

CRM12 Duty Solicitor Applications – Updated Guidance Note

9 March 2017

Key dates for activity:

12 pm noon on Monday 3rd April 2017 - LAA will perform checks on CRM12s received by this date and will contact organisations if there is any missing information

23.59 on Friday 7th April 2017 – the date by which all CRM12s or updates to the April rotas must be received

The LAA will be issuing CRM12 forms to organisations that have passed the verification of their office(s) after 12 December 2016 under the 2017 Standard Crime Contract procurement process. The CRM12 process enables these organisations to nominate their duty solicitors and to be allocated slots on rotas from 1 July 2017 for the schemes they are eligible for.

Organisations who have already submitted a CRM12 for the April rota will be required to confirm what, if any, changes they wish to make to their duty solicitors details for the July rota.

Completed July CRM12s or updates to the April CRM12 must be submitted to CRM12@legalaid.gsi.gov.uk by 23.59 on 7 April 2017 to ensure that slots will be allocated on the July rotas.

What do I do if I want to update the details of my Duty Solicitors for July?

The LAA will contact all organisations that are on the rotas that commence on 1 April 2017 and will ask them to advise whether they wish to add or remove duty solicitors to the CRM12 that they submitted for the deadline for the April rota. Organisations will be contacted in the week commencing 6 March.

Organisations need only reply if they wish to make a change to the CRM12 they are submitted and will need to respond within 5 working days.

Organisations that wish to make a change to the CRM12 will be sent a separate form to record the changes that they wish to make.

What do I do if I have not received a CRM12 previously or are not on the April rota?

Any organisation that completed verification between 12 December 2016 and 28 February 2017 or has completed verification but is not on the April rota will be sent a CRM12 to complete and submit by **23.59 on 7 April 2017**.

What information must I complete on the CRM12 form?

Organisations who receive a CRM12 for July must provide the details of **all** duty solicitors they wish to nominate for inclusion on relevant duty schemes from 1 July 2017.

Each organisation specified in their tender the number of duty solicitors they intend to use in the first two rota periods. Where an organisation includes more duty solicitors on their completed CRM12 than they are entitled to, the LAA will not take into account the additional number when allocating duty slots on the rota.

For those CRM12s received by noon on Monday 3rd April 2017, the LAA will perform the following checks and will contact organisations if there is any missing information:

- that duty solicitor information is complete
- that organisations' duty solicitor volumes do not exceed those specified in their tender

Unfortunately the LAA will not be able to perform checks on CRM12s received after the 3rd April and organisations should note that non-compliant information submitted after this time may result in their application being delayed or rejected.

The CRM12 requires an organisation's Compliance Officer for Legal Practice (COLP) to confirm that:

- all duty solicitors will meet the attendance requirements in the 2017 Standard Crime Contract;
- attendances will be undertaken for the organisation to which the slots have been allocated;
- each duty solicitor will undertake 14 hours' Contract Work per week from the office for which they derive their rota slots; and
- they have made reasonable enquiries of each of these duty solicitors to confirm that they have not applied for duty rota slots with another organisation.

Compliance against these requirements will be monitored throughout the contract period.

To ensure that there are no delays in the production of the July rotas, where the LAA receives CRM12s from multiple organisations for the same duty solicitor and it is unable to clarify which organisation the duty solicitor should be included it will not take into account that duty solicitor for the July rotas.

2017 Rotas

The April rota will commence on 1 April 2017 and will run until 30 June 2017. Slots have been allocated in respect of duty solicitors Engaged by those organisations who passed verification by 12 December and who submit completed CRM12s by 23.59 on 13 January 2017.

The second rota period will commence on 1 July 2017 and will run until 31 December 2017. In addition to allocations made to organisations who met the requirements for the April rota, slots will also be allocated in respect of duty solicitors Engaged by those organisations who passed verification by 28 February 2017 and for whom the LAA receives CRM12s or by 23.59 on 7 April 2017.

Organisations that are allocated rota slots from 1 April and/or 1 July 2017 will not be able to add any additional duty solicitors for these rotas over and above the maximum number of Duty Solicitors in accordance with paragraph 8.5 of the Information for Applicants.

For subsequent rotas, the rules set out in Section 6 of the 2017 Standard Crime Contract Specification apply.

Allocation of duty work

An organisation's duty solicitors must serve on those police station, court and virtual court schemes that the organisation successfully tendered for.

The number of duty slots allocated to an organisation is determined by the number of duty solicitors that the organisation 'Engages' (in line with Section 6 of the 2017 Standard Crime Contract Specification). The number of duty slots allocated to each organisation is also dependent on the number of slots on that scheme, and on the number of other organisations on the rota.

In most areas, the allocation of court duty slots is automatic and directly linked to the police station schemes which organisations qualify for. However, for organisations that qualify for London schemes, their duty solicitors must select on the CRM12 form those court duty schemes on which they will appear from 1 July. Duty solicitors whose organisations are members of London schemes may only select two adult court duty schemes (including associated youth courts) on which they will appear.

Police and Court Estate Changes

Where there are changes to the criminal justice system that affect the schemes during the tender period, local consultations will take place to determine any scheme changes. Organisations will be kept updated via the .Gov.uk website where ongoing consultation details will be made available up to the contract start date. Where consultations close during the tender process organisations who have bid for those duty schemes will be notified of changes which affect them as part of their tender outcome notification letter.