

# Criminal duty counsel services

Service type	FE*	Covered	Not covered
<b>Bail hearings</b> (including WASH court)	N/A	<ul style="list-style-type: none"> <li>Conduct bail hearings and speak to consent releases</li> <li>Negotiate adjournments and releases</li> </ul>	<ul style="list-style-type: none"> <li>Surety substitutions</li> <li>Bail variations</li> <li>Bail reviews</li> <li>Accused has privately retained counsel for bail hearing</li> </ul>
<b>Day of court triage</b>	Y	<ul style="list-style-type: none"> <li>Summary legal advice</li> <li>Disclosure review</li> <li>Referrals to CLSC, community supports</li> </ul> <p><i>Financially-ineligible accused will receive summary legal <u>information</u> only</i></p>	<ul style="list-style-type: none"> <li>In-court certificate eligibility assessments</li> <li>Agency work for privately retained counsel</li> <li>Independent legal advice (ILA)</li> <li>Trial matters</li> <li>SCJ matters</li> </ul>
<b>Resolution discussions</b>			
In-custody	N/A	<ul style="list-style-type: none"> <li>For resolutions without a trial (e.g., withdrawals, peace bonds, guilty pleas)</li> </ul>	<ul style="list-style-type: none"> <li>Trial matters or to narrow issues for self-represented at trial</li> <li>Independent Legal Advice (ILA)</li> </ul>
Out of custody	Y	<ul style="list-style-type: none"> <li>May include negotiation and representation</li> </ul>	<ul style="list-style-type: none"> <li>Trial matters</li> <li>SCJ matters</li> <li>Agency work</li> </ul>
<b>Resolution advocacy (in court)</b>			
In-custody	N/A	<ul style="list-style-type: none"> <li>Attendance for withdrawals, peace bonds, and guilty pleas</li> </ul>	<ul style="list-style-type: none"> <li>Trial matters</li> <li>SCJ matters</li> </ul>
Out of custody	Y	<ul style="list-style-type: none"> <li>May include agency work for <u>certificate clients</u></li> </ul>	<ul style="list-style-type: none"> <li>Agency work for privately retained counsel</li> </ul>
<b>In-court assists (including video remand)</b>			
In-custody adults	N/A	<ul style="list-style-type: none"> <li>At discretion of DC manager</li> </ul>	<ul style="list-style-type: none"> <li>Trial matters</li> <li>SCJ appearances</li> </ul>
Youth	N/A	<ul style="list-style-type: none"> <li>May include agency work for <u>certificate clients</u></li> </ul>	<ul style="list-style-type: none"> <li>Agency work for privately retained counsel</li> </ul>
Out of custody adults - Priority communities**	Y	<ul style="list-style-type: none"> <li>Assistance on substantive proceedings for clients from priority communities</li> <li>Routine/administrative appearances (e.g., adjournments)</li> <li>May include agency work for <u>certificate clients</u> from priority communities</li> </ul>	<ul style="list-style-type: none"> <li>Out of custody adults not identifying as part of an LAO priority community</li> <li>Trial matters</li> <li>SCJ matters</li> <li>Agency work for privately retained counsel</li> </ul>

\*FE stands for financial eligibility. Income level determines whether a person qualifies for some legal aid services. When FE = Y, these services are only available to clients who are financially eligible. When FE = N/A, financial testing will not be required for these services.

\*\*LAO places particular emphasis on helping clients with mental health and/or addictions issues, those experiencing domestic violence, and those identifying as Indigenous or from racialized communities.