



Legal Aid  
Agency

# Claim for Advocate Graduated Fees

This is a contingency form for use where the Crown Court online billing system (CCD) is not working. It can be used for cases with a representation order dated before 1 April 2018. Claims with a representation order dated on or after 1 April 2018 must be submitted on form AF1(A).

## Certification

- 4 By ticking a box, you are confirming you are the Trial Advocate (in cases where legal aid was granted on or after 5th May 2015) or Instructed Advocate and that you are entitled to submit a claim in respect of this case.
- 4 If our records indicate that you are not the Trial or Instructed Advocate, this may result in the claim being rejected without payment.

**Please ensure that you only tick the relevant box.**

**Final Fee claims where the representation order was granted on or after 5th May 2015.**

I certify that I am the Trial Advocate as:

- I attended the Main Hearing (1st day of the trial)

### All other claims:

I certify that I am the Instructed Advocate as:

- I notified the court, in writing, before the PCMH/PTPH that I was the Instructed Advocate.  
**A copy of the letter is attached.**
- I attended the PCMH/PTPH [where the client was arraigned] and no other advocate wrote to the court prior to this to advise that they were the Instructed Advocate.
- I attended the first hearing after the PCMH/PTPH and no other advocate attended the PCMH/PTPH or wrote to the court prior to this to advise that they were the Instructed Advocate.
- The previous Instructed Advocate notified the Court in writing that they were no longer acting in this case and I was then instructed.
- The case was a fixed fee (with a case number beginning with an S or A) and I attended the main hearing.

**All of the above options are in accordance with relevant provision of any secondary legislation arising from the Legal Aid, Sentencing and Punishment of Offenders Act 2012.**

**Certification cont.**

- I certify that where I have represented more than one defendant in this matter, only one claim has been, and will be made, for all those defendants together, including where one defendant has transferred representation to another advocate.
- I certify that no interim, hardship or staged payment has been received by me or any other advocate on any case number within this matter other than the one under which this claim is made unless fully detailed (case number, court and advocate supplier number under which payment was made) within this claim.
- I certify that where there is a joined indictment, then all matters dealt with by me, as the Instructed Advocate, within that joined indictment are included in this claim.
- I certify that where there has been a transfer between one Crown Court and another, then no claim has been made separately for the work in the first Crown Court, all of the work in both Courts being included in this claim.
- I certify that this work has not been and will not be the subject of any other claim for remuneration from criminal legal aid.
- I certify that, in circumstances where I am claiming a staged payment, I will ensure that any subsequent trial advocate is advised of such payment, with all necessary claim/payment details.
- I certify that the information I have provided is correct and the work carried out by me has not been and will not be the subject of any other claim by me for payment from criminal legal aid. I understand that if information given by me is incorrect or misleading, payment may be recouped.

Trial / Instructed Advocate's Signature: \_\_\_\_\_

Trial / Instructed Advocate's name: \_\_\_\_\_ Date: \_\_\_\_\_

Have you entered this claim online? Yes  No

Chambers/Firm Address:
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Advocate Name:	
Advocate Provider No.:	
Chambers/Firm Phone No:	
Chambers/Firm Fax No.:	
Chambers/Firm Email:	

### Section 1: Case, Advocate & Offence

Scheme:	
Court Name:	
Court Code:	
Principal Case Number:	
Additional Case Number:	
Prosecuting Authority:	
Type of case (e.g. trial, guilty plea)	
If Type of Case is Retrial or Cracked Retrial:	
Did the same advocate appear at both trials?	
If "Yes" Reduction applied to first Trial or Retrial?	
Please confirm the percentage reduction to be applied.	
<b>Principal Defendant</b>	
First Name	Date of Birth (dd/mm/yyyy)
Middle Name (if applicable)	
Last Name	MAAT Ref. No's.
Representation Order Date (dd/mm/yyyy)	
Has there been an Order for Judicial Apportionment? Yes or No	
<b>2nd Defendant</b>	
First Name	Date of Birth (dd/mm/yyyy)
Middle Name (if applicable)	
Last Name	MAAT Ref. No.
Representation Order Date (dd/mm/yyyy)	
Has there been an Order for Judicial Apportionment? Yes or No	
<b>3rd Defendant</b>	
First Name	Date of Birth (dd/mm/yyyy)
Middle Name (if applicable)	
Last Name	MAAT Ref. No.
Representation Order Date (dd/mm/yyyy)	
Has there been an Order for Judicial Apportionment? Yes or No	

If there are further defendants please supply the same details for them in the additional space provided on page 3.

