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To: All legal aid practitioners

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Please quote the department above and
our reference: **Civil Registration / 3**

19 September 2003

Dear Sir / Madam

CIVIL LEGAL AID REFORM MAILSHOT 3

FEES AND ACCOUNTS

This mailshot covers the new fees and accounts system and is the third in a series of mailshots issued by the Board to provide information about the civil legal aid reforms. Because it contains guidance notes, it has been sent to all legal aid practitioners. The first mailshot, covering civil registration, was sent to all firms and the second, covering the applications and reporting system, was recently sent to all legal aid practitioners; if you require a copy of either, please telephone 0131 226 7061 and ask for extension 342 or download one from our website www.slabpro.org.uk (the username for the website is procurator and the password is LAACT1986).

As will you know, a major aspect of the reforms is the new block fee structure which will apply to the majority of cases in the sheriff court.

The new structure will provide:

- a single, simplified block fee structure
- an increase in fee levels
- payments to account as cases reach key stages

The Civil Legal Aid (Scotland) (Fees) Amendment Regulations 2003 amend the existing fees regulations for cases where the application is granted on or after 1 October 2003. The regulations provide for a single block fee structure which will apply to most cases in the sheriff court. The only exceptions are expressly set out and include adoption and freeing for adoption cases, fatal accident inquiries and summary applications. These exceptions and Court of Session cases will continue to be paid on a time and line basis, but with fee scales increased by 19%. The regulations apply only to civil cases and therefore children's cases are not included within the new fee structure.

The new structure will deliver better remuneration for solicitors and includes an increase in fee levels. It is also "front-loaded" to encourage early settlement of cases, and is designed to reward efficient conduct of cases.

The reporting system, outlined in mailshot 2, provides the mechanism by which solicitors will receive payment throughout the life of the case as the case reaches key stages. The new system will use a simplified fee table based on blocks of work. A block is a stage of work, linked to key procedural court steps which must be completed before payment can be made. Each block is made up of a certain number of units and each unit is paid at £19. Once the steps have been completed and the compulsory report submitted, the account can be submitted for the completed blocks at that stage. Accounts will be more straightforward and less time consuming to prepare and the payments to account will improve cash flow.

We are finalising the form to use for requesting payments to account and have developed a model account that we hope will assist the profession. We will make both documents available within the next few weeks.

The Law Society has recently issued detailed information about the Quality Assurance scheme.

As indicated in mailshot 2, copies of the solicitor’s form, the applicant’s forms, the reporting form, the SU2 and the SU4 will be sent out later this month.

Yours faithfully



Tom Murray
Director of Legal Services and Applications

Telephone Helpline

If you have any queries about fees or accounts under the new system please telephone our Civil Legal Aid Reform Helpline on
0131 240 2007

You can also use this number if you have a query about the registration process or the applications or reporting processes

Alternatively, you can e-mail us with any queries - civilreform@slab.org.uk

If you have any queries about the Quality Assurance system please telephone the Law Society on 0131 476 8147.

Have you missed any information?

Previously issued mailshots about the civil legal aid reforms

Details of Mailshot	Date of Mailshot	Issued by	Issued to
Mailshot 1 – Registration	29 August 2003	Board	All firms
Mailshot 2 – Applications and Reporting	5 September 2003	Board	All legal aid practitioners