**External Civil applications Guidance**

**Submitting funding requests and correspondence to the Civil Applications Team**

We are working hard to restore access to LAA online services. In light of the prolonged period of system outage following the IT incident, the LAA will bring an enhanced set of business continuity arrangements into force on 27 June 2025. These arrangements will remain in effect until further notice. Please note that prior to this date, the existing contingency process will remain in place.

Our priority remains to maintain access to justice and ensure legal aid providers can be paid. These enhanced measures are designed to support legal aid providers, reduce administrative burden, and prevent a significant case backlog while contingency measures are in place.

For all matters involving exceptional and complex cases, please click here [ECCT submission quick guide](https://assets.publishing.service.gov.uk/media/6854035216eefd7361e989b2/ECCT_Submission_Quick_Guide_v3.pdf) for further information on how to submit work.

For all High-Cost Family related work please click here [High Cost Family (HCF) Contingency Processes](https://assets.publishing.service.gov.uk/media/6855788cb328f1ba50f3ce77/High_Cost_Family__HCF__Contingency_Process.docx) (MS Word Document, 21.2 KB) for further information on how to submit work. Please use the [High Cost Family submission cover sheet](https://assets.publishing.service.gov.uk/media/6855763ab328f1ba50f3ce71/Contingency_cover_sheet.docx) (MS Word Document, 27.9 KB)

**Delegated functions to grant emergency funding**

Providers can use delegated functions to grant themselves emergency funding if they have any work to undertake (which falls within the scope of Legal Aid regulations) and any subsequent work under the time limit of the emergency certificate. Emergency representation granted under Delegated Functions will contain 16-week and £4,500 costs limitations (providers have the ability to use delegated functions for a higher cost limit under emergency representation where it can be justified). The LAA will apply the limitations at the point we issue the certificate, any existing grants under Delegated Functions which have not been issued by LAA will include these new limitations also. There is no need for providers to submit Delegated Functions applications to the LAA under contingency, providers can submit on CCMS when LAA systems are restored.

A table of Delegated Authorities can be found [here](https://assets.publishing.service.gov.uk/media/6745da6b83f3d6d843be9717/Table_of_Delegated_Authorities_Procedure_Regulations_November_2024.docx) (link to be available 27 June).

A table detailing the Categories and Proceedings of when delegated functions can be used can be found here (link to be available 27 June).

The LAA will honour all uses of Delegated Functions which comply with the provisions of the relevant Contract and any applicable regulations. If it is determined that the merits criteria are not met at the point the LAA assesses the application, an embargo and/or discharge of the emergency certificate will take place from that date. Providers will be able to claim for work up to that date.

Where providers have used delegated functions, they can continue to amend the scope and cost limitations of their emergency grant for the 16 weeks, or until they submit the application on CCMS.

Providers when using delegated functions should capture all the information they would normally, including undertaking the client’s financial assessment and capturing any required evidence of the client financial circumstances.

The requirement to notify the Legal Aid Agency of an emergency grant within 5 days has been waived. Applications should be submitted once access to the LAA Online Portal has been restored.

**Support for providers using delegated functions**

To support providers using delegated functions to grant emergency funding, the LAA has developed two services and created information recordings/documents:

* For certain private law matters evidence of domestic abuse or child protection is needed to bring the proceeding within scope of legal aid. Given these types of evidence are prescribed by regulation to meet certain criteria, we sometimes cannot honour the use of delegated functions where those criteria are not met. To mitigate this, we are offering an email service so providers can check with the LAA whether evidence would be considered valid to bring the matter into scope before delegated functions are used. There is no need to email every piece of evidence to the LAA using this service prior to delegating functions. This service is only intended to be available where the provider is concerned that the evidence may not be accepted by the LAA. Where a provider is concerned that the evidence of domestic abuse or child protection they hold may not be accepted by the LAA to bring proceedings within scope of certain private law family matters, they can have it checked by emailing GatewayEvidenceCheck@justice.gov.uk. You should provide the clients name, opponents name, and proceedings to be applied for and your client's involvement. The LAA will consider the evidence and advise you if it is acceptable. You should attach our email to your application when you are able to submit it via CCMS. We will provide an explanation if the evidence is not acceptable. We will aim to respond to these emails within 48 hours.
* Providers who have complex queries in relation to a client’s financial eligibility assessment, can seek assistance from a dedicated team of caseworkers before granting emergency representation under delegated functions. Queries should be sent to ContactMeansExpert@justice.gov.uk We will aim to respond to these emails within 48 hours.
* There are recordings and documents available on Legal Aid Learning, Civil Contingency page <https://legalaidlearning.justice.gov.uk/civil-contingency/> to assist when making applications(link to be available 27 June).

