in hours or rate would give lawyers more resources to assist legal aid clients. With more resources, lawyers in remote communities may be less likely to choose private files over legal aid files.
It helps.

no.
I would rather see funds go to increasing the legal aid tariff.
<p>No I think my last long comment fully summarizes my negative view of this proposed incentive program. Other than -- watch the statistics. If it brings lawyers to accept more contracts, how long are they keeping them? If 6 months to 1 year only, the incentive only got to take the file, not to keep it and that is not helping the clients or the lawyers who accept legal aid referrals.</p>
No
No
it is a good idea for newer lawyers, and perhaps would encourage them to move to smaller communities.

none - thank you
No
You would be better served increasing the tariff rate for lawyers overall.
Based on the information available to me, the Province has pocketed over \$3 billion from the PST tax on legal fees (the only Province to have such a tax), while ruthlessly exploiting the unorganized, unrepresented labour force who work as LSS contract employees. Instead of remitting the annual surplus in cash to lawyers who were underpaid and overworked during the past fiscal year, LSS decided to dangle office equipment financing in return for an understanding that lawyers would continue to take referrals. Really?! Stop playing head games. Pay up.
If Legal Service Society wants more lawyers to take LSS files, then it has to be financial beneficial for lawyers who are not currently taking LSS files to start taking LSS files.
The incentive plan is a good idea, but is unlikely to help or apply to me. There is no community within 80 kilometres of here. I'd recommend expanding that out to \$150 and offering travel.

<p>It's better than nothing, but given the substantial law school debt we graduate with and the high cost of employing staff and running a law practice, I foresee the problem getting worse and worse, and I do not see \$500 going far enough to encourage lawyers to take these cases. LSS cases are significantly more stressful than private files (given the fact that they almost invariably deal with high-conflict child safety issues rather than more mundane financial issues) and the pay is negligible. It's a wonder the program hasn't collapsed already.</p>
<p>Good intentions, but misses the mark. I do not know the average amount of time spend on a file, but to suggest somewhere in 50-60 hours would likely not be unreasonable. So truly, we are looking at an 8-10\$ increase on the hourly tariff. I have concerns with how this will be implemented as well. What happens if a lawyer takes a file and is required to go off record on the first court appearance because of X issue? What happens when you accept a contact that is a change of lawyer request? Does the initial lawyer and transferring lawyer both receive the incentive? Does this lead itself to abuse?</p>

<p>It's a pittance, really. \$500 per client will not go very far considering the dozens of hours of unpaid work the lawyers put into the file.</p>
<p>Fewer young lawyers take files likely because they can build a practice in more lucrative practice areas. More experienced counsel are retiring/winding down and there aren't enough young lawyers to take over. Increased rates and less claw backs might draw in more young lawyers looking to build practices.</p>
<p>I wonder if someone took on enough lss files (no idea what the magic number would be and it's still a bit wrong headed because the more lss files you have the more lucrative the pay, obviously) if lss could consider helping pay dues insurance and cba fees for their lawyers? I don't know what policy or other ramifications that may have.The tech grant is helpful as it assists with costs of doing business.</p>
<p>This is a good step in the right direction, but it falls short of the funding boost that is needed.</p>
<p>Higher rates would go a LONG way to incentivizing the taking on of cases of all kinds. Even if the rates from 1995 were retroactively indexed to inflation the increase would be enormous.</p> <p>My mechanic charges \$130/hr - and he is lower than the shop rate at dealers - and the plumber is even higher...</p>

It is not really about incentive. I do legal aid work because it is an important part of my professional obligation to justice. My biggest concern is not the hour rate or the incentives, it is having the ability to deliver first rate legal services in a restrictive environment.
No
No
No, I do not.
It may help but I think you should just increase the hours available for the file, perhaps in alternative dispute resolution areas rather than a lump sum payment.
The society keeps wasting money on bureaucratic sidesteps over the basic problem of increasing the tariff. Pretty soon there is going to be a large head office in charge of nothing at all.

