

# Introduction and Summary

Service Pack 39 includes important fee and rate changes to the Civil, Crime and Immigration Modules. The proposed fee and rate changes to Family work are due to take place in February 2012. The October 2011 changes to Magistrates' Court Standard fees and fee limits have also meant a new Litigators Scheme fee claimed when the client elects for a crown court trial and the trial does not proceed.

The Advocates Graduated Fee module implements Scheme 8 fee changes for matters with a Representation Order date on or after 3 October 2011.

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#### Advocates Graduated Fee Scheme 8

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## **Crime Forms revision**

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LF1 Version 7

LAC Version 1

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1. Reduction for all Civil Standard Fees
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## **Civil Forms Revision**

Claim 1 Version 14

Claim 1A Version 5

Controlled Work 1 version 18

CLSPOA1 Version 5

EC Claim 1 IMM Version 6

## Crime Module

### 1. New fields for Reporting Magistrates' Court Work

Two new fields have been introduced for Crime Monthly submissions made after November 2011:

- Representation Order Date
- Standard Fee Category

#### > Representation Order Date

The Representation Order Date will be taken from the 'MC LAO Date' entered in 'Client Details'. It is a mandatory field for the Crime SPOCC submission from the October 2011 submission onward. The entry of the 'MC LAO Date' is essential for iLaw to apply the correct Magistrates' Court Fees and Fee Limits. You can check if the Representation Order date has been entered in the 'CDS6 > Standard Fee' billing screen or by using the 'Proceedings Limits' menu control in 'Time Records'.

#### > Standard Fee Category

The Standard Fee Category field will be taken from the Magistrates' Court Standard Fee selection made in the billing screen or if you have used the 'Proceedings Limits' menu control in 'Time Records'. It is a mandatory field for the Crime SPOCC submission from the October 2011 submission onward.

Magistrates' Court Standard Fee Category	Value shown in the bulkload spreadsheet
Category 1 : Either Way	1EW
Category 1 : Summary Only	1SO
Category 2	2
Category 3	3

Please Note. If you have set your SPOCC monthly adjust to -1 the new fields will show when your reporting month is November 2011 or after.

## 2. Removal of London Magistrates' Court Fees

Matters with a Representation Order date on or after 3 October 2011 will not attract the London Magistrates' Court Fees and will be paid subject to whether your office or the Court where the matter was heard is in a rural or urban area.

## 3. Magistrates' Court Category 1 Fee changes

For all cases with a Representation Order date on or after 3 October 2011, the Magistrates' Court Category 1 Standard fee payable will be subject to the matter being either Summary Only or Either Way. The previous Standard Fee fees and fee limits will be classified as Category 1 Summary Only and new fees and fee limits have been introduced for the classification of Category 1 Either Way.

The selection of the Category 1 Fees and Fee limits can be made in the 'Standard Fee > CDS6' billing screen or in 'Time Records' using the 'Proceedings Limits' menu control.

Fee selection in the Standard Fee CDS6 > billing screen

### Select Fee and Confirm Dates

Court:	<input type="text" value="C2727"/>	<input type="text" value="BROMLEY"/>	...
	Fee	Description	Fee Limit
	£221.59	Category 1 (Summary Only) - LSF	£298.45
	£477.41	Category 1 (Summary Only) - HSF	£517.10
	£272.56	Category 1 (Either Way) - LSF	£298.45
	£517.05	Category 1 (Either Way) - HSF	£517.10
	£378.46	Category 2 - LSF	£512.70
	£792.71	Category 2 - HSF	£854.40

The fees presented in the billing screen will depend on the Designated Area selection in 'Setup' and are payable according to the fee table below.

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## Revised Magistrates' Court Fee Table for Orders on or after 3 October 2011

Standard Fees	Lower Standard Fee £	Lower Standard Fee Limit £	Higher Standard Fee £	Higher Standard Fee Limit £
Urban Area Standard Fees				
Category 1 (Either Way)	272.56	298.45	517.05	517.10
Category 1 (Summary Only)	221.59	298.45	477.41	517.10
Category 2	378.46	512.70	792.71	854.40
Category 3	357.87	452.20	734.56	789.50
Non Urban Area Standard Fees				
Category 1 (Either Way)	213.35	298.45	451.84	517.10
Category 1 (Summary Only)	173.45	298.45	417.20	517.10
Category 2	306.25	512.70	702.40	854.40
Category 3	276.40	452.20	626.50	789.50

