



Legal Aid
Agency

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Court assessed claims guidance

**Guidance on voluntary submission of
court assessed claims to LAA for
assessment**

25 March 2022



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1. Provisions for assessment

There are no changes to the provisions for assessment to commence. One of the following must have taken place:

- the case has concluded and there is an order from the court providing for assessment
- the funding has been withdrawn by way of discharge or revocation

You must also ensure that your Outcomes have been completed in CCMS before the claim will be released for processing.

1.1. Transfer of provider cases

There continues to be no provision for interim assessment of claims, including where there has been a transfer of provider. LAA continues to expect a single claim covering the costs of both solicitors to be submitted for assessment.

An adjustment to allow Interim Billing can be considered in exceptional circumstances.

Submit a Bill Enquiry through CCMS for case-specific advice on any CCMS matter or an email to ContactCivil@justice.gov.uk for any older paper matter.

For more information on when the point of assessment is triggered, refer to 6.33 of the Standard Civil Specification Contract, available here:

[Standard Civil Specification Contract](#)

2. Drawing your claim on CCMS

2.1. Your bill has been assessed at Court

This applies where you have completed your Bill of Costs and the court assessment process has been completed.

In these cases, LAA will not look to reassess the claim and you should submit your bill in CCMS as a court assessed claim.

Completing CCMS

Complete your claim in CCMS as normal. If you are unsure of the process to follow in CCMS, use the step-by-step guide available here:

[CCMS Provider: submitting bills: Court Assessed Bills \(justice.gov.uk\)](https://www.justice.gov.uk/submitting-bills-court-assessed-bills)

Costs of assessment you can claim

You can claim as normal for a court assessed claim. If you are unsure what that includes, refer to chapter 12.2 of the Civil Finance Electronic Handbook, available here:

[Civil Finance Electronic Handbook](#)

Evidence required

Anything you would normally upload as evidence, including, but not limited to:

- your annotated bill of costs and completed assessment certificate (EX80a or b)
- disbursement vouchers for costs over £20 including VAT
- any Family Advocacy Scheme (FAS) evidence where applicable

For further guidance on making sure you have the correct evidence, refer to the CCMS Claim Checklist, available here:

[CCMS Claim Checklist](#)

2.2. Your bill has been drawn, but not assessed

This applies where you have had your Bill of Costs drawn, but have not submitted to the court for assessment as you would prefer for LAA to assess the claim.

Completing CCMS

Complete your claim in CCMS as normal. Please make sure you answer the questions on the Court Assessed Bills page correctly to indicate if your bill is being sent to LAA voluntarily. An interactive training module is available here:

[CCMS Provider: submitting bills: Court Assessed Bills Interactive Module \(justice.gov.uk\)](#)

Costs of assessment you can claim

You cannot claim for costs that have not been incurred. This may include, but is not limited to:

- an assessment fee
- any time for 'considering provisional assessment' or completing the EX80A/B as these are not allowable costs on LAA assessment

You can also refer to chapter 12.2 of the Civil Finance Electronic Handbook, available here:

[Civil Finance Electronic Handbook](#)

Evidence required

Anything you would normally upload as evidence, including, but not limited to:

- your bill of costs
- disbursement vouchers for costs over £20
- any Family Advocacy Scheme (FAS) evidence where applicable

For further guidance on making sure you have the correct evidence, refer to the CCMS Claim Checklist, available here:

[CCMS Claim Checklist](#)

2.3. Your bill has not been drawn

This applies where you choose for LAA to assess your claim.

Completing CCMS

Complete your claim in CCMS as normal. Please make sure you answer the questions on the Court Assessed Bills page correctly to indicate if your bill is being sent to LAA voluntarily. An interactive training module is available here:

[CCMS Provider: submitting bills: Court Assessed Bills Interactive Module \(justice.gov.uk\)](#)

Costs of assessment you can claim

You cannot claim for any costs outside what would be allowable on a claim under the existing Legal Aid Agency Assessed Bill process.

You can also refer to chapter 13 of the Civil Finance Electronic Handbook.

[Civil Finance Electronic Handbook](#)

Evidence required

There are no changes to any evidential requirements. You should upload your supporting evidence as normal.