I take files in Duncan, Western Communities and Colwood. I have considered whether I would travel to other locations when LSS agents have told me of clients who cannot find counsel- but for 20 hours on the tariff, and the work involved in these files anymore, I have to be wary of my own burnout. I have done this work for more than 15 years and frankly, it's the tariff that needs attention- younger counsel give this area a wave because it's not worth the little money and the stress.
Although I think this may be helpful I think it would be more helpful to simply increase the tariff rate of pay and make it more streamlined to request more hours when needed. Im not sure how sustainable this kind of gesture is. It seems the lawyers who have made LSS a part of their practice should be better able to make the bottom line work.
Appreciated, and thank you for the suggested incentive
Great incentive, however raising the hourly rate would be the best solution.
I am a little surprised that I am within one of these areas because I would take on more clients regardless of an incentive plan. So maybe how the files are disbursed to lawyers needs to be looked at. Regardless, I will not complain about incentives being offered :)
I don't take family work as I practice criminal law
I don't practice family law or CFCSA. I would take on more local criminal LSS cases if there were a similar program for criminal referrals.
I have been tending to take on more civil litigation files largely because the remuneration is significantly better than LSS files and that is an important consideration when one has office expenses to cover on a monthly basis.
I think it is a good idea.
I think it would be be good to incentivise people to continue taking cfcsa contracts. Right now I'm mostly the only local lawyer who will take them but like most senior lawyers here did before me, I'm growing tempted to stop taking them and focus on taking more criminal and family files from Lss (which there appears to be no shortage of as well). They are typically the least favourite files and when there are few lawyers and lots of work, cfcsa files seem to be the first to get dropped.
I think it's a good idea. I hope it reduces the time it takes before people who qualify for legal aid are appointed counsel.
I think it's a great idea, but increasing the tariff rates would also entice lawyers to take on more contracts. In rural areas, automatic approval for travel would be helpful as well.

I think you should also consider giving lawyers a relocation allowance or relocation subsidy of a flat rate - say \$1,000 to \$2,500 or something - if they relocate to one of these communities to practice law and agree to take 10 contracts within the next year. Call it start up cost coverage or something..I have spoken to a few lawyers who hesitate to move to these communities because of the financial risk in relocation. A relocation subsidy would possibly help eliminate this.
It would be helpful for clients to have a message or phone service particularly for those communities who are lacking services. Many of my LSS clients don't have access to telephones and this makes things very difficult.
It would be nice if it was backdated to the start of 2018.
It's a terrible substitute for not having the tariff increase which all lawyers on the tariff deserve. I started practising in BC in 1993, after 8 years in Alberta. Other than a token seniority increase, the tariff is unchanged. Yet every year the salaries for the top brass continue to increase unabated. No one is standing up for those in the rank and file. I guess the brass are afraid to make waves for fear of losing their annual increases. Congratulations!!
Many of us already do this by making the other communities are home communities so that we can be first on the list. It's a shame now because I would prefer to remove myself from those other communities and take the \$500 bonus.The money might be more useful if travel was authorized
Most people who need funding dont get it...I am one of only two lawyers in [LOCATION REMOVED] who do legal aid and frankly there have been very very few new clients over the last year. This incentive program will be most unlikely to entice the other two lawyers who do family law in [LOCATION REMOVED] to take on this work even if LSS suddenly actually started providing legal aid for relocation, parenting plans, child and spousal support applications to those not living in abject poverty.
no.
Q: What relevant song did Joel Gray and Liza Minelli sing in Cabaret?
Questions number 2 and 3 in this survey seemed repetitive?
Reduce the km. Travelling from Victoria to Duncan should allow for travel fees, not simply meterage. It takes me 1 hour 15 minutes each way
Sounds like a good idea. We need to attract more young lawyers to take these files. We old guys are starting to approach our "best before " dates and there is a real need for lawyers to act for people who have few resources.
Sounds like a good idea.cj