#### 4. LGFS New Fee for "Elected Case Not Proceeded"

Litigator Fee claims with a Representation Order date on or after 3 October 2011 will be subject to the following revisions:

- Cracked trial fees reduced by 25%
- Offence Category A fees aligned with category J
- Offence Category G fees aligned with category F

New fee: Elected by the Client

There is a new fee for LGFS Cracked Trial or Guilty Plea (elected either way cases) £362 per proceedings. To claim this fee make sure the 'Date of the Representation Order' field in 'Section 1' is set to a date on or after 3 October 2011, then select 'Elected case not proceeded (ENP)' from the 'Trial Type' dropdown in Section 2.

'Elected Case not Proceeded' selected as the Trial Type

## Section 2 : Case Details and Enhancements

Type of Case	T - Trial
Trial Type	Elected case not proceeded (ENP)
Length Of Trial	0
This case was	Elected by the client

With this fee introduction the Committal Hearing fee is removed and the Category 1 Lower Standard fee paid for guilty pleas in the Magistrates' Courts is enhanced by 23% and the Higher Standard fee by 8.3% (please see the Magistrates' Court Category 1 Fee changes section).

The LAC1 form is to be completed and signed at the Committal Hearing for all Either Way Cases directed to the Crown Court by the magistrates. It should then be submitted to the LSC along with the LF1.

### 5. New prices for CLS Work

The fixed fees for CLS Work have been reduced for matters where work was started on or after 3 October 2011. The UFN date portion will be used to determine the applicable fee and exceptional case threshold applicable to the case.

The selection of the CLS Work fee is made in the CLS Work billing screen from the dropdown box provided.

### *CLS Work Claim Type*

CLS Claim Code	CLS Work Description
ASMS	Legal Help and Associated CLS Work – Miscellaneous
ASPL	Legal Help and Associated CLS Work – Public Law

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## *CLS Work Fixed Fee table*

	Fixed Fee			Exceptional Cases		
	1 <sup>st</sup> October 2007	1 <sup>st</sup> July 2008	3 <sup>rd</sup> October 2011	1 <sup>st</sup> October 2007	1 <sup>st</sup> July 2008	3 <sup>rd</sup> October 2011
ASMS	£86	£88	£79	£258	£264	£237
ASPL	£282	£288	£259	£846	£864	£777

# Advocates Graduated Fee Module

Scheme 8 of the Advocates Graduated Fee will apply to all matters with a Representation Order date on or after 3 October 2011. This includes Offence Category and Basic Fee changes and the introduction of a new fee "Elected Case Not Proceeded".

## 1. Offence Category Rate and Basic Fee Changes

AGFS cases with a Representation Order date on or after 3 October 2011 are subject to fee changes for the following:

- Offence Category A rates changed to match Category J
- Offence Category G rates changed to match Category F
- Basic Fees for trials that crack in the Second or Final Third are reduced by 11%
- PPE uplift for trials that crack in the Final Third are the same as for trials that crack in the Second Third

## 2. Sentence Hearings claimed as Standard Appearance Fees

Sentence hearings will be treated the same as Standard Appearances. These hearings are to be claimed as Standard Appearances on the AF1 v3. Four standard appearances are included in the basic fee so any claim must be made subsequent to those allowed in the basic fee.

## 3. New Fixed Fee for "Elected Case Not Proceeded"

A new fixed fee is introduced for cases where the client elects Crown Court trial and the case did not proceed to trial. The fee description on the AF1 v3 is "Elected Case Not Proceeded" with claim code 'ENP'. It has an uplift claim code ENU where there are additional defendants. The uplift is 20% of the basic fee for each additional defendant.

Section 1 of the AGFS Module has a new dropdown relating to whether the new fee is applicable. This informs the revised Section 1 on page 2 of the AF1 v3.

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You are required to select one of the following options:

- Sent by the magistrates' court (Indictable only)
- Transferred / directed by the magistrates' court
- Elected by the client

If you select "Elected by the client", a corresponding row will appear on Section 3 in 'Fixed Fees'. Enter the appropriate amount in the shaded area. Uplift will automatically be triggered in the line below depending on the amount of defendants recorded in Section 2.

