

# Complex Case Rate (CCR) panel application

## **Please read carefully before completing.**

Legal Aid Ontario (LAO) is committed to ensuring clients receive the highest quality legal service possible, and that lawyers are well supported in the work they do for legal aid. LAO has established a Complex Case Rate (CCR) panel, for eligible lawyers to qualify for enhanced funding on particular types of cases.

Membership on the CCR panel does not entitle a lawyer to CCR funding on regular criminal certificates or other Big Case Management (BCM) cases.

Membership on the Extremely Serious Matters (ESM) panel and the general criminal panels are prerequisites for eligibility.

Applicants will be assessed on the totality of the information provided and gathered by LAO, with particular attention to criteria for evaluating candidates:

- professional experience
- civility/reputation/ethics
- relationship with LAO

Applicants must:

- complete the Complex Case Rate panel application
- execute the Release of Information form for Law Society of Upper Canada and/or other Law Society and the Release of Information form for Lawyers' Professional Indemnity Company
- provide three referees

Only completed applications will be considered.

You may attach a curriculum vitae as part of the application; however it is not a requirement. You may provide LAO with a reference letter from any of your referees; however, LAO may still contact the referee. LAO may obtain information from other sources i.e. Exceptions Committee members or district area directors.

In some instances, the applicant may be requested to provide further information or attend for an interview to help LAO assess his/her eligibility for the panel.

LAO will assess the lawyer's eligibility within 30 days of receipt of the required documentation. In certain circumstances, the time frame may be extended. Please do not contact LAO regarding the status of the application during the 30 day period.

Eligible lawyers will receive written confirmation. An eligible lawyer will remain a member of the CCR panel for a fouryear term at which time s/he must apply for renewal.

An ineligible lawyer will receive written reasons for the refusal and be advised of the process for review.

Personal Information in this form is collected under the authority of section 84 of the *Legal Aid Services Act* and is used in determining whether the applicant meets the standards for entry and retention on the panel. Questions about this collection should be directed to Kristy Laverty at 416-979-2352, ext 6459.

The material should be faxed to Legal Aid Ontario at **416-204-4710**.

## 1. Personal information

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Name:

(Last name)

(First name)

(Initial)

Contact information:

Address:

City/town:

Province:

Postal code:

Phone #:

Email:

Legal Aid Solicitor #:

Law Society #:

Date and province of call  
to bar:

Are you a member of the criminal and ESM panel?

Yes No

Are you able to conduct a trial in the French language?

Yes No

Are you fluent in any other languages?

Yes No

If yes, indicate language(s):

Have you previously applied to the CCR panel?

Yes No

## 2. Membership and/or participation in professional associations

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2.1 List the professional association of which you are or have been a fee-paying member, along with the dates of membership:

2.2 In a few words explain your involvement in any professional association, past or present, which goes (or went) beyond being a fee-paying member. Please provide the relevant dates of this involvement.

### 3. Publications

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3.1 Please list and legal publications (within the last 5 to 10 years)

Title of publication	Published where?	Date published

### 4. Recognition/awards

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4.1 Please provide information on any profession recognition or awards.

## 5. Personal suitability

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5.1 Please advise of any complaints currently on file with the Complaints Resolution Department of the Investigations Department of the Law Society of Upper Canada or any other Law Society.  
(Note: LAO will consider the application of a candidate who is involved in a complaint if, after receiving details, LAO is of the opinion that the nature is such that it would not prevent the candidate from being eligible.)

5.2 Please advise of any complaints currently with the Proceedings Authority Committee of the Law Society of Upper Canada or any other Law Society.  
(Note: Candidates will generally not be considered if involved in such a complaint; however, if LAO receives sufficient information about the complaint being frivolous or lacking in foundation, then it will not be a bar to the candidate being considered.)

5.3 Please advise if you have been sanctioned by the Law Society of Upper Canada or any other Law Society.  
(Note: Candidates will generally not be considered if they have been sanctioned by a Law Society. However, if LAO receives sufficient information about the circumstances surrounding the sanction, then the sanction will not be a bar to the candidate being considered.)

5.4 Please advise of any errors or omissions presently on file with the Lawyer's Professional Indemnity Company against you.

(Note: Candidates will generally not be considered if they have an outstanding Errors and Omissions claim registered with the Lawyer's Professional Indemnity Company. however, if LAO receives sufficient information that the claim is not substantiated, then such a claim will not be a bar to the candidate being considered.)

5.5 Please advise if you are currently involved as a defendant in any civil (excluding family matters) proceedings.

(Note: LAO will consider the application of a candidate who is involved in a civil proceeding it, after receiving details, LAO is of the opinion that the nature is such that it would not prevent the candidate from being eligible.)