For further guidance on making sure you have the correct evidence, refer to the CCMS Claim Checklist, available here:

[CCMS Claim Checklist](#)

3. Drawing a paper claim

All paper claims should be submitted to LAA electronically. The process to follow is outlined here:

[Electronic submissions of paper bills: Quick Guide \(justice.gov.uk\)](#)

3.1. Completing the correct form

Regardless of how far along in the court assessment process you have gone, LAA will require you to complete a claim form.

For a claim that falls under the fixed fee structures, including claims which escape the fixed fee, complete form LAA CIV CLAIM1A, available here:

[LAA CIV CLAIM1A](#)

For all other claims, complete form LAA CIV CLAIM1, available here:

[LAA CIV CLAIM1](#)

If you have drafted a Bill of Costs for court assessment, but would like to instead opt for assessment by LAA you can submit a summary-level claim to LAA for assessment with the Bill of Costs as the itemised breakdown. You should still complete the correct form as above as if the bill had been assessed at court. No costs of assessment will be payable in this scenario. You should explain the position in your covering email to prevent delay in assessment of your claim.

What costs of assessment can be claimed?

Where the court assessment process is completed, you can claim as normal for a court assessed claim. If you are unsure what that includes, refer to chapter 12.2 of the Civil Finance Electronic Handbook, available here:

[Civil Finance Electronic Handbook](#)

Evidence required

There are no changes to any evidential requirements. You should submit your supporting evidence as normal.

For guidance on making sure you have the correct evidence, refer to the LAA Claim Checklists, available here where the claim is made by way of form LAA CIV CLAIM1A:

[LAA CIV CLAIM1A Checklists](#)

Or here where the claim is made by way of form LAA CIV CLAIM1:

[LAA CIV CLAIM1 Checklists](#)

Please note, there are separate checklists for where the claim is assessed by either LAA or the court.

4. Appealing a reduction to costs

A reduction of costs can be appealed through the existing appeal process for reviewing decisions made by LAA by an Independent Costs Assessor (ICA).

For details on the right of appeal, refer to chapters 6.71 to 6.81 of the Standard Civil contract, available here:

[Standard Civil Contract](#)

Please note that any claim reduced on assessment at the court must be appealed through the courts.

4.1. Appealing a reduction to costs on a claim in the mandatory window

There is no right of appeal outside the terms of the Standard Civil Contract. However, if you voluntarily submitted a claim to LAA for assessment from 17 August 2020 and are dissatisfied with the assessment, you may have the court consider your claim de novo.

Further guidance on the process you should follow is available here:

[Guidance on Submitting a Claim Where You Have Sought to Set Aside LAA's Original Assessment](#)

5. Inter partes claims

There will be no changes to the requirements that any inter partes costs that require assessment must be assessed at court.

Refer to chapter 14 of the Cost Assessment Guidance, available here:

[Cost Assessment Guidance](#)

6. FAQ

Question	Answer
<p>I have completed the court assessment process, but I don't have the sealed assessment certificate yet. What can I do?</p>	<p>You will need to get the court to send you the completed assessment certificate in order to complete the process. LAA will not consider a claim that has been assessed at court without the assessment certificate.</p>
<p>I'm the second solicitor on the certificate, can I submit my bill separately from the first solicitor?</p>	<p>LAA's expectation is for one claim to be submitted that covers both providers costs to mirror the assessment at court process and the provisions of the Standard Civil Contract Specification. In exceptional circumstances, we can consider separate claims.</p> <p>For more information on claiming in CCMS, refer to the CCMS Advanced Guide 'Submitting a Claim When There Has Been a Provider Transfer'</p>
<p>What can I claim for preparing a bill?</p>	<p>Guideline times are published in the Cost Assessment Guidance. Where more time is required, it can be justified on assessment.</p>
<p>Can I still choose to have my claim assessed at court?</p>	<p>Yes, you may choose to complete the detailed assessment process at court should you wish.</p>
<p>Can I choose to have any claim assessed in this way?</p>	<p>No. This process change will only apply to claims that would previously had been assessed at court. If your claim is less than £2,500 and/or didn't conclude in front of a District Judge or above, then it should be drawn as an LAA assessed bill as normal. Any incorrectly submitted claim will be rejected to you to be redrawn.</p>

I don't have details of counsel's claims, will you assess my claim independently?

No, there will be no changes to the requirements for submission of counsel's claims. LAA's operational requirements for this to happen are available in the [CCMS Advanced Guides](#)



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