# Immigration Module

## 1. Immigration CLH and CLR Rate and Fee reductions

Fee and Rate reductions will apply to Immigration and Asylum matters where the following conditions are met:

- The Date lodged with the Home Office is on or after 3 October 2011
- The Case Start date is on or after 3 October 2011
- The chargeable time recorded is on or after 3 October 2011

### Immigration Legal Help

#### *Table 7(a) Immigration exceptional case*

This rate table applies to matters that will be billed under the Graduated Fee Scheme. There is a 10% reduction to the Legal Help fees amended in July 2008 which were originally introduced in October 2007. When billing matters recorded with these rates, if a Matter Type 1 code is chosen that precludes the matter from the graduated fee scheme iLaw will present the option to 're-price' the rates to the those in Table 7(d).

<i>Activity</i>	<i>London Rate</i>	<i>Non- London Rate</i>
Preparation (including JR and FF Preparation), Attendance and Advocacy	£52.65 per hour	£48.24 per hour
Travel & Waiting Time	£27.81 per hour	£27.00 per hour
Routine Letters out and telephone calls	£4.05 per item	£3.78 per item

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## Table 7(d) Immigration hourly rates cases

This rate table applies to Immigration Controlled Legal Help work that will not be subject to the Graduated Fee Scheme. If time has been recorded before the 'Date lodged with the Home Office' has been entered in 'Client Details', iLaw will present the option to 're-price' the rates of the work entered to those in Table 7(a).

Activity	London Rate	Non-London Rate
Preparation (including JR and FF Preparation), Attendance and Advocacy	£51.62 per hour	£47.30 per hour
Travel & Waiting Time	£27.27 per hour	£26.51 per hour
Routine Letters out and telephone calls	£3.96 per item	£3.69 per item

## Immigration Controlled Legal Representation

### Table 8(a) Immigration

This rate table applies to matters that will be billed under the Graduated Fee Scheme. There is a 10% reduction to the Legal Representation fees amended in July 2008 which were originally introduced in October 2007. When billing matters recorded with these rates, if a Matter Type 1 code is chosen that precludes the matter from the graduated fee scheme iLaw will present the option to 're-price' the rates to the those in Table 7(d).

Activity	London Rate	Non-London Rate
Preparation and Attendance	£57.83 per hour	£54.09 per hour
Travel & Waiting Time	£28.62 per hour	£27.81 per hour
Routine Letters out and telephone calls	£4.14 per item	£3.87 per item
Advocacy	£65.79 per hour	£65.79 per hour

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## *Table 8(c) Immigration - Other Hourly Rates Cases*

This rate table applies to Immigration Controlled Legal Representation work that will not be subject to the Graduated Fee Scheme. If time has been recorded before the entry of the 'Date lodged with the Home Office' in 'Client Details', iLaw will present the option to 're-price' the rates of the work entered to those in Table 7(a).

<i>Activity</i>	<i>London Rate</i>	<i>Non-London Rate</i>
Preparation and Attendance	£55.08 per hour	£51.53 per hour
Travel & Waiting Time	£27.27 per hour	£26.51 per hour
Routine Letters out and telephone calls	£3.96 per item	£3.69 per item
Advocacy	£62.64 per hour	£62.64 per hour

## **Immigration Fees Reduction**

*Table 4(a) – Immigration Standard Fees*

	<i>Stage 1 (Legal Help)</i>	<i>Stage 2a (Controlled Legal Representation)</i>	<i>Stage 2b (Controlled Legal Representation)</i>
Asylum	£413	£227	£567
Immigration Non-Asylum	£234	£227	£454

*Table 4(b) Additional Payments – Home Office Interview*

Representation at Home Office Interview	£266
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*Table 4(c) Additional Payments for Advocacy Services*

<i>Additional Payment</i>	
Oral Case Management Review Hearing	£166
Telephone Case Management Review Hearing	£90
Substantive Hearing in the AIT	Asylum £302 Immigration £237
Additional Day Substantive Hearing (part heard or re-list)	Asylum £161 Immigration £161

*Table 4 (d) Immigration Removal Centres Standard Fees (for exclusive Schedule Holders only)*

On Site Surgery - advising five or more clients	£360
On site Surgery - advising four clients or less	£180
Fast Track Standby Payment	£34.02

## Civil Module

### 1. Civil Fixed Fee reductions

Civil matters starting on or after 3 October 2011 are subject to a 10% reduction in rates and fees.

