

Dated: December 2020

Amended: n/a

ALIA Civil Litigation Filing Levy

CLFL Information Chart

This Civil Litigation Filing Levy (“CLFL”) Information Chart sets out guidance to interpret Alberta Lawyers Indemnity Association (“ALIA”) CLFL contained in the Transaction and Filing Levy Schedule for the following policy years of ALIA: **[Please note: the Transaction and Filing Levy Schedule will be provided in 2021 prior to commencement of the 2021-2022 policy year, and the CLFL Information Chart will be provided with it.]**

- The 2021-2022 policy year.

The guidance set out herein is subject to the following:

- The CLFL is reportable and payable by every Member of the Law Society of Alberta who is not exempt from paying the professional liability indemnity assessment pursuant to the Rules of the Law Society of Alberta. It is not reportable or payable by a Member who is not required to pay the professional liability indemnity assessment, even if the Member files a document that would otherwise be subject to the CLFL.
 - The CLFL is payable in respect of filings that start, and respond to, actions in the Court of Queen’s Bench of Alberta. It is not payable in respect of filings under the Rules of Court that start, or respond to, an action in the Court of Appeal of Alberta. Nor does it apply to the Provincial Court of Alberta or any Federal Court.
 - The chart below is not exhaustive of filings that may result in a requirement to pay the CLFL. The fact that a filing is not listed in the chart below does not preclude it being subject to payment of the CLFL.
 - The CLFL is not payable in respect of a matter that is exempt from the CLFL. Examples of exempted filings are set out in the chart below.
 - References to “starts an action” in the chart refer to starting an action in the Court of Queen’s Bench of Alberta.
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	Professional Service Provided by Subscriber	Comment
1.	File statement of claim	One levy applies
2.	File originating application that starts an action (including originating application for judicial review)	One levy applies
3.	File notice of appeal, reference or other procedure or method specifically authorized, required or permitted by an enactment (including a petition) that starts an action	One levy applies
4.	File statement of defence (including filing by third party defendant)	One levy applies
5.	File demand for notice (in response to statement of claim)	No levy applies
6.	File claim against co-defendant	No levy applies
7.	File third party claim	One levy applies
8.	File counterclaim	No levy applies if counterclaim filed with statement of defence; otherwise, one levy applies
9.	File reply to statement of defence (plaintiff)	No levy applies
10.	File response to an originating application (including affidavits or other evidence in reply and response)	One levy applies
11.	More than one Subscriber from the same law firm acts on behalf of the same party(ies) on the same civil litigation matter	Only one Subscriber is required to pay the levy
12.	One Subscriber acts for multiple plaintiffs, applicants, defendants, respondents or other parties contained in a single filing that attracts the levy	One levy applies
13.	Civil litigation involves more than one plaintiff, defendant or other party, and two or more of them are represented by different Subscribers in different firms	Each Subscriber shall pay one levy
14.	Proceeding already commenced or responded to by a Subscriber or other lawyer, and then file was transferred to another firm or Subscriber	Levy applies only if the new firm or Subscriber does anything to trigger a levy (i.e. files a commencement of, or response to, an action)
15.	Actions started or responded to in Provincial Court	No levy applies
16.	Actions started or responded to in the Court of Appeal of Alberta	No levy applies
17.	Actions started or responded to in a federal trial or appellate court	No levy applies

	Professional Service Provided by Subscriber	Comment
18.	Commencing or responding to an action by a party funded by Legal Aid Alberta	No levy applies
19.	<p>Party(ies) commencing or responding to an action through a pro bono or public legal clinic listed below or which is otherwise approved from time to time by the ALIA President and CEO:</p> <p>Volunteer Lawyer Services Program (Pro Bono Law Alberta)</p> <p>Calgary Legal Guidance</p> <p>Edmonton Community Legal Centre</p> <p>Public Interest Law Clinic Alberta Prison Justice Society</p> <p>Central Alberta Community Legal Clinic</p> <p>Lethbridge Legal Guidance</p> <p>Grande Prairie Legal Guidance</p> <p>BLG Business Venture Clinic</p> <p>The Women's Centre of Calgary</p> <p>Student Legal Assistance (University of Calgary)</p> <p>Student Legal Services (University of Alberta)</p>	No levy applies
20.	Actions started or responded to under the Family Law Rules contained in Part 12 of the Alberta Rules of Court, being proceedings described in rule 12.2 of the Alberta Rules of Court	No levy applies, provided the action does not contain a proceeding that is not described in rule 12.2 of the Alberta Rules of Court
21.	Actions under the <i>Adult Guardianship and Trusteeship Act</i> (Alberta) or to which Alberta's Office of the Public Guardian and Trustee are party	No levy applies
22.	Proceedings for adoption that are commenced and not opposed on any issue	No levy applies
23.	Proceedings under the <i>Bankruptcy and Insolvency Act</i> (Canada) to enforce spousal	No levy applies

	Professional Service Provided by Subscriber	Comment
	support, child support or equalization of rights of a spouse when the property of the bankrupt vests in the trustee in bankruptcy	
24.	Lawyer filing a statement of claim to collect their client's outstanding account	No levy applies
25.	Fee review or assessment hearing before a review officer or assessment officer, including any appeal	No levy applies