**Non-Means, Non-Merits Cases**

Providers are authorised to sign off on applications and carry on work in non-means and non-merits tested cases. *These are Special Children Act matters and parental placement and adoption cases.* When access is restored to the LAA systems, applications can be submitted, and certificates will be backdated to the initial date work began.   Please note that for a parental placement and adoption case the client must be the parent or have parental responsibility and must oppose the order being made. If the client does not oppose the order, then the matter falls to be means and merits tested.

**Applications already submitted via CCMS.**

We are working to gain access to those submissions that were submitted to CCMS (but had not been processed when system access was removed) shortly after we gain access to our internal systems. If the provider has delegated functions, there is no need to do anything as the emergency time limitation will be issued to16 weeks. If delegated functions were not used the provider can consider exercising delegated functions (were available to them) to carry on work required or follow the contingency process below if delegated functions cannot be used.

**Delegated functions to amend a substantive certificate**

Where the LAA has made an initial substantive determination, providers can now amend new and existing cases under delegated functions. This will include changing scope limitations, adding new proceedings and amending costs limitations to a maximum of £7,900 where a higher limit is not already in place.

The determination will need to be in the same Category of Law as the original determination and will need to arise out of the same dispute, issue or incident as the original determination. For cases under the Family Category of Law this means the proceedings being covered are likely to be recorded on the same certificates by the LAA.

These changes will not apply in the following circumstances and will require determinations to be made by the LAA:

* determinations in relation to judicial review
* claims for damages
* changing the level of service to full representation following an original determination that the client qualifies for investigative representation
* applications to the Court of Appeal or any onward proceedings beyond this stage
* civil legal services being provided by virtue of a relevant contract in the following areas
* Claims Against Public Authorities
* Immigration and Asylum
* Clinical Negligence
* Discrimination
* Civil legal services described as Associated Civil Work provided under the Standard Crime Contract

Providers will keep a file record of amendment under delegated functions. The amendment will need to be submitted to LAA via CCMS once system access has been restored. Providers will need to add relevant proceeding/scope/costs to CCMS when sending the amendment. In the statement of case section providers must confirm the date an amendment was made under delegated functions (suggested wording 'DELEGATED FUNCTIONS USED ON \*\*/\*\*/\*\*\*\* to add proceedings/limitations etc'). The LAA will approve amendments granted by providers, not applying a separate assessment to the merits. Providers will just need to demonstrate the work is within scope under Part 1, Schedule 1 of LASPO.

If providers seek above £7,900 cost limit following use of delegated functions on a substantive certificate, they can submit the amendment for a decision at a later date, the LAA will exercise the backdating provisions were required. If the provider wants the LAA to make the decision, if they are unsure if the merits criteria is being met, they should submit a substantive amendment to the LAA following the substantive amendment section below.

