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| Legal Aid Agency | HCF Full Case Plan Checklist  For use with High Cost Family Case Plan - 1 Counsel cases registered on or after 01/10/2015 |

The purpose of this checklist is to reduce the likelihood of your Full Case Plan claim being rejected. Please complete the whole checklist, paying particular attention to requirements marked:

Warning Sign Clip Art High Cost Family Case plans are often rejected because they fail to meet these requirements;

**R** Denotes a ‘recommendation’ providing this information will likely reduce the request for further information to justify your projected costs.

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| Client’s name |  | Cert. Ref. No. |  |

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| Provider’s name |  | Provider’s Acct. No. |  |

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| --- | --- | --- | --- |
| Fee earner’s name |  |  |  |

|  | **Requirement** | **Notes** | **Provider checked** | **LAA use:** | |
| --- | --- | --- | --- | --- | --- |
| **Pass** | **Fail** |
| **1** | Provision to submit a full costed case plan  Warning Sign Clip Art | You will have been advised by LAA as of 01 October 2015 that we will not accept Public Law Cases on fully costed case plan unless written permission has been granted by the HCF team  In order to have permission to submit a fully costed case plan you must satisfy section 2.11 of HCF Family Cases information Pack 01 September 2015 available here:  <https://www.gov.uk/civil-high-cost-cases-family#ccfs-single-counsel-scheme> |  |  |  |
| **2** | Have you used the correct Case plan?  Warning Sign Clip Art | The correct form for full costed case plan is **HCF – Family Case Plan – 1 counsel (South Tyneside)** It is available at:  <https://www.gov.uk/civil-high-cost-cases-family#ccfs-single-counsel-scheme> |  |  |  |
| **3** | Certificate References – Front sheet  **R** | If there are multiple certificates involved please list all those involved as the contract will only be issued using a "lead" reference number and it can affect the pre contract value available. |  |  |  |
| **4** | Summary of case (section A)  Warning Sign Clip Art | In this section you will need to provide a brief summary of the case to date, confirming the level of court and providing a list of all hearings up to the date of registration for both solicitor and counsel. |  |  |  |
| **5** | Objectives (section B)  Warning Sign Clip Art | In this section you will need to provide a brief outline of the objectives of the case. |  |  |  |
| **6** | Case analysis (section C)  Warning Sign Clip Art | Please confirm the legal issues to the case confirming any favourable and unfavourable facts |  |  |  |
| **7** | Funding Cost Assessment and Case Theory (section D & E)  Warning Sign Clip Art | These section must be completed in private law and monetary cases as the means and merits of the case will be considered by the LAA |  |  |  |
| **8** | Enhancement  **R** | If you are seeking to claim an enhancement on costs you are required to provide justification for the level claimed.  The justification you provide for enhancement will be will assessed against cost assessment guidance section 12  <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/345287/legal-aid-costs-assessment-guidance-2013.pdf>  Please note however there are a number of items of work in which we would not expect to find enhancement above panel membership (if applicable). Your case plan will likely be rejected unless suitable justification is given for the allowance of enhancement on the following items which include but are not limited to:   * Travel * Waiting * Preparation of LAA documents (APP8 POA1 etc) * Preparing your case plan * Bill preparation * Sitting behind counsel at court * Routine correspondence * Administrative work (which can include attendance notes)   Panel Membership is inclusive of the enhancement sought and should not be added on top of the amount requested |  |  |  |
| **9** | Have you used the correct fee scheme and rates?  Warning Sign Clip Art | You must ensure that you use the correct fee scheme and fee rates are used. A rates calculator and guidance for civil claims are available at:  <http://www.justice.gov.uk/forms/legal-aid-agency/civil-forms/claims>  You must detail the amount of your profit costs so that LAA can check that you have claimed the correct fee. |  |  |  |
| **10** | Staged Costs  **R** | We often require further information for your profit costs; I refer you to the example case plan provided on our website for the preferred format in which you should provide your projected costs.  <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/318051/legal-aid-fully-costed-case-plan-example.pdf>  It is also worth considering the following:   * Where dates are available for hearings etc please include these within your plan * Try to avoid claiming large amount of time without showing a breakdown of the work to be carried out * For items such as travel and routine correspondence make sure you show the correct applicable rate and level of enhancement. |  |  |  |
| **11** | Disbursements and Expert fees  **R** | Where available you should provide disbursement vouchers, for projected disbursements and expert fees in which vouchers can’t be provided please provide the following information on the appendix 1 section of the case plan:   * The nature of the expert * The apportionment of the costs (where available the court order should be provided) * The hourly rate charged (including travel) * The expected number of hours separating out travel time. * Drugs tests will require court orders and though can be allowed in the case plan they will be assessed from your claim1 if not provided for bill payment. * Justification will be required in order to allow transcripts as per section 10.27 of the electronic hand book   <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/346843/legal-aid-electronic-handbook.pdf>  **Please note that LAA will keep the vouchers you provide.** |  |  |  |
| **12** | Counsel fees  Warning Sign Clip Art **R** | It is noted that it can often be difficult to provide counsel fees for projected costs  For projected Counsel fees please provide the following:   * Confirm how fee scheme counsel will be claimed i.e (FAS, FGF, CCFS, Hourly Rates) * Confirm the number of hearings claimed and the type of hearings undertaken. * If at hourly rate please provide a breakdown of how time will be spent confirming the hourly rate charged * If counsel fees are being claimed using CCFS rates court orders will need to be provided for advocates meetings undertaken. |  |  |  |
| **13** | Has case plan been signed and dated?  Warning Sign Clip Art | The certification must be signed and dated as indicated on part 3 of case plan form. |  |  |  |

**For LAA use:**

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| Caseworker’s name |  | Region |  |