

Introduction and Summary

Service Pack 38b sees extensive changes made to Family Court claims for Solicitors and Advocates. Family Private Representation and advocacy will be remunerated by two fixed fee schemes dependant upon the type of case and the court where it is heard. The Claim 1 and Claim 1A have been revised as a result of the new fees scheme introduction. The Family Forms revised in April 2011 have also been included with a full list included in the Form changes section. A number of Civil application forms have also been included.

Immigration Disbursement Stage claims can be made for matters not subject to the graduated fee scheme for both Legal Help and Controlled Legal Representation.

Finally, there have been some revisions to the Crime Module for Appeals and Reviews and AWOL claims.

SP38b Contents

Crime Module

- AWOL claim Revision
- Appeals and Reviews Rates revision
- Magistrates' Court Legal Aid Order date warning

Family Module:

- PFLRS Family Help (Higher) and Legal Representation
- Family Advocacy Scheme for Family Legal Representation
- Level 3 fee changes for S31 Care and Supervision proceedings

Immigration Module

- Immigration Stage Disbursements

Form Changes

Family

Claim 1 Version 2 (05.11)

Claim 1A Version 2 (05.11)

Controlled Work 1PL Version 2 (05.11)

The revised Family forms can be accessed from Document Processing in the following folders.

Mediation (0411)

Children's Act Forms (0411)

Divorce and Dissolution Forms (0411)

Financial Remedies Forms (0411)

Mediation Form Version

FM1 Family Mediation Information and Assessment 04/11

Divorce and Dissolution Forms

D6 Statement of reconciliation 04/11

D8 Divorce/dissolution/(judicial) separation petition 04/11

D8A Statement of arrangements for children 04/11

D8B Answer to a divorce/dissolution/(judicial) separation or nullity petition 04/11

D11 Application notice 04/11

D13B Affidavit in support of a request to dispense with service of the divorce/dissolution/nullity (judicial) separation petition on the Respondent 04/11

D36 Notice of application for decree nisi to be made absolute or conditional order to be made final 04/11

D80A Affidavit in Support of divorce/(judicial) separation - adultery 04/11

D80B Affidavit in Support of divorce/dissolution (judicial) separation - unreasonable behaviour 04/11

D80C Affidavit in Support of divorce/dissolution/(judicial) separation - desertion 04/11

D80D Affidavit in Support of divorce/dissolution/(judicial) separation - 2 years consent 04/11

D80E Affidavit in Support of divorce/dissolution/(judicial) separation - 5 years separation 04/11
D81 Statement of information for a Consent Order in relation to a financial remedy 04/11
D84 Application for a decree nisi/conditional order or (judicial) separation decree/order 04/11
D89 Request for personal service by a court bailiff 04/11
D151 Application for registration of maintenance order in a magistrates' court 04/11
D252 Notice of commencement of assessment of bill of costs. 04/11
D254 Request for a default costs certificate 04/11
D258 Request for a detailed assessment of hearing 04/11
D258A Request for detailed assessment (legal aid only) 04/11
D259 Notice of appeal against a detailed assessment (divorce) 04/11

Financial Remedies Forms

Form A Notice of [intention to proceed with] an application for a financial order 04/11
Form B Notice of an application to consider the financial position of the Respondent after the divorce/dissolution 04/11
Form E Financial Statement for a financial order 04/11
Form F Notice of allegation in proceedings for financial remedy 04/11
Form H Estimate of costs (financial remedy) 04/11
Form H1 Statement of costs (financial remedy) 04/11
Form I Notice of request for periodical payments order at the same rate as order for interim maintenance pending outcome of proceeding 04/11
Form P Pension inquiry form 04/11
Form P1 Pension sharing annex 04/11
Form P2 Pension attachment annex 04/11

Children Act Forms

C1A Allegations of harm and domestic violence (supplemental information form) 04/11
C2 Application: for permission to start proceedings; for an order or directions in existing proceedings; to be joined as, or cease to be, a party in existing family proceedings under the Children Act 1989 04/11
C5 Local Authority application concerning the registration of a child-minder or a provider of day care 04/11
C8 Confidential contact details 04/11