<p>The additional funds would help lawyers deal with issues of travel that sometimes can override the time used to make it to meetings. These meetings are crucial so the incentive would be a great benefit for lawyers and clients.</p>
<p>The incentive is a good idea. Yes, we can be paid \$180.00 for taking a case out of town, as a travel fee. But we have lots of work to do in our own community, and it is NOT necessary for us to look out of town for work. The \$180.00 helps us live with the choice to travel just to do a legal aid case (which doesn't pay much anyway, and is more a duty than a choice). The incentive would address that inherent bias against smaller, remote communities that don't have sufficient (or any) lawyers willing to take legal aid cases. In my community, there are 25 or more lawyers, but only 3 take family legal aid, including me. I am watchful how many cases take me out of town, and usually say "no" to requests after I have a dozen or so that are out of town. That results in unfair and unequal access to justice for those people living in smaller and remote communities, which the incentive will definitely remedy!</p>
<p>The issue in my rural area (Haida Gwaii) is that Lss gives the majority of duty counsel work and legal aid referrals to off island counsel. Lss pays for them to fly here and pays for their accommodation, meals, and car rentals. This is despite the fact that there is now local counsel on Haida Gwaii.</p>
<p>The problem is that everyone wants money and, for that reason, any increase is a definite yes; and, that financial response will likely be selected by most lawyers, certainly by those who are not senior (old) like me. For young lawyers with families and new practices, money is a, if not, " the governing factor". So the selection of answers are skewed to a financial response because most people doing LSS work are far younger than my 72 years of age and 42 years in the profession. Lawyers, sole practitioners in my experience, are very giving people, especially extra legal aid hours on files – almost all files and especially LSS files. – but one does not become St. Francis or Mother Theresa when being called to the bar.</p>
<p>The reality for me is that there are few family and child protection files originating within 80 km of my office. 90% of my cases are 150 km away at a minimum.</p>
<p>this helps towards achieving coverage for overhead costs and potential office help. It is expensive to do everything as a lawyer when it would be less expensive to have a legal assistant. Thank you!</p>

While I appreciate the sentiment, I think there is much more LSS could be doing to incentivize lawyers to take LSS files outside of the lower mainland and southern Vancouver Island (see my previous comments). I love this work, but as a young lawyer who is still paying for law school in her 6th year of call, it is certainly delaying my ability to pay off debt in order to take on the clients who mean the most to me, personally.

You should raise the hourly rate you pay. That would truly be an incentive for lawyers to participate in the LSS program.

[illegible]

Page 140 to/à Page 143

Withheld pursuant to/removed as

s.12

Tapiador, Almira AG:EX

From: Rawlinson, Kathleen AG:EX
Sent: Wednesday, September 26, 2018 5:35 PM
To: Wallbank, Cindy M AG:EX; Fast, Courtney AG:EX; Watters, Treena M AG:EX; Tapiador, Almira AG:EX
Subject: AG DBN for LSS Incentive Payment Plan
Attachments: BN AG Decision, Survey re LSS Legal Aid Incentive Plan, Sep 25 2018.docx; LSS Local Lawyer Incentive Survey - Final Report with Appendix.pdf; LSS Local Lawyer Incentive Survey - Verbatim File, Sep 21 2018.xlsx

Hi all: would you please cliff/format etc this BN, along with the 2 attachments, for Julie's review? Then over to Kurt & upwards – he advised this BN should be done in order to get AG approval for LSS to implement this plan.

Thanks,
Kathleen

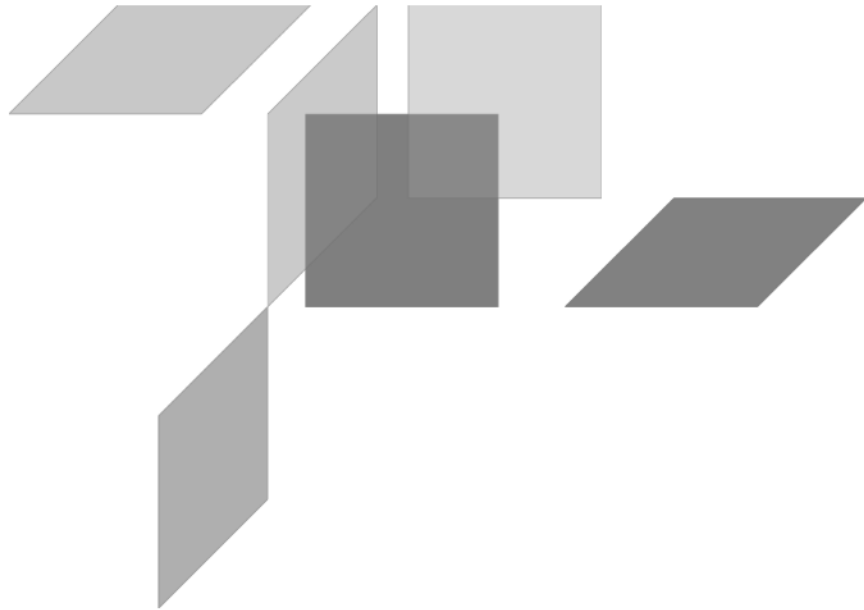
Kathleen Rawlinson BA, CMA (US)