## Section 1: Case, Advocate & Offence continued

Advocate's Claim Reference:			
Advocate Category: (Please tick)	KC <input type="checkbox"/>	Leading Junior <input type="checkbox"/>	
	Led Junior <input type="checkbox"/>	Junior Alone <input type="checkbox"/>	
Date notice of 1st Fixed/Warned issued:		1st Fixed/Warned Trial Date:	
Date Case Cracked:			
Offence Class:		Offence Value:	
Offence Description:			
<p><b>This case was:</b></p> <p>Sent by the magistrates' court (Indictable only) <input type="checkbox"/></p> <p>Transferred/ directed by the magistrates' court* <input type="checkbox"/></p> <p>Elected by the client** <input type="checkbox"/></p> <p>* Where it was deemed by the magistrates' unsuitable for summary trial, please provide supporting evidence if claiming a cracked trial, discontinuance or guilty plea graduated fee in Section 2.</p> <p>** Where the defendant elected Crown Court AND the case didn't proceed to trial OR retrial, a fixed fee will be payable, unless:</p> <p>1) the Representation Order is dated on or after 02/10/2014 <b>AND</b></p> <p>2) the case did not proceed to trial as a result of the Crown offering no evidence.</p> <p><b>Please complete section 4 for a fixed fee.</b></p>			
Estimated Length of Trial (Days):		Actual Length (Days)	
Date proceedings concluded:			

**Section 2 Additional information:**

### Section 3: Basic Fee & Enhancements (Amount excluding VAT)

Description	Code	Qty	Rate	Amount
Basic Fee	BAF			
Date of 1st day at trial:				
Number of Defendants uplift	NDR			
Number of Cases uplift	NOC			
Number of Prosecution Witnesses	NPW			
Pages of Prosecution Evidence	PPE			
Daily Attendance Fee	DAF			
Dates Attended				
Daily Attendance Fee (41 to 50)	DAH			
Dates Attended				
Daily Attendance Fee (51+)	DAJ			
Dates Attended				
Plea and Case Management Hearing	PCM			
Dates Attended				
<b>Section 3 Basic Fee &amp; Enhancement Total (exc VAT)</b>				

#### Section 4: Fixed Fees (amount excluding VAT)

Description	Code	Qty	Rate	Amount
Appeals to the Crown Court against Conviction	ACV			
Appeals to the Crown Court against Conviction Uplift	ACU			
Appeals to the Crown Court against Sentence	ASE			
Appeals to the Crown Court against Sentence Uplift	ASU			
Breach of a Crown Court order	CBR			
Breach of a Crown Court order Uplift	CBU			
Contempt hearings	CON			
Committal for Sentence Hearings	CSE			
Committal for Sentence Hearings Uplift	CSU			
Cracked case discontinued	CCD			
Cracked case discontinued Uplift	CDU			
Elected case not proceeded*	ENP			
Elected case not proceeded uplift*	ENU			
*Use where the representation order is dated on or after 3 October 2011 AND the defendant elected Crown Court trial AND the trial OR retrial did not proceed.				
<b>Section 4 Fixed Fees Total (exc VAT)</b>				

#### Section 5: Miscellaneous Fees (Amount excluding VAT)

Description	Code	Qty	Rate	Amount
Abuse of Process Hearings (Half Day)	APH			
Abuse of Process Hearings (Whole Day)	APW			
Abuse of Process Hearings (Half Day Uplift)	AHU			
Abuse of Process Hearings (Whole Day Uplift)	AWU			
Adjourned appeals	SAF			
Application to dismiss a charge day 2 onwards (Half Day)	PAH			
Application to dismiss a charge day 2 onwards (Whole Day)	PAW			
Application to dismiss a charge day 2 onwards (Half Day Uplift)	PHU			
Application to dismiss a charge day 2 onwards (Whole Day Uplift)	PWU			
Conferences and Views	Date(s) attended	CAV		
Confiscation hearings (Half Day)	DTH			
Confiscation hearings (Whole Day)	DTW			
Confiscation hearings (Half Day Uplift)	DHU			
Confiscation hearings (Whole Day Uplift)	DWU			
Deferred Sentence Hearings	DSE			
Deferred Sentence Hearings Uplift	DSU			
Hearings relating to admissibility of Evidence (Half Day)	AEH			