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C100 Application under the Children Act 1989 for a residence, contact, prohibited steps, specific issue s 8 order or to vary or discharge a s 8 order 04/11

All Civil Modules

CLS APP1 Version 13 (10.10)

CLS APP3 Version 16 (05.11)

CLS APP8 Version 14 (10.10)

CLS APP11 Version 5 (06.09)

Note. These forms can be accessed for Civil, Family and Immigration matters from the folder named "CLS Forms"

Immigration

Controlled Work 2 Imm Version 8 (04.11)

CW3A Imm Version 6 (04.11)

CW3B Imm Version 6 (04.11)

CW3C Imm Version 6 (04.11)

Crime Module

Crime Billing Revisions

- AWOL Claims
- Appeals and Reviews
- Representation Order claim warning when no LAO Date has been entered

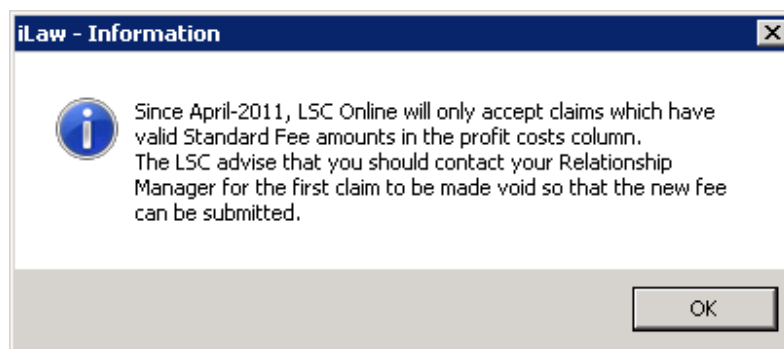
AWOL Claims

The Profit Costs field is now subject to validation on crime monthly submissions which has led to a revision for claiming fees when a second Proceedings claim is made when the client has absconded. This will apply to matters billed on or after 1st April 2011.

When an AWOL marker is added, the AWOL billing screen will show the following warning that an AWOL marker has been detected.

 [AWOL Marker detected. The LSC advise you should contact your Relationship Manager - click for more details](#)

Further explanation is provided if you click on the warning. If a claim has previously been made, it must be made void by your relationship manager for the new claim to be submitted.



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Appeals and Reviews

The work type Representation in Divisional Court of Appeal has been removed and replaced by the, "Representation on an appeal by way of case stated" according to the unified contract.

The rates are determined by the **Location** selected in Setup.

	National	London
Routine Letters	7.50	7.50
Telephone Calls	4.15	4.15
Preparation	75.00	79.50
Attending (Counsel)	37.00	37.00
Attending (without Counsel)	75.00	75.00
Travel	33.25	33.25
Waiting	33.25	33.25

Representation Order claim warning when no LAO Date has been entered

A warning will show in the Standard Fee CDS6 billing screen for matters that have not had a Representation order date entered in Client Details. A LAO Order date must be entered for iLaw to calculate the correct set of standard fees and fee limits.

 No Representation Order date has been entered. Revised fees cannot be calculated and this claim may be incorrect

Family Module

Phase 2 Family Fees: PFLRS and FAS

1. Private Family Legal Representation Scheme

PFLRS claims are standard fees plus disbursements submitted on the revised Claim 1A for matters with a representation order. They cover all work from the issue of proceedings up to the conclusion of the Final Hearing. Each standard fee payable depends upon the Provider Location, London or National, the Court where the case was heard and the aspect of case for which work has been done.

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Cases will be claimed as one or more than one proceeding or 'aspect'. These are:

- Children
- Finance (Ancillary Relief)
- Domestic Abuse (PFLRS Level 4 only)

Work is recorded for two levels for PFLRS:

- Level 3 – up to not including final hearing
- Level 4 – final hearings

An additional claim can be made for attending Enforcement Hearings for Children and Finance matters.