### **Signed declarations when using delegated function**

The following applies in relation to grants of emergency representation via Delegated Functions made during the contingency process:

* A client signature is not required for the provider to grant emergency representation, which can be in place for up to 16 weeks.
* The LAA will not retrospectively challenge this grant for the lack of a signature if there is clear evidence (for example, email exchanges or telephone attendance notes etc) on the file that the grant was legitimately made in accordance with the client wishes. The evidence needs to demonstrate one of the following:
* The client formed the appropriate intention to sign and submit the application form, or
* You have been directly appointed by a court or tribunal to act for the client.
* At the point that an application can, be submitted onto CCMS, you should seek a signature from you client at the earliest possible opportunity.
* You may still submit a claim if you are unable to secure a client signature, including a digital signature, where:
* it is clear reasonable attempts have been made to secure the client’s signature, and you have provided evidence of the client’s intention to sign the form, or
* you have been appointed to act for a client by a court or tribunal.

**When providers are unable to use delegated functions to issue emergency funding**

Providers will not need to request a contingency reference number in advance. Providers will be able to submit the [civil application forms](https://www.gov.uk/government/collections/civil-legal-aid-application-forms) and [civil means-testing forms](https://www.gov.uk/government/collections/civil-legal-aid-financial-assessment-forms) with supporting documents which are relevant to the merits of the case and the client's financial means assessment direct to ContactCivil@justice.gov.uk.

To ensure the email is assigned to the correct team as quick as possible please ensure the subject line is titled ‘LAA BC Plus – Type of Application form – Type of Means Form (if applicable) - client’s name – firm name’

Example:



Any decisions made by the LAA on paper applications during contingency arrangements will be entered by the LAA onto CCMS once system access has been restored.

**Emergency Applications**

CIV APP6 should be used when there is no time to make a full application, and delegated functions cannot be used. To support the assessment, include:

* Statement of case
* Pre action correspondence
* Counsels’ opinion if obtained/relevant
* Any documents relevant to the application such as court orders, applications to court, opponents statement etc
* The relevant means form and supporting documents (unless the client is a child)
* Evidence of domestic abuse or child protection (private law family matters only)

**Substantive Applications**

Where a provider cannot delegate functions, the provider should use a CIV APP1 for legal representation in non-family proceedings or a CIV APP3 for family help (higher) and legal representation in family proceedings. These forms need to be accompanied with the relevant civil Means assessment forms (please note no means form is required where the applicant is a child). To support the assessment, include:

* Statement of case in support of application
* Valid LASPO evidence to bring the new proceedings into scope (if applicable)
* Pre action correspondence (if applicant/Claimant)
* Counsels’ opinion if obtained/relevant
* Any other documents relevant to the application such as court orders, applications to court, opponents statement etc

**If you have had an application, or application granted under contingency, and you are now seeking to amend this please ensure in your covering email you explain this case was granted under contingency and attach a copy of your granted notification.**

**Means Assessment**

If your client is on a passported benefit they will need to complete the CIV Means 2 form ensuring all sections are completed and the form is signed and dated. Any evidence required to support the assessment should also be attached to avoid delays in requests for further information.  *Universal Credit is the main passported benefit (if in payment) there are still some individuals who will receive legacy benefits, these include, Income Support, Income Based Job-Seekers Allowance, Income related Employment Support Allowance and Guarantee State Pension Credit.* Please note if your client is in receipt of a passporting benefit but also self-employed or in a business partnership, they must also complete form CIV Means 2A. Wherever possible, passported applications should also be submitted with a screenshot or download of the client’s latest monthly Universal Credit notification (the latter is not essential, but will speed up the passporting process if it is provided).

If your client is not on a passported benefit they will need to complete the CIV Means 1 form ensuring all sections are completed and the form is signed and dated. Any evidence required to support the assessment should also be attached to avoid delays in requests for further information, i.e. wage slips, bank statements.

If your client is self-employed, they will also be required to submit a CIV Means 1A, if the client is trading in a self-employed partnership, they will also need to complete the CIV Means 1B or the CIV Means 1C if they are a company director or shareholder in a limited company to accompany the CIV Means 1.

If the client is a child there is no requirement to submit a Means form.