5.6 Please advise if you have any outstanding civil judgements against you or any past or present proposals to creditors or assignments in bankruptcy.

(Note: LAO will consider the application of a candidate who is involved in this situation if, after receiving details, LAO is of the opinion that the nature is such that it would not prevent the candidate from being eligible.)

5.7 Please advise if you are currently involved as an accused in any criminal proceedings.

(Note: LAO will consider the application of a candidate who is involved in a criminal proceeding if, after receiving details, LAO is of the opinion that the nature is such that it would not prevent the candidate from being eligible.)

5.8 Please advise if you have ever been found guilty of a criminal offence, for which you have not received a pardon.

(Note: LAO will consider the application of a candidate who is involved in the above if, after receiving details, LAO is of the opinion that the nature is such that it would not prevent the candidate from being eligible.)

## 6. Education

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### 6.1 Law school

Name/location:

From / to:

Areas of special interest:

Where did you complete  
your student-at-law  
articles?

## 6.2 Post graduate studies in law or other (if applicable)

Name / location:

From / to:

Degree:

Focus of study:

## 6.3 Other relevant education-related information

## 7. Continuing education after Call to Bar (within past 5 years)

7.1 List any continuing education course, seminar or presentation that you have **given** along with their dates and locations.



7.2 List continuing legal-education courses, seminars or presentations **attended**, along with dates and locations.

## 8. Professional and employment experience

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8.1 Legal career experience (chronological order, brief description of work):

8.2 Have you ever been **lead counsel** on a murder preliminary inquiry or trial or appeal? Yes      No

If yes, please list the most recent cases, the nature of the proceedings and the result:

8.3 Have you ever worked as junior counsel or co-counsel on a murder preliminary inquiry or trial or appeal? Yes      No

If yes, with whom did you do the case, what was your role, listing the most recent cases, the nature of the proceedings and the result. For example, did you cross-examine witnesses, did you argue any applications or did you present an opening or closing address.

8.4 Have you ever been lead counsel on a preliminary inquiry or trial or appeal involving the following offences?

Manslaughter

Attempted murder

Conspiracy to commit murder

Criminal negligence cause death

Impaired cause death

Aggravated sexual assault

Any other offence(s) that could be considered similar in complexity

If you checked any of the boxes above, please list the most recent case, the nature of the proceeding, the result and provide a brief explanation if necessary.

8.5 Have you ever been lead counsel and successfully litigated in the following matters?

Dawson / Garafoli

Dangerous offender / Long-term Offender

Constitutional Challenges to Legislation

Judicial Stay of Proceedings

Stinchcombe

s.24(2) Exclusion of Evidence

Any other application that could be considered similar in complexity

If you checked any of the boxes above, please list the most recent case, the nature of the proceeding, the result and provide a brief explanation if necessary.

## 9. Referrals

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Please provide the names of **three** referees. Your references should have direct and recent knowledge of your professional work. A referee should be able to provide a considered assessment about your suitability for admission to the Complex Case Rate panel based on at least one of the following criteria:

- Your professional achievements
- Your reputation for ethical standards and civility

All information will be kept in confidence by LAO. LAO may wish to obtain information from other sources (i.e.: Exceptions Committee Members). In making these inquiries, every effort will be made to maintain confidentiality.

You may provide LAO with a reference letter from the individuals listed below. LAO may still contact the referee directly.

Some examples of eligible referees are as follows:

- Defence counsel from another firm
- Crown Attorney (Federal or Provincial)
- Provincial or Superior Court Judge
- Police officer or private investigator
- Member of charitable organization where you have volunteered

- Expert witness used in any past or present cases

None of the following person are eligible to act as a reference:

- A person whose license is in abeyance under subsection 31(1) of the *Law Society Act*;
- A partner, an associate, a co-worker, an employer or an employee of the applicant;
- A relative of the applicant;
- A member of LAO's board ;
- An employee of LAO; or
- Members of the Exceptions Committee

## Referee info #1

Name:

Title and company:

Address:

Telephone:

Email:

## Referee info #2

Name:

Title and company:

Address:

Telephone:

Email:

## Referee info #3

Name:

Title and company:

Address:

Telephone:

Email:

## 10. Optional

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10.1 Please provide any pertinent supplemental information about you that is not captured above that may assist LAO in its consideration of your application.

## Submitting this form

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I hereby attest that the information provided in the application is accurate. I understand that if I am deemed to be an eligible member of the Complex Case Rate panel, I must continue to comply with the Criteria of Evaluation during my four-year term.

Name:

Date signed (YYYY-MM-DD)

**Fax the completed form to Legal Aid Ontario at 416-204-4710**

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