Claiming PFLRS work

When creating a new client matter for a Level 3 or Level 4 PFLRS claim make sure that "Family" is selected in the **Work type** dropdown in **Client details**. You should also check that either "London" or "National" is selected as the **Location?** in **Setup**.

Important. PFLRS billing Fees are determined by the work entered in **Time Records** so make sure you add the right record for the Court and Aspect the case concerns.

In **Time Records**, select the **Legal Aid type** once the Fee Earner and charge date have been set. This will reflect the PFLRS level (Either Level 3 or Level 4) and the Court (Family Proceedings, County or High Court).

If the Legal Aid Type is Family Private Level 3, will need to also select one of these two aspects as the **Level 3 WorkType**:

- Children
- Finance

When Time Records have been recorded for Family Private Level 3 and for the Children or Finance aspect, this will trigger a row of costs in the PFLRS billing screen. This will enable the

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appropriate standard fee to be claimed. If work is recorded for both aspects then two rows will show allowing two standard fees to be claimed.

Finance Level 3 Settlement Fee

When Finance is selected as the Family Private Level 3 Work type you can claim a settlement fee which will be claimed on top of the calculated Level 3 Standard Fee. The settlement fee is not taken into account in deciding whether a case escapes the standard fee but if the total of costs recorded mean the case does go exceptional no settlement fee may be claimed.¹

There are three Aspects which can be claimed for Level 4 final hearing work. For each aspect there is also an additional payment, presented as a separate aspect for billing purposes in the **Level 4 Worktype** dropdown box, should there be an extra enforcement hearing for Children and Finance matters or a further Domestic Abuse hearing attended. Select the appropriate **Level 4 WorkType** for the work or attendance being recorded. These are:

- Children
- Finance
- Domestic Abuse
- Children – Enforcement
- Finance - Enforcement
- Domestic Abuse – Further Hearing

Time recorded for each level 4 aspect will create a row of costs in the PFLRS billing screen which presents the relevant fee to be claimed. Level 3, Level 4 and any enforcement or further hearing work recorded will all show as separate rows detailing the total of costs and the fee that will be paid.

Level 4 Enforcement Fee for Children and Finance claims

This additional fee for Enforcement Proceedings will be half the relevant Level 4 fee. Enforcement Hearing(s) are attended after the Final Hearing (Level 4 work) and are for Children and Finance aspects only.² Although a separate row for these fees show in the PFLRS billing screen the costs

¹ Section_7_-_family_-_26.03.10.pdf paragraph 7.62

² Source: p24 Section_7_Family_-_26.03.10.pdf confirmed by the LSC as valid.

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will be included in the calculation for Exceptional claims if there is time recorded for the same aspect at Level 3 or Level 4.

Domestic Abuse Further Hearing

If further court hearings are necessary for Domestic Abuse Proceedings, a second standard fee can be claimed. This payment is triggered by selecting **Family Private: Level 4** for the court type and **Domestic Abuse – Further Hearing** set as **Legal Aid Type**.

PFLRS Billing

There are two new links under the Claim 1A heading in the Family billing options screen for PFLRS and FAS which will take you to the appropriate section for reviewing costs recorded and the fees that can be claimed.

- ➔ **Claim 1A - Care Level 3, PFLRS & FAS**
- ➔ Care Level 3: County & Magistrates Court (0 unbilled items, 0 billed items)
- ➔ Care Level 3: High Court (0 unbilled items, 0 billed items)
- ➔ Family Proceedings Graduated Fee - Levels 3 & 4 (4 unbilled items, 0 billed items)
- ➔ Family Advocacy Scheme (3 unbilled items, 0 billed items)

The Billing screen shows the Standard Fee for the Level, Court and Aspect of work entered in time records.

Level	Court	Aspect	Actual Costs	Standard Fee	VAT	Exceptional?
Level 3	High Court	Private Law Children	£192.18	£471.00	£82.43	
Level 4	High Court	Private Law Children	£127.46	£335.00	£58.62	No
Enforcement	High Court	Private Law Children	£200.51	£167.50	£29.31	
Fee Totals				£973.50	£170.36	
Disbursements				£30.00	£0.00	
POA's claimed				£0.00	£0.00	
FAS Advocacy				£940.00	£164.50	
Totals				£1,943.50	£334.86	

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Exceptional Claims

Exceptional cases will be paid by hourly rates if the total for each aspect is three times the aggregate of fees payable. There are separate thresholds within each aspect according to the levels time is recorded for.