## Section 5: Miscellaneous Fees (Amount excluding VAT) continued

Description	Code	Qty	Rate	Amount
Hearings relating to admissibility of Evidence (Whole Day)	AEW			
Hearings relating to admissibility of Evidence (Half Day Uplift)	EHU			
Hearings relating to admissibility of Evidence (Whole Day Uplift)	EWU			
Hearings relating to Disclosure (Half Day)	HDH			
Hearings relating to Disclosure (Whole Day)	HDW			
Hearings relating to Disclosure (Half Day Uplift)	HHU			
Hearings relating to Disclosure (Whole Day Uplift)	HWU			
Noting Brief Fee	NBR			
Paper Plea & Case management	PPC			
Paper Plea & Case management uplift	PCU			
Proceeds of Crime hearings (Half Day)	PCH			
Proceeds of Crime hearings (Whole Day)	PCW			
Proceeds of Crime hearings (Half Day Uplift)	CHU			
Proceeds of Crime hearings (Whole Day Uplift)	CHW			
Public Interest Immunity hearings (Half Day)	PAH			
Public Interest Immunity hearings (Whole Day)	PAW			
Public Interest Immunity hearings (Half Day Uplift)	PHU			
Public Interest Immunity hearings (Whole Day Uplift)	PWU			
Research of very unusual or Novel Factual issue	RNF			
Research of very unusual or Novel point of Law	RNL			
	Date(s) attended			
Standard Appearance Fee	SAF			
Standard Appearance fee Uplift	SAU			
Sentence Hearings *	SHR			
Sentence Hearings Uplift	SHU			
Special Preparation Fee	SPF			
Trial Not Proceed	TNP			
Trial Not Proceed Uplift	TNU			
Unsuccessful application to vacate a guilty plea (Half Day)	PAH			
Unsuccessful application to vacate a guilty plea (Whole Day)	PAW			
Unsuccessful application to vacate a guilty plea (Half Day Uplift)	PHU			
Unsuccessful application to vacate a guilty plea (Whole Day Uplift)	PWU			
Written / Oral Advice	WOA			
Wasted Preparation Fee	WPF			
<b>Section 5 Miscellaneous Fees Total (exc VAT)</b>				

\* For scheme 8 onwards a Sentence Hearing is treated as one of the standard appearances included in the Basic Fee.

**Section 6: Travel & Hotel Expenses (Amount excluding VAT)**

				Code	Hours	Amount
Travel & Hotel Expenses				THE		
Where you are instructed to appear at a non-local court, please provide justification for attendance (e.g. no local bar) and amount claimed (e.g. where you have travelled from):						
Date	Advocate	Expense Type	Location	Quantity	Rate	Amount
				Code	Hours	Amount
Travel Time to Conferences & Views				TCT		
Please provide full details of destination e.g. HMP Walton so that reasonable time and expenses can be determined:						
Date	Advocate	Location		Hours	Rate	Amount
<b>Section 6 Expenses Total (exc VAT)</b>						

## Section 7: Claim Summary

	<b>Section 3 Total B/F</b>	
	<b>Section 4 Total B/F</b>	
	<b>Section 5 Total B/F</b>	
	<b>Section 6 Total B/F</b>	
	<b>Claim Total - Total Fees &amp; Expenses (exc VAT)</b>	
VAT on Fees & Expenses (please tick if required) <input type="checkbox"/>		<b>Total VAT</b>

Deduct Advancement	
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<b>TOTAL DUE (INC. VAT)</b>	
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### Enclosure checklist - You must enclose all of the following where appropriate

- A copy of the original representation order and any amendments for each of the clients that you are claiming for and for any additional case uplifts you are applying for.
- The front sheet(s) from the committal bundle and NAEs served by the prosecuting authority, showing the total pages served (required for all final graduated fee and hardship claims)
- A copy of the indictment (required for all final graduated fee and hardship claims)
- Order in respect of Judicial Apportionment (for each defendant) where applicable.
- Invoices/receipts for accommodation and travel expenses (excluding mileage) required for all individual disbursements of £20 or more.
- Hardship supporting evidence (e.g. bank statements/ bank letter), please give details:  
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- Details of any and all fee advancements made previously including those made to any Instructed Advocate. You must provide the case reference number/court/advocate supplier number under which payment was made.
- Other supporting evidence. A list of acceptable evidence can be found on the LAA website.
- Where it was deemed by the magistrates' court unsuitable for summary trial, please provide evidence to support this.
- If your claim is submitted more than three months after the case concluded, please provide written justification in line with the relevant provision of any secondary legislation arising from the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