*Table 1 Civil Fees*

The fees in this Table for Housing do not apply to the Housing Possession Court Duty Scheme and shows only the 2007 Unified Contract Fixed Fees (See also the section - Housing Fees for Unified Contract and Standard Contract Tolerance).

<i>Category</i>	<i>Schedule Authorisation Standard Fee</i>	<i>Schedule Authorisation Exceptional Threshold</i>	<i>Tolerance Standard Fee</i>	<i>Tolerance Exceptional Threshold</i>
Actions Against the Police	£239	£717	n/a	n/a
Clinical Negligence	£195	£585	n/a	n/a
Community Care	£266	£798	£161	£483
Consumer General Contract	£159	£477	£134	£402
Debt	£180	£540	£111	£333
Education	£272	£816	n/a	n/a
Employment	£207	£621	£135	£405
Housing (Unified Contract)	£157	£471	£124	£372
Miscellaneous	n/a	n/a	£79	£237
Personal Injury	£203	£609	£139	£417
Public Law	£259	£777	n/a	n/a
Welfare Benefits	£150	£450	£122	£366

## 2. Civil Rate reductions

These tables show the reduction in rates for Civil matters starting on or after 3 October 2011. These tables can be found in the Civil\_October\_2011\_Payment\_Annex.pdf available from the LSC.

*Table 7(a) Actions against the Police etc., Public Law, Education and Community Care*

<i>Activity</i>	<i>London Rate</i>	<i>Non- London Rate</i>
Preparation, Attendance and Advocacy	£52.65 per hour	£48.24 per hour
Travel & Waiting Time	£27.81 per hour	£27.00 per hour
Routine Letters out and telephone calls	£4.05 per item	£3.78 per item

*Table 7(a) Housing and Employment*

<i>Activity</i>	<i>London Rate</i>	<i>Non- London Rate</i>
Preparation, Attendance and Advocacy	£48.74 per hour	£45.95 per hour
Travel & Waiting Time	£25.74 per hour	£25.74 per hour
Routine Letters out and telephone calls	£3.78 per item	£3.65 per item

*Table 7(a) All other Civil Categories and Tolerance*

<i>Activity</i>	<i>London Rate</i>	<i>Non- London Rate</i>
Preparation, Attendance and Advocacy	£46.53 per hour	£43.88 per hour
Travel & Waiting Time	£24.62 per hour	£24.62 per hour
Routine Letters out and telephone calls	£3.60 per item	£3.47 per item

### 3. Housing Fees for Unified Contract and Standard Contract Tolerance

#### *Housing Unified Civil Contract Holders*

A new procurement area and access point has been introduced for matters that start on or after 3 October 2011 where Providers claim Tolerance Housing work under the Unified Contract.

Unified Tolerance	PA10001	Unified Tolerance	AP10001
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Providers holding a 2007 Unified contract should continue reporting Housing work using the existing Unified Contract procurement area and access point codes.

Unified Contract	PA10000	Unified Contract	AP10000
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For Unified Contract and Unified Tolerance Housing claims the Fixed Fees and Exceptional Thresholds will apply to matters that have a case start date from 3 October 2011 to 31 January 2012. (The new Standard Contract will come into effect on 1 February 2012).

#### *Housing Standard Civil Contract Holders*

Providers that have a 2010 Standard Civil Contract in place will claim Housing matters under the pre October 2011 rates as shown in the grid below. These rates apply up to and excluding 3 February 2012. You should continue to select the Procurement Area and Access Point as directed for matters by the LSC.

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## Housing Fixed Fees for 2007 Unified Contract and 2010 Standard Civil Contract holders

Category	Under contract				Tolerance			
	Fixed Fee		Exceptional Threshold		Fixed Fee		Exceptional Threshold	
	15 Nov 10	3 Oct 11	15 Nov 10	3 Oct 11	15 Nov 10	3 Oct 11	15 Nov 10	3 Oct 11
Housing – (Unified Civil Contract Holders)	£174	£157	£522	£471	£138	£124	£414	£372
Housing – (Standard Civil Contract Holders)		£174		£522		£138		£414

iLaw will know which Housing Fee to show on the basis of the selection of the Procurement Area (and Access Point).

#### 4. HPCDS Scheme Fee