The following examples show how the exceptional claim threshold is aggregated for a matter:

- *Level 3 Work only*

If only Level 3 work is recorded the Exceptional case threshold will be 3 x Level 3 Fee.

- *Level 3 and Level 4 Work*

If Level 3 and Level 4 work is recorded the Exceptional case threshold will be 3 x Level 3 Fee + 3 x Level 4 Fee. The combined actual costs of the Level 3 and Level 4 work must be equal or more than this amount.

- *Level 3, Level 4 and Enforcement Hearing (further Domestic Abuse Hearing)*

If Level 3 and Level 4 work is recorded with an Enforcement additional fee the Exceptional case threshold will be 3 x Level 3 + 3 x Level 4 + 3 x Level 4 divided by 2 (Enforcement Fee). The combined actual costs of all levels of work must be equal or more than this amount.

iLaw will calculate whether the work recorded for each individual aspect has gone exceptional. A Yes or No will show in the **Exceptional** column in the row of costs.

PFLRS Excluded Schemes

There are a number of schemes excluded from PFLRS Schemes claimed on the Claim 1 such as Child Abduction, Inheritance Act (Provision for Family and Dependents) Act 1975 and TOLATA 1996. A full list of excluded schemes can be found in the guidance for Phase 2. These claims can continue to be billed on the revised Claim 1 for Family Magistrates' and County or High Court matters.

Table of Level PFLRS Standard Fees³

	Children	Finance	Domestic
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³ Family Legal Aid Funding 14 October 2010 Phase 2 Fees
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Provider Office Location	Court						Abuse	Bolt-Ons permitted
		Level 3	Level 4	Level 3	Level 3 Finance with Settlement uplift	Level 4	Level 4	
Not London	Family Proceedings	£392	£279	£436	£523	£346	£563	N/A
Not London	County	£392	£279	£436	£523	£346	£563	N/A
Not London	High	£471	£335	£523	£628	£416	£675	N/A
London	Family Proceedings	£471	£335	£523	£628	£416	£675	N/A
London	County	£471	£335	£523	£628	£416	£675	N/A
London	High	£565	£402	£628	£753	£499	£810	N/A

2. Family Advocacy Scheme

The FAS scheme covers all Advocacy from the issue of proceedings up to the conclusion of the final hearing under a certificate granted following an application made on or after the date specified by the LSC.

The FAS scheme is divided into Five Proceedings

- Care and Supervision
- Other Public Law Children
- Private Law -
 - Children
 - Finance
 - Domestic Abuse

FAS Fixed Fees depend on the Proceedings and the Court the advocacy takes place

- Family Proceedings Court
- County Court
- High Court

Family Advocacy Scheme Claims

In the Time Records screen, record the Advocacy time spent at each hearing under one of the FAS Activities.

- Interim Hearing
- Advocates Meeting Fee (Public Law Only) ⁴
- Final Hearing
- FDR Hearing (Private Law Finance)

A Standard Fee may be claimed for the provision of advocacy at Interim Court Hearings. The Fee is determined on the Category (or Proceeding) of the Case and the Court in which the Advocacy is provided to the client. Different Fees are then paid in respect of each activity provided in different categories of the case. These fees can be increased by adding bolt on fees which are available in the billing screen only and not in time records.

FAS Activities

- Interim Hearing fees

Interim Hearing fees are based on 2 hearing units for Advocacy work recorded.

Hearing Unit 1 – Less than or equal to 1 hour

Hearing Unit 2 – More than 1 hour but less than or equal to 2.5 hours

When the advocacy recorded is over 2.5 hours a multiple of HU2 is calculated and rounded up.

- Advocates Meeting Fee

An Advocates Meeting Fee can be claimed for Public Law matters.

