

SHARP Workplaces Information for Ad hoc Lawyers

Joining the Roster: Lawyers may apply to be added to the ad hoc roster list for the SHARP Workplaces Legal Advice Clinic. Lawyers are expected to be willing to take four cases in one year. Lawyers are generally required to attend SHARP Workplaces training.

Service Hours: Each case referral is limited to **five (5) hours** of legal advice.

Intake: The coordinator will assess if potential clients qualify for the service. To qualify the matter must involve workplace sexual harassment that occurred in BC or the potential client resides in BC. The client must be a complainant. There are no financial eligibility guidelines for this service.

Conflicts Check: The coordinator will assign a lawyer, staff or ad hoc, in accordance to the Referral Guidelines. If a lawyer on the ad hoc roster list is to be assigned, the coordinator will contact the lawyer with the potential client's name, date of birth, location and the respondent(s) names for a conflict check.

Lawyers are to advise the coordinator **within 24 hours** to minimize delay if the lawyer cannot assist the client and another lawyer needs to be contacted.

Where there is no conflict and the lawyer has confirmed willingness to take the case, the client will be requested to sign the service retainer agreement. After signature the lawyer will be sent the client's contact information, a copy of the retainer and any documents the client has provided.

Initial Meeting: At the first meeting, the lawyer is requested to briefly confirm the client understands the retainer agreement and remind the client of the limitations of the service.

Referrals support: As it is recognized that a client's legal problem may be combined with non-legal issues, lawyers may identify issues for which the client may benefit from referrals to other services, such as counselling. Lawyers may contact the coordinator at 604-673-3143 or email SHARPWorkplaces@clasbc.net for assistance in identifying services that the client may be able to access.

Extension of Hours: At the end of the five hours, additional hours may be authorized to assist in the resolution of the client's legal issues. To qualify, counsel must have exhausted the 5.0 hours of legal advice for each referral. SHARP Workplaces considers, but not limited to, the following:

- The merits of the case
- The likelihood of the matter resolving within the extended hours
- Vulnerability of the client and the client's ability to continue process without legal assistance
- Complexity of the case
- Stage of the case
- Service capacity (funding)
- Demand for services
- Alternative services available (i.e. Human Rights Clinic)

Note: Where the lawyer is close to assisting a client to resolve their complaint, an extension will likely be granted.

To apply for extended service hours, please provide a letter or e-mail outlining the merits of the case and reasons for the extension request to SHARPWorkplaces@clasbc.net. Lawyers are required to **submit an invoice** for hours spent to date and complete the **Case Reporting Form** when requesting an extension. Counsel should receive a response within five (5) business days of our receipt of the request. Please ensure prior authorization is sought *before* incurring hours beyond the referral limits as Counsel assumes the risk of not being reimbursed for the additional hours.

No Solicitation: Lawyers are not to solicit private retainers. At the end of the service hours lawyers may enter discussions with the client for a private retainer or willingness to provide further assistance on a pro bono basis.

In **very exceptional circumstances**, where a client initiates an inquiry during the approved five hours of service, and the lawyer genuinely believes that the client due to vulnerability, complexity and stage of the case cannot advocate for themselves, the lawyer may provide a written request to SHARP Workplaces Supervising Lawyer to approve ending the legal advice retainer earlier.

Case referrals to ad hoc list: At the end of the service hours, where if a lawyer believes the client requires additional support, considering factors such as the complexity of the case, vulnerability of the client and availability of other supports, and the lawyer is unable to provide further assistance either on a private retainer or on a pro bono basis, lawyers are requested to advise SHARPWorkplaces@clasbc.net in writing providing a summary of the case and its status so that the coordinator may canvass the lawyers on the roster list for a lawyer who may be able and willing to assist the client directly.

Lawyers are reminded that for complainants with a provincial human rights complaint, CLAS operates the Human Rights Clinic which may be able to represent clients at no charge once a complaint has been accepted.

Fees and disbursements: Lawyers will be paid at legal aid rates for the hours of service. Disbursements will be reimbursed in accordance to the SHARP Workplaces Fees and Disbursement guide. Lawyers will invoice SHARP Workplaces for payment and may use the form provided.

Lawyers may interim bill, but at a minimum, are required to invoice CLAS:

- at resolution of a case, when service hours are exhausted, or otherwise where services have been concluded; or
- before the end of the **program fiscal year (March 31)** in which services were provided.

Case Reporting: Lawyers are required to complete a Case Reporting Form with every invoice, to provide CLAS with the necessary information for reporting to funders and monitoring service needs.