**Substantive Amendments**

CIV APP8 forms to amend a substantive certificate to change proceedings, change scope limitation, change cost limitation, change of solicitor should be submitted via email to Contactcivil@justice.gov.uk. Please ensure all documents that would ordinarily be uploaded to CCMS are attached. To support the assessment, include:

* Copy of the latest certificate, showing the scope of cover and proceedings (were possible)
* Current cost limit
* Statement of case in support of amendment
* Supporting Court Orders and reports for any Final Hearing listing (if applicable)
* Valid LASPO evidence to bring the new proceedings into scope (if applicable)
* letter from the existing provider on record for the certificate advising they consent for the transfer to take place (for change of solicitor requests)

Please note above, delegated functions can now be used to amend a substantive certificate (which falls within the scope of Legal Aid regulations). Also, providers can submit the amendment for a decision at a later date, the LAA will exercise the backdating provisions were required.

**Further information requests**

If further information is required in relation to your client’s application or assessment an email will be sent to you via the ContactCivil@justice.gov.uk address. The email will contain a reference in the heading that will make it easy for the LAA to identify which caseworker has ownership of the case, so it is important that the information is returned with that reference still visible in the heading.

**Appeals**

If you wish to request a review of a decision made by the LAA under this process, please submit your appeal via email to **contactcivil@justice.gov.uk** within **14 days** of the decision being communicated.

Include the word **‘APPEAL’** in the email subject line for identification. Your submission should contain:

* A full statement of appeal
* Any supporting documentation
* Relevant client details
* The decision you are requesting to be reviewed

You will receive a response once the review is complete. If the original decision is upheld, we will inform you of any further right of appeal to an independent funding adjudicator.

Where a provider withdraws a determination (see below) and the client seeks a review, the same process will apply.

If an appeal was submitted before the system went down and no determination was made, please follow the same procedure here including the initial decision that was received from CCMS if available, alternatively you could consider making new application.

**Withdrawals**

Under the new arrangements until further notice providers will be able to withdraw funding in the following circumstances:

* The services made available by the determination have been provided
* The proceedings to which the determination relates have been concluded
* The individual consents
* The individual has died

In the above circumstance providers will need to make a file note that funding has been withdrawn, and update CCMS when access is restored.

For all other withdrawal reasons provider should submit the CIV APP11 form with all relevant information provided. These should be emailed to contactcivil@justice.gov.uk. Include the word **‘Withdrawal’** in the email subject line for identification. We will be in contact with any discharge or show cause issued on the certificate.

Outcomes will need to be submitted via CCMS once system access has been restored to enable the submission of your claim for costs.

**Re-assessments**

Re-assessment requests will only be accepted where a provider believes that a client is now out of scope to receive legal aid or where there is evidence that the client has failed to make a material disclosure when applying for legal aid. Your client may also be asked to provide fresh means forms where the LAA has received representations from a third party which cast significant doubt on the client’s ongoing eligibility for legal aid. Include the word **‘Reassessment’** in the email subject line for identification. Please follow the Means assessment section above to inform which form should be submitted.

**Means Reviews**

If you want a review of an assessment that has already been completed on CCMS you will need to provide a copy of the application plus the associated documentation that was originally uploaded onto the system emailed to ContactCivil@Justice.gov.uk. Include the word **‘Means Review’** in the email subject line for identification.

**Contributions**

Please note Contribution payments will be waived for any applications received on or after the [27 June 2025] until further notice. No contribution payments are due during the period of the emergency legislation and will not be required to be paid later. Contributions will become payable once Statutory Instrument is reversed and only from that date moving forward if case is ongoing. The LAA will still complete assessments on new cases but not request contributions whilst the waiver is in place.

These changes also apply to any cases received before 27th June 2025 where the client is making a monthly contribution. Please inform these clients to stop making payments in respect of any which are due on or after 27th June 2025. Payments will be reinstated when these changes are reversed at a later date.

Please note, the provisions in the Statutory Instrument prevent clients who have made contributions on an existing case from seeking its withdrawal and reapplying for funding in the same matter to which the initial civil legal services have been provided.