The FAS Worktype will either be **Public Law: s31 Care Proceedings** or **Public Law: Other Public Law**. Select **Advocates Meeting Fee** from FAS Activity

iLaw will know when there has been an Advocates Meeting Fee recorded for different dates and present multiple Hearing Fees in the Advocacy costs screen.

- FDR Hearing Fee

Financial Dispute Resolution Hearings for Finance cases are paid in the same way as Interim Hearing fees with the fees involved reflecting the importance, complexity and additional

⁴ Family_Advocacy_Scheme_Guidance_Oct_2010_v1.0.pdf

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preparation. Select **FDR Hearing** as the **FAS Activity** in **Time Records**. iLaw will calculate which hearing fee(s) can be claimed from the time entered.

FDR Hearing Unit 1 Fee – Less than or equal to 1 hour
 FDR Hearing Unit 2 Fee – More than 1 hour but less than or equal to 2.5 hours
 When the advocacy recorded is over 2.5 hours a multiple of Hearing Unit 2 is calculated and rounded up.

So:
 If you are claiming less than 60 minutes – **Hearing Unit 1 is claimed**
 If you have claimed 61 – 150 minutes – **Hearing Unit 2 is claimed**
 If you are claiming 151 – 300 minutes – **2 x Hearing Unit 2 fees are claimed**

- Final Hearing Fee
 A Final Hearing Fee can be recorded by adding the work done for the hearing in **Time Records** and then entering how many days the hearing lasted in the FAS billing screen. The fee is payable for each day, or part day of a hearing regardless of the length of time spent at court.

Select either **Family FAS County Court** or **Family FAS High Court** as the **Legal Aid Type**. A Final Hearing Fee cannot be claimed for Finance Hearings at the Family Proceedings Court. Select the **FAS Worktype** applicable and **Final Hearing Fee** as the **FAS Activity** to record your work.

In the FAS billing screen select the row of costs for the Final Hearing. You will be able to see this from the description in the **Type** column. In the lower part of the screen the Length of Final Hearing will become active. Enter the length of the final hearing.

Length Of Final Hearing

Days Final Hearing Lasted

FAS Billing

The **Family Advocacy Scheme** link in the Family Billing options screen takes you into the screen where you can view the FAS Fees calculated for claiming and where you can select any appropriate Bolt on Fee.

FAS “Bolt-On” Payments

Bolt-On Fees are claimed in addition to the Hearing Fee and these are selected in the billing screen when preparing the FAS claim.

- Allegations of Significant harm

This Bolt-On Fee can be claimed where your client is facing allegations that they caused significant harm to a child. The fee is 25% of the hearing fee and is claimed for Public and Private Law FAS claims.

- Client – Lack of Understanding/ difficulty given instructions

This Bolt-On fee is for public law cases only. The fee claimed is 25% of the base fee.

- Expert’s Cross Examination (Expert/s has to be substantially challenged in court)

This bolt-on can be claimed for Public law and Private Law Children cases. It is not available for private law finance and domestic abuse cases. The Bolt-On is payable for each advocate at the hearing where the cross examination took place.⁵

Public Law Cases are 25% of the base fee

Private Law Children cases are 20% of the base fee

- Finance Early Resolution Fee

This Bolt-On is claimable only on Private Law Finance Cases (Ancillary Relief) that settle at the first appointment or FDR. This activity covers all hearings other than the final hearing, commonly covering all directions hearings including: the first appointment and the Financial Dispute Resolution hearing in an ancillary relief case.

- Recording a FAS Resolution Fee

⁵ Family_Advocacy_Scheme_Guidance_Oct_2010_v1.0.pdf paragraph 36

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The Finance Early Resolution Fee applies to matters in the County or High Court. Select **Family FAS County Court** or **Family FAS High Court** as the Legal Aid Type and the appropriate FAS work type. In the FAS Activity dropdown select **Final Hearing Fee**. The Finance Early Resolution Fee is only claimable for Private Law Finance cases.

