

## **Submitting funding requests and correspondence to the Exceptional and Complex Cases Team**

If you have an application, amendment, case plan, appeal, request for prior authority or any query in one of the categories of law below, you will be able to submit an offline application. You will not need to request a contingency reference in advance.

We aim to process your request within our [published](#) timescales.

### **How to submit**

Using the requisite form below and [cover sheet](#), your funding request should be sent to [contactecc@justice.gov.uk](mailto:contactecc@justice.gov.uk) with supporting documents that are relevant to the application you are making, this could include:

- Detailed statement of case
- Decisions under challenge
- Letters before action & replies
- Counsel's advice
- Medical evidence

### **What does the Exceptional and Complex Cases Team (ECCT) process?**

ECCT determines public funding requests for cases within the Special Cases Work definitions and in specific categories of law below, some of which is limited to certain case types.

### **Special Cases Work Reg. 54 Civil Legal Aid (Procedure) Regulations 2012**

- All non-family, Court of Protection and Mental Health cases where the actual or likely costs of the case exceed £25,000 and require a case plan
- Multi-party action or potential multi-party action
- Appeal or proposed appeal to the Court of Appeal or Supreme Court
- The case is of significant wider public interest or involves a breach of Convention rights in order to make a funding decision
- From non-franchised providers who require an individual case contract or are bringing community actions

### **Case Plans**

**Non family case plans** should be sent to [contactecc@justice.gov.uk](mailto:contactecc@justice.gov.uk) – note that there is no requirement to register the case as high cost. Any deadline given to submit the case plan is suspended from the 19 May 2025 until the 16 June 2025. Work undertaken during this period will not be disallowed, and it should be separated out as a stage in the case plan, if it does not fall within the certificate costs limitation or existing stage of work. Costs must still reflect the correct rates of pay, be supported with fee notes or vouchers for disbursements etc.

If you have a case that is likely to become high cost, nearing the end of a current stage, scope and/or cost limitation, the case plan should be submitted as soon as practicable after the 16 June 2025 and it will be subject to the usual costs assessment.

**Court of Protection and Mental Health case plans** should be sent to [contactecc@justice.gov.uk](mailto:contactecc@justice.gov.uk) - any deadline to register/submit a case plan is suspended from 19 May 2025 until the 16 June 2025. Work undertaken during this period will not be disallowed, and it should be separated out as a stage in the case plan, if it does not fall within the certificate costs limitation or existing stage of work. Costs must still reflect the correct rates of pay, be supported with fee notes or vouchers for disbursements etc.

If you have a case that is likely to become high cost, nearing the end of a current stage, scope and/or cost limitation, the case plan should be submitted as soon as practicable after the 16 June 2025 and it will be subject to the usual costs assessment.

**High Cost Family case plans are not processed by ECCT** and should be sent to [highcostfamily@justice.gov.uk](mailto:highcostfamily@justice.gov.uk) – requests for two counsel/KC should be sent to [contactecc@justice.gov.uk](mailto:contactecc@justice.gov.uk)

### **(Limited) Judicial Review challenges**

Judicial Review only where e.g. challenging government policy (e.g., budget cuts, provision of services) or otherwise within the Reg 54 Special Cases categories above; examples below:

- Housing/Community Care
- Education/Discrimination
- Welfare Benefits
- NHS/healthcare
- Terrorism/military
- Environment/planning
- High Cost over £25,000

### **All Claims against Public Authorities**

- Actions against the police damages claims against the police
- Prisoners' rights, police & crime related judicial review
- Child abuse claims involving local Authority HRA/negligence, any direct abuse.
- Other in scope claims against public authorities
- HRA/negligence Article 2 damages
- Denial of Liberty HRA damages
- Equality Act e.g. education community care
- Serious wrongdoing by public authorities
- High Cost over £25,000

### **All Clinical Negligence**

- Neurological damage cases where the injury occurred within the first 8 weeks usually brain damage during birth and erbs palsy
- High Cost over £25,000

### **(Limited) Family, Court of Protection and Mental Health**

- Prior authority for KC or two counsel

- All substantive applications and amendments for the Court of Appeal and UK Supreme Court in family cases
- Court of Protection/Mental Health –high cost over £25,000

### **All Immigration and Asylum**

Certificated immigration, asylum and associated public law – usually JR challenges of Home Office decisions or lack of a decision where no right of appeal:

- All immigration or asylum judicial review applications, challenges to delays in decision making or of failure or omission to discharge obligations to applicant
- Tribunal Appeals - First Tier to Upper Tribunal and UT to Court of Appeal; relating to the Refugee Convention/Article 3 of the HRA, victims of domestic violence or human trafficking/modern slavery; separated migrant children.
- Appeals before Special Immigration Appeals Commission (SIAC) - national security issues.
- Claims for damages for unlawful immigration detention
- Claims for damages age assessment dispute – Local Authority is respondent
- Any case where applicant has insecure immigration status
- High Cost over £25,000

### **All Exceptional Case Funding**

Where you would ordinarily use CCMS, please submit urgent applications using the appropriate application forms. Guidance on the forms is here: [Legal aid: apply for exceptional case funding](#)

## **Application forms**

### **In-Scope**

[CIV APP1: application for civil legal aid certificate](#)

[CIV APP3: application for legal aid in family proceedings](#)

[CIV APP6: legal aid emergency application](#)

[CIV APP8: application for amendment/prior authority \(civil\)](#)

[CIV APP8A: application for prior authority/change \(cost limitation\)](#)

[CIV MEANS 1](#) – means assessment form for legal aid clients not on Income Support or other passporting benefits

[CIV MEANS 2](#) – means assessment form for people on Income Support or employment benefits who want to apply for legal aid

**Appeal/review requests** can be made in writing and sent to [contactecc@justice.gov.uk](mailto:contactecc@justice.gov.uk)

### **Exceptional Case Funding**

[CIV ECF 1: application for Exceptional Case Funding](#)

[CIV APP 1](#) - application for civil legal aid certificate

[CIV APP 3](#) – application for legal aid in family proceedings

[CW1](#) - for legal help in any civil case that does not involve court proceedings

[CW2 \(IMM\)](#) – for representation in immigration tribunal proceedings

[APP9E - Application for the review of a decision of the director of legal aid casework](#)