Director, Legal Access | Policy & Legislation Division
Justice Services Branch, Ministry of Attorney General | 8th floor, 1001 Douglas St, Victoria BC
(778) 974-3693 Kathleen.Rawlinson@gov.bc.ca



Where Ideas work





Legal Services Society Local Lawyer Incentive Survey

Prepared for:

Brooke Knowlton, Evaluations and Policy Coordinator

September 21, 2018 [FINAL]

Page 146 to/à Page 171

Withheld pursuant to/removed as

Copyright

Tapiador, Almira AG:EX

From: Rawlinson, Kathleen AG:EX
Sent: Monday, January 28, 2019 2:33 PM
To: Jackson, Wendy AG:EX; Cheema, Kashmiro K AG:EX; Norman, Nicole AG:EX; Grills, Sean C AG:EX
Subject: FW: Preliminary Report on Local Lawyer Incentive Fee
Attachments: LawyerIncentiveFee-PreliminaryResults-2019-01-28.Final.pdf

Fyi attached. s.13
s.13

From: Heidi Mason [<mailto:Heidi.Mason@lss.bc.ca>]
Sent: Monday, January 28, 2019 2:20 PM
To: Rawlinson, Kathleen AG:EX
Cc: Harold Clark; Chris Earle
Subject: Preliminary Report on Local Lawyer Incentive Fee

Hi Kathleen,
Attached is the preliminary report on the Local Lawyer Incentive Fee. As noted in the report, it's hard to draw conclusions on the impact of the fee at this early stage. We have made every effort to keep the report concise. If you have questions, let us know. We will conduct a more fulsome analysis in the spring (likely in mid to late April) when we have more case placement data and lawyer feedback.

Regards,
Heidi Mason, LLB
Vice-President, Legal Advice and Representation
Legal Services Society
400-510 Burrard Street
Vancouver, BC V6C 3A8
(604)601-6014

Sent from the traditional unceded territory of the Coast Salish peoples, including the territories of the Musqueam, Squamish and Tsleil-Waututh Nations.

--The information in this e-mail, and any documents that may be attached, is confidential and may be legally privileged. Any unauthorized use, or disclosure of this message by an unintended recipient, is strictly prohibited. If you received this e-mail in error, please notify the sender immediately by replying to this e-mail and delete the material from your system. Thank you.--



Local Lawyer Incentive Fee: Preliminary Results

Introduction

As part of the LSS 2018/2019 budget, the Attorney General (AG) required LSS to reserve \$1 million for an incentive program to attract lawyers to legal aid in communities where LSS has difficulty placing family and CFCSA cases with local counsel. On October 30, 2018, LSS introduced a Local Lawyer Incentive Fee for family and CFCSA cases in designated court locations across BC.

The fee was intended to increase in incentive communities the:

- percentage of family and CFCSA contracts issued to local lawyers, and
- number of local lawyers taking contracts.

This report provides a preliminary analysis of the impact of the incentive fee in the first two months following implementation.

Results summary as at December 31, 2018

Overall, it is too soon to tell whether the incentive fee is achieving its intended objectives. Analysis of data for the first two months shows mixed results and significant variation by community. Any observed changes in metrics at this stage may be attributable to normal fluctuations or factors unrelated to the fee. We will continue to monitor the impact of the fee and report back in spring 2019.

Fees paid to date

To date, LSS has paid or committed to pay \$557,500 in fees to 154 lawyers for 1,115 contracts in 34 court locations. Of this, \$418,500 was paid retroactively for contracts issued April 1 to October 31, 2018; \$84,500 was paid for contracts issued in November; and approximately \$54,000 will be paid for contracts issued in December once these contracts are reviewed for eligibility.

The largest total amount paid to a single lawyer to date is \$16,500, the average total fees paid per lawyer is \$3,620 and the median total fees paid per lawyer is \$2,000. The community with the highest fees paid is Duncan (155 contracts, \$77,500).

Changes in key indicators

As shown in the table 1, there was an overall decrease of 3% in the percent of contracts issued to local lawyers, and overall increase of 1% in the number of local lawyers taking contracts. Table 2 sets out the number and percentage of contracts issued to local lawyers, and the changes in these metrics in the 10 communities with the highest volume of local contracts issued since April 1, 2018. While these locations have experienced the greatest impact from the fee, in only three of the 10 locations did the percentage of contracts issued to local lawyers increase in November and December 2018.