		Early Resolution Fee
Finance	County Court	£140.40
Finance	High Court	£168.50

- Court Bundle Payments

Court Bundle payments can be claimed as a Bolt-On for Interim and Final Hearings. Only one Court Bundle Fee can be claimed per hearing. They can be claimed in public and private law Children and Finance cases but may not be claimed for Domestic Abuse hearings.

Recording a Court Bundle Payment

Enter the number of pages in the Court Bundle in the box provided. The additional payment will show in this section and in each FAS row of costs for billing.

Court Bundle

Number of pages in court bundle

Additional Payment: £66.00

There are three levels of additional payments with 350 the minimum amount of pages that can be claimed for.

Exceptional Travel

This Bolt-On payment is available for all Hearings and is the only Bolt-On which can also be claimed for attendance at an Advocates' Meeting in Public Law cases and for Conferences (Counsel only). The exceptional travel fee is only payable where the journey from the advocate's office or chambers to the court exceeds 25 miles each way.

Family advocacy Scheme Payments

Fees (National)	In House and Self Employed (SE) Advocates				
	Care & supervision	Other public law	Private children	Private finance	Private domestic abuse
Family Proceedings Court					
Hearing Unit 1	£96.35	£96.35	£69.55		£90.55
Hearing Unit 2	£240.90	£210.65	£174.15		£226.40
Final Hearing Fee	£562.50	£515.90	£441.15		£401.30
Advocates Meeting Fee	£142.40	£142.40			
County Court					
Hearing Unit 1	£106.00	£92.65	£76.60	£70.20	£90.55
Hearing Unit 2	£264.95	£231.70	£191.50	£175.50	£226.40
FDR Hearing Unit 1				£112.30	
FDR Hearing Unit 2				£280.80	
Finance Early Resolution Fee				£140.40	
Final Hearing Fee	£618.75	£567.50	£485.25	£493.00	£401.30
Advocates Meeting Fee	£156.65	£156.65			
High Court					
Hearing Unit 1	£127.20	£111.20	£91.95	£84.25	£90.55
Hearing Unit 2	£317.95	£278.00	£299.85	£210.60	£226.40
FDR Hearing Unit 1				£134.80	
FDR Hearing Unit 2				£336.95	
Finance Early Resolution Fee				£168.50	
Final Hearing Fee	£742.50	£681.00	£582.30	£591.60	£401.30
Advocates Meeting Fee	£188.00	£188.00			

Court bundles – Public Law & Private Law Children & Finance		Exception
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	CB1 (350 – 700)	CB2 (>700)	CB3 (>1,400)	al Travel
				Travel (>25 miles)
Interim Hearing	£66.00	£99.00		£35.60
Final Hearing	£177.00	£266.00	£354.00	£35.60

FAS Bolt-On Payments

Bolt-Ons permitted(% of hearing fee unless indicated otherwise)						
Proceedings	Court	Exceptional Travel	Court Bundles (see below)	Acting for the parent or others against whom allegations are made.	Expert(s) has to be substantially challenged in court	Client has difficulty giving Instructions / Understanding advice
Care and Supervision	Family Proceedings	£35.60	Y	25%	25%	25%
Care and Supervision	County Court	£35.60	Y	25%	25%	25%
Care and Supervision	High Court	£35.60	Y	25%	25%	25%
Other Public Law Children	Family Proceedings	£35.60	Y	25%	25%	25%
Other Public Law Children	County Court	£35.60	Y	25%	25%	25%
Other Public Law Children	High Court	£35.60	Y	25%	25%	25%
Children	Family Proceedings	£35.60	Y	25%	20%	25%
Children	County Court	£35.60	Y	25%	20%	25%
Children	High Court	£35.60	Y	25%	20%	25%
Domestic Abuse	Family Proceedings	£35.60	N/A	N/A	N/A	N/A

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Domestic Abuse	County Court	£35.60	N/A	N/A	N/A	N/A
Domestic Abuse	High Court	£35.60	N/A	N/A	N/A	N/A
Finance	County Court	£35.60	Y	N/A	N/A	N/A
Finance	High Court	£35.60	Y	N/A	N/A	N/A