**Prior Authorities**

Civil Prior Authority requests where the provider cannot justify the expense of expert assessment, testing, etc on assessment can be submitted to the LAA using the CIV APP8A and submitted directly to CivilPriorAuthorityRequests@Justice.gov.uk. Please ensure you detail that you have a current live certificate on CCMS, that you have delegated functions to grant emergency funding or been granted an application under LAA Contingency in this matter.

**Queries**

For all queries that would previously have been submitted as a Case Enquiry, please email contactcivil@justice.gov.uk. Include the word **‘Query’** in the email subject line for identification. For case-specific queries, include the following details to assist the caseworker:

· Certificate reference number / Contingency number

· Relevant case details and supporting evidence (if applicable)

If there are any queries on the use of delegated functions due to complexity or the need for clarification on a point our customer service team can be contacted on 0300 200 2020.

**Application Forms**

*Where you would ordinarily use CCMS, please submit applications and means assessments using the appropriate forms on Gov.uk:*

[civil application forms](https://www.gov.uk/government/collections/civil-legal-aid-application-forms)

* [***CIV APP1: application for civil legal aid certificate***](https://www.gov.uk/government/publications/civ-app1-application-for-civil-legal-aid-certificate)
* [***CIV APP3: application for legal aid in family proceedings***](https://www.gov.uk/government/publications/civ-app3-application-for-legal-aid-in-family-proceedings)
* [**CIV APP6: legal aid emergency application**](https://www.gov.uk/government/publications/civ-app6-legal-aid-emergency-application)
* [**CIV APP8: application for amendment (civil)**](https://www.gov.uk/government/publications/civ-app8-application-for-amendmentprior-authority-civil)
* [**CIV APP8A: application for prior authority/change (cost limitation)**](https://www.gov.uk/government/publications/civ-app8a-application-for-prior-authoritychange-cost-limitation)
* [**CIV APP11: application for withdrawal**](https://www.gov.uk/government/publications/civ-app11-application-for-withdrawal)

[civil means-testing forms](https://www.gov.uk/government/collections/civil-legal-aid-financial-assessment-forms)

* [***CIV MEANS 1: financial assessment form, not passported***](https://www.gov.uk/government/publications/civ-means-1-financial-assessment-form-not-passported)
* [***CIV MEANS 1A: self-employed sole trader***](https://www.gov.uk/government/publications/civ-means-1a-self-employed-sole-trader)
* [**CIV MEANS 1B: trading in a self-employed partnership**](https://www.gov.uk/government/publications/civ-means-1b-trading-in-a-self-employed-partnership)
* [**CIV MEANS 1C: company director or a shareholder in a limited company**](https://www.gov.uk/government/publications/civ-means-1c-company-director-or-a-shareholder-in-a-limited-company)
* [***CIV MEANS 2: financial assessment form for legal aid clients***](https://www.gov.uk/government/publications/civ-means-2-financial-assessment-form-for-legal-aid-clients)
* [***CIV MEANS 2A: passported, self employed or in business partnership***](https://www.gov.uk/government/publications/civ-means-2a-passported-self-employed-or-in-business-partnership)
* [***CIV MEANS 3: client living outside the UK***](https://www.gov.uk/government/publications/civ-means-3-client-living-outside-the-uk)
* [**Financial assessment forms checklist, civil representation**](https://www.gov.uk/government/publications/financial-assessment-forms-checklist-civil-representation)

**Large Volume Submissions**

For large bundles of documents that cannot be sent via email please contact SFESupport@justice.gov.uk to register for access to Secure File Exchange. If you already have access to the ‘Civil Applications’ workspace within Secure File Exchange, please upload your documents as usual. Further guidance on the use of Secure File Exchange can be found here;

[Guidance for external requests to use secure file exchange (SFE) – Legal Aid Learning](https://legalaidlearning.justice.gov.uk/guidance-for-external-requests-to-use-secure-file-exchange-sfe/)

Please ensure all email submissions are clearly labelled and include the relevant reference details to help expedite processing. We appreciate your cooperation and will continue to provide updates as processes evolve.