Table 1: Overall changes in incentive communities, November and December 2018 vs 2017				
Area of law	% contracts issued to local lawyers, Nov & Dec 2018	% change in % contracts issued to local lawyers over Nov & Dec 2017	# local lawyers taking contracts, Nov & Dec 2018	%/# change in # local lawyers taking contracts over Nov & Dec 2017
CFCSA	61%	3%	64	2% (1 lawyer)
Family	56%	(7%)	85	13% (10 lawyers)
CFCSA and Family combined	58%	(3%)	110*	1% (1 lawyer)
* Lawyers can take both CFCSA and family contracts.				

Table 2: Results in top 10 incentive locations by fee cost/volume, CFCSA and Family combined					
Court location	# local contracts issued Apr 1 to Dec 31	# local contracts issued in incentive period	% change in # contracts issued to local lawyers in incentive period over 2017	% contracts issued to local lawyers in incentive period	% change in % contracts issued to local lawyers over 2017
Duncan	155	27	(31%)	96%	1%
Kelowna	151	38	(24%)	84%	(2%)
Nanaimo	143	37	19%	64%	(7%)
Penticton	136	30	7%	79%	(9%)
Prince George	92	36	44%	57%	(24%)
Terrace	55	4	(56%)	44%	(25%)
Vernon	52	11	(52%)	65%	(10%)
Quesnel	51	11	22%	69%	(21%)
Salmon Arm	40	10	100%	77%	27%
Port Alberni	37	11	10%	61%	6%

These results in table 2 demonstrate the impact of fluctuations in contract volumes and the number of local lawyers on LSS's ability to issue contracts to local lawyers. For example, Prince George shows



an overall 23.5% decrease in contracts issued to local lawyers during November and December 2018 compared with 2017. However, the volume of CFCSA and family cases in Prince George increased significantly during the period, leading to a 44% (11 contracts) increase in the number of contracts issued to local lawyers—a positive change. At the same time, the number of local lawyers taking files dropped by 10% (1 lawyer) and the number of active lawyers in the community declined by 8% (2 lawyers). As a result, the number of contracts issued to local lawyers went up but there was an overall decline in the percent of contracts issued to local lawyers.

Lawyer feedback

LSS received direct feedback from 6 lawyers in 6 different communities, including 1 non-incentive location. One long time legal aid lawyer thanked LSS for the fee. The remaining lawyers expressed concern about the impact of the incentive on their legal aid files or their commitment to taking legal aid. LSS heard similar concerns from lawyers attending lawyer engagement sessions LSS held in 5 incentive and 2 non-incentive communities in fall 2018.

Unintended consequences

LSS is observing what may be unintended consequences of the incentive fee in at least two non-incentive locations. The percentage of contracts taken by local lawyers and the number of local lawyers taking contracts declined in Courtenay and Campbell River during the incentive period. Negative feedback from lawyers in these communities suggests this could be the result of the fee.

Data limitations

The data has significant limitations, most of which are related to the early stage of this analysis. Limitations include:

- A. There is wide normal monthly and annual variation in these metrics. It is too soon to interpret observed changes in results as trends.
- B. The percent of contracts issued to local lawyers is very sensitive to the overall volume of contracts. When the volume of cases increases significantly, the percentage of contracts issued to local lawyers can decrease even though the total number of contracts issued to local lawyers increases. Note that the total number of family contracts issued increased by 19% in incentive communities in November and December 2018 compared 2017.
- C. Many eligible locations have low volumes of cases and lawyers, so small changes in volume present as large percentage changes.
- D. It can take many months after a change in policy for changes in lawyer behaviour to occur at measurable rates.

Other factors that may affect the results

LSS opened Parents Legal Centres (PLCs) in incentive and non-incentive locations at the same time as it implemented the incentive. All lawyers hired to staff the PLCs formerly took a significant



number of tariff contracts. This reduction in the number of local lawyers available to take contracts will affect the results for both CFCSA and family contracts in those locations.

Next steps

LSS will continue to monitor the impact of the incentive fee, and will expand the analysis to include other measures such as travel fees, changes of counsel and days to place cases. LSS will also explore targets for changes and continue to mitigate identified risks.

In spring 2019, LSS will submit a second report to the ministry that will assess the impact of the incentive to March 31, 2019, five months after implementation.