Payments on Account for Family PFLRS and FAS claims

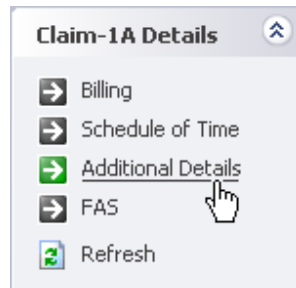
The Payments on Account screen has been revised to accommodate POA claims for PFLRS and FAS work. Three new checkboxes have been added to accommodate the following payment on account claims:

- **Claim for Disbursements**
This option is used for claiming the full amount for PFLRS and FAS Disbursements
- **Profit Costs (excluding advocacy) incurred to date PFLRS**
This option is used for a 75% payment on account for current profit costs excluding advocacy that will be claimed on the Claim 1A for PFLRS work.
- **Advocacy Costs (non FGF) incurred to date FAS**
This option is for a 75% payment on account for current profit costs for advocacy only.

Disbursement claims (Option b) can be claimed with the options for Profit Costs or Advocacy Costs which will result in two entries showing on the CLSPOA1.

Claim 1A Additional Details

The Claim 1A requires additional information that iLaw will collect and store against the client and file reference. It may be easier to record these details here rather than making the selections in the Claim 1A (created in MS Word™) which will be lost if a reprint is needed. Click on the **Additional Details** link in the **Claim-1A Details** menu.



All three sections relate to information in Sections 1 and 2 of the form.

- Outcome of Case: Claim 1A Section 1
- Previous advice and other related claims: Claim 1A Section 1
- Other Details: Section 2

Care Level 3 Reduction in Fees for Section 31 Care and Supervision

New fees will be applicable to Care Level 3 matters where the certificate granted is on or after 9th May 2011 for section 31 Care and Supervision proceedings.

How the new fees will be appropriated in iLaw

1. Make sure you have a Supra Region set in iLaw setup. This is in the opening **Office Management** screen. There are five Supra Regions that affect the Level 3 fee calculated.
2. Make sure you select the **Client Type** in Client Details. This will either be Child, Parent or Joined. You can also do this in the Actual Costs incurred screen in the Care Level 3 Claim 1A billing screen
3. Enter the date when the certificate was granted in the **LAO Date** box in Client Details.
4. Record work for the Care Level 3 time records:
Care Level 3 s31 claims: County and Magistrates Court
Care Level 3 s31 claims: High Court
5. In the Care Level 3 Claim 1A billing screen select the Court and number of clients acted for, not applicable for Joined Party for iLaw to calculate the Fee and whether an Exceptional Claim can be made if profit costs recorded have exceeded the limit shown.

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Amendment to Care Level 3 fees

Party	Court	No of clients	Midlands	North	London and south	Wales
Child	Other (i.e. not high)	1	£2,165	£1,775	£2,485	£2,426
Child	Other (i.e. not high)	2+	£3,247	£2,662	£3,728	£3,639
Child	High	1	£2,879	£2,361	£3,305	£3,226
Child	High	2+	£4,319	£3,542	£4,957	£4,838
Joined party	Other (i.e. not high)		£1,148	£887	£1,334	£1,445
Joined party	Other (i.e. not high)		£1,527	£1,180	£1,774	£1,922
Parent	Other (i.e. not high)	1	£2,840	£2,359	£3,230	£2,925
Parent	Other (i.e. not high)	2	£3,551	£2,948	£4,037	£3,657
Parent	High	1	£3,777	£3,137	£4,296	£3,891
Parent	High	2	£4,721	£3,922	£5,369	£4,864

Immigration Module

Immigration Disbursement Stage Billing

Disbursements recorded for Immigration Legal Help or Legal Representation matters can now be claimed prior to claims continuing under representation or the submission of a completed claim. Stage disbursement claims are shown on the monthly submission and are subject to limits which will not be applied when prior authority has been successfully sought and reference number entered. In order to distinguish from Stage Disbursement Claims, Stage Claims (e.g. matters

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which are continuing under representation) and Completed claims, the **Claim Type** field has been added to the Immigration CMRF submission from May 2011.

