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| Legal Aid Agency | LAA Assessed Claim 5a Checklist – Short version For use with CIV CLAIM5A (Family Advocacy Scheme) and completion guidance |

The purpose of this checklist is to reduce the likelihood of your CIV CLAIM 5A claim being rejected. Please complete the whole checklist, paying particular attention to requirements marked:

 CIV CLAIM 5A claims are often rejected because they fail to meet these requirements;

Please ensure you are using the correct version of the form. The current version of the claim 5A is version 5 (April 2015). It is available at <https://www.gov.uk/government/publications/family-graduated-fee-and-family-advocacy-claim-forms>

**If LAA rejects your claim**:

* please ensure that you include this checklist when you resubmit your claim;
* the LAA will tick those requirements that have been met, and it is your responsibility to check the remaining requirements before you resubmit the claim;
* you can email LAA at laacivilclaimfix@justice.gov.uk if you have any issues with the reject.

**Please also see the Claim 5A Completion Best Practice Guidance in order to avoid rejection.**

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| Client’s name |  | Cert. ref.  |  |

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| --- | --- | --- | --- |
| Counsel’s name |  | Hearing/activity date(s) |  |

|  | **Requirement****Notes** | **Provider checked** | **LAA use:** |
| --- | --- | --- | --- |
| **Pass?** |
| **1Warning Sign Clip Art**  | Have you claimed the correct rates for the certificate and work done?  |  |  |
| **2Warning Sign Clip Art**  | Have you provided a brief or letter of instruction containing all the information we require for each hearing or activity? |  |  |
| **3Warning Sign Clip Art**  | If you are claiming a Final Hearing, have you provided evidence that this was a hearing both listed and effective as a contested final hearing?  |  |  |
| **4Warning Sign Clip Art**  | Have you claimed work within the scope of your certificate, and supplied sufficiently detailed supporting documentation to confirm this? |  |  |
| **5Warning Sign Clip Art**  | Have you explained any travel costs claimed? |  |  |
| **6**  | If you are claiming disbursements of £20 or more (including VAT) have you provided tickets/vouchers or alternate evidence of disbursement? |  |  |
| **7**  | Is this a Family Advocacy Scheme case? |  |  |
| **8** | Have you supplied the correct legal aid certificate reference? |  |  |
| **9** | If counsel represented multiple clients, have you included each client’s details on CIV CLAIM 5A p1? You can authorise us to make payment under the additional certificates on CIV CLAIM 5A p2. This may allow payment where the cost limitation on the lead certificate is insufficient. |  |  |
| **10** | Has Counsel signed and dated the Claim 5A on p5? |  |  |
| **11**  | Have you included the court order with FAS recitals for all hearings? |  |  |
| **12** | Have you detailed any lunch breaks taken, or confirmed ‘no lunch break’ as appropriate, on CIV CLAIM 5A p2? |  |  |
| **13** | If you are claiming an interim hearing that took place over more than one day have you provided the start (listing/court ordered attendance), end, and lunch times for each day? Please note that hearing units should be calculated on the basis of total time overall and not for individual days. |  |  |
| **14**  | If you are claiming a court bundle or advocate’s bundle, has this been ticked and certified on the AAF and claimed within the payment rules? |  |  |
| **15**  | If you are claiming an Advocates’ Meeting, have you supplied the court order listing the meeting, counsel’s note, and the start and finish times of the meeting if you are claiming an interim hearing on the same day?  |  |  |
| **16** | If you are claiming a conference, have you supplied counsel’s brief or letter of instruction and/or attendance note; and start and finish times of the conference if you are claiming an interim hearing on the same day? |  |  |
| **17**  | If you are claiming an opinion or written submission, have you provided counsel’s brief/letter of instruction and a copy of the opinion/submission? |  |  |
| **18** | If you are claiming a settlement fee, have you provided a copy of the final order made to confirm settlement? (Unofficial copies are acceptable where sealed by the court or certified by the judge/court officer). |  |  |
| **19** | If you are claiming an unlisted emergency hearing, have you provided the time that the papers were issued at court and an explanation of the circumstances on CIV CLAIM 5A p2? |  |  |
| **20** | If you are claiming a telephone/video hearing have you provided the times the call was attempted and concluded, and a note of the hearing? |  |  |
| **21**  | If you are claiming a cancelled hearing, have you provided counsel’s brief/instruction, details of any time spent in preparation by counsel, and an explanation of when, where, and why the hearing was cancelled? |  |  |
| **22**  | If you are claiming an appeal hearing, does this fall within FAS? Is your supporting documentation sufficiently detailed to confirm this? |  |  |
| **23**  | If you are claiming for an individual hearing where one advocate replaced another, has the claim been made by the advocate who completed the activity, with an explanation of the circumstances? |  |  |

**For LAA use:**

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| Caseworker’s name |  | Region |  |

Further guidance on the Family Advocacy Scheme is available in our electronic Handbook and in the Costs Assessment Guidance (2018), Appendix 2, both accessible from <https://www.gov.uk/funding-and-costs-assessment-for-civil-and-crime-matters>