

FUNDING GUIDELINES – RATES

APPENDIX F (II)

Guidelines for Reimbursement
of Legal Fees and Expenses

The Ministry of the Attorney General has advised the Commission that it has determined that the appropriate rate for the reimbursement of legal fees and expenses to those who have been granted funding should be the amount paid by the Ministry for retention of private sector counsel. Those rates are:

Hourly Rates for Retention of Private Sector Lawyers

Hourly Fee *Criteria*
Schedule
(Max. 10 Hours
Per Day)

A. \$56 – 104	Junior Lawyer
B. \$88 – 132	Intermediate lawyer with good experience
C. \$124 – 176	Senior lawyer with extensive experience, well-recognized in area of expertise
D. – 192	Only the most senior lawyers performing work on a significant project requiring a high degree of specialized skill

The legal fees and expenses eligible for reimbursement are those which relate to reasonable preparation for and representation at those portions of the inquiry for which standing has been accorded to the client, subject to the Commissioner’s recommendations. It will not include funding related to the investigative activities of other agencies or to the investigative activities of the Commission except for attendance at interviews by Commission counsel or staff. Legal fees and related expenses accumulated prior to the signing of the Order-in-Council are also not eligible.

A lawyer accepting compensation shall not bill the client, or apply to any third party, for any additional funding for the services in question. Unless the Commission recommends otherwise, only one counsel per client is eligible for reimbursement. If the Commissioner approves a junior counsel then, if such junior counsel attends hearings with senior counsel, he or she will be paid 75% of the junior counsel's hourly rate.

Reasonable claims for travel expenses and disbursements, supported by receipts or invoices, may be claimed. Photocopying may be claimed at 10.0 cents per page.

The reimbursement of eligible legal expenses will be made on an ex gratia basis only, with no right of challenge or appeal.

In addition, the Commission proposes that all accounts for legal fees and disbursements will be referred to an independent officer who will assess the accounts on the basis of this guideline. Once approved, accounts will be forwarded to the Ministry of the Attorney General for payment.