Making a Stage Disbursement Claim in iLaw

Record all Immigration Legal Help and Legal Representation disbursements in **Time Records** as you normally would. In the Immigration Legal Help and Legal Representation billing screens the **Claim Type** dropdown has been added to the **Additional Information** section.

1. Select the Claim Type

Select [DC] – Stage Disbursement Claim from the **Claim Type** dropdown. You can now select the disbursements(s) which are to be claimed as a stage claim from section five, **Details of Disbursements for Stage Claim**.



2. Select the disbursement(s)

Tick the check box in the **Stage Claim?** column. The Total of disbursements will show in **Additional Information**.

Reason	TD? Stage Claim?
Disb.	<input checked="" type="checkbox"/>

3. Select the Matter Types, Outcome and Stage Reached.

The selection of Matter Type and Outcome codes will determine the validation of the Stage Disbursement Claim. Stage disbursement claims apply to hourly and standard rate cases. The table shows the legitimate claim codes for Immigration Stage Disbursement and Stage claims. The Outcome for the client must be set to -- (double dash) for the stage disbursement claim to be successfully submitted to LSC Online.

Matter Type 1	Matter Type 2	Stage Reached	Outcome Code
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IAXL	Any (Except IDAS and IPST)	Any EXCEPT IG, IH and IK	-- Double Dash
IMXL	Any (Except IDAS and IPST)	Any EXCEPT IG, IH and IK	-- Double Dash
IMXC	Any (Except IDAS and IPST)	Any EXCEPT IE and IF	-- Double Dash
IAXC	Any (Except IDAS and IPST)	Any EXCEPT IE and IF	-- Double Dash

4. Immigration Disbursement Limits and Prior Authority

The following disbursement limits, **exclusive of VAT**, apply to the majority of immigration cases:

Legal Help: £400 (exclusive of VAT) for Legal Help (Stage 1);

CLR: £600 (exclusive of VAT) for CLR (Stage 2).

The relevant disbursement limits will be applied to all immigration disbursement claims, unless a prior authority number has been recorded or it falls within one of the exceptions.

5. Entering a Prior Authority Number

The format of the PA ref number is ANNNNNN. This field will be used to record the NIAT reference number for prior authority to exceed disbursement financial limits. Where a reference number is entered, the disbursement financial limit will not be applied to the claim(s). If the disbursement limits have not been exceeded and a reference number not entered, payment will be the amount claimed.

There are exceptions that apply when no prior authority number has been entered with the reporting of the following Matter Type 2 codes;

- IMER (s103A Review Applications – Advice on Merits)
- ICOA (Application to AIT for Leave to Appeal to Court of Appeal)
- IRAR (Review and Reconsideration Work - Subject to a Costs Order)
- IRHO (Review and Reconsideration Work - Not Subject to a Costs Order)

Where any of the above Matter Type 2 codes have been reported, the disbursement limits (without prior authority) do not apply.

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	NET	VAT
Fee(s) Claimed:	0.00	0.00
Disbursements: *	400.00	80.00
Counsels Costs:	0.00	0.00
Additional Payments:	n/a	n/a
JR / Form Filling:	n/a	n/a
Detention Centre Travel	n/a	n/a
Totals:	400.00	80.00

Your disbursements claim has been capped as you have not entered a Prior Authority reference number.

Capped Disbursements claimed – Important iLaw Accounts information

Where a reference number is not entered and the disbursement limits are exceeded, iLaw will cap the disbursement(s) total and a message will request a valid prior authority number to be entered before submission. If you continue with the submission without a valid prior authority number, one or more disbursements will be part-paid. When the claim is sent to the iLaw Accounts ledgers you will be able to allocate SMP monies for the capped amount but you will still be liable to pay the full amount to whom the disbursement was raised.

Making a Stage Claim

When making a Stage Claim you should also make sure that the **Outcome for the Client** set is - - (Double Dash) and the Claim Type dropdown is **Stage Claim**.