

A promotional banner for Rogers Hi-Speed Internet. On the left, the text reads "GET MUSIC FASTER. SWITCH TO ROGERS HI-SPEED INTERNET." in white and red. In the center, there is a red button with the text "Do More >". On the right, there are several small images showing people using music-related services, and the Rogers logo is in the bottom right corner.

## Attorney General urges end to legal aid boycott

**Enhanced payment for expert witnesses, complex trials among changes proposed in 'transformation'**

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LEGAL AFFAIRS REPORTER

Attorney General Chris Bentley is encouraging criminal lawyers to stop boycotting the legal aid system, saying the province will consider enhanced fees for complex trials and end its practice of paying expert defence witnesses about half of what prosecution experts get.

Bentley unveiled more details yesterday of how the province would like to use the additional \$150 million it plans to spend on legal aid services over the next four years, including more mediation for people immersed in family-law disputes and expanding information programs for litigants entering a courthouse for the first time.

In an interview, Bentley said he plans to set up five working groups of "front-line practitioners" to discuss how the money should be used, part of what he is calling legal aid's "transformation plan."

In the meantime, defence lawyers, who launched their protest June 1, should "continue to take cases," he suggests. "We have the money. We have our goals. I think we (now) want to get the good advice of lawyers. We want to know how the increased funding ... will be translating into better support for the people who need access to (legal aid) services."

The legal aid budget will increase to \$315 million the first year, \$330 million in year two, \$345 million the next year and \$360 million after that. In one notable change, Bentley confirmed yesterday expert defence witnesses, who now receive \$110 an hour under legal aid, will be paid the same as Crown experts, who currently get \$200 an hour.

Frank Addario, president of the Criminal Lawyers Association, said while it is "a very good step," legal aid's base funding will still be "not sufficient" to attract junior lawyers and stop senior counsel from fleeing the program.

"I don't think you can treat this program as one in which you are constantly looking for efficiencies on the backs of either defendants or their lawyers," said Addario, whose members decided this week to continue their boycott, which has been aimed primarily at increasing the hourly rate for legal aid work.

Lawyers are paid between \$77 and \$97 an hour. Earlier this year, the Criminal Lawyers' Association estimated it would cost the province up to \$120 million to increase their fees to between \$105 and \$140 an hour, as recommended by an earlier provincial inquiry.

Legal aid is worthy of the investment, Addario said, because it helps ensure high quality justice.

"I say our system is really good," he said. ``We have a professional prosecution service, a judiciary that's not corrupt and defence counsel who are professional."

But as part of his legal aid reform package, Bentley is considering ending the practice of paying lawyers by the hour, substituting a system of "block fees" for ordinary cases.

When it comes to complex time-consuming trials, such as murders and gang cases, however, he is willing to stick with an hourly rate - perhaps a higher one, patterned after British Columbia's legal program, which reimburses lawyers about \$125 an hour.

"Let's sit down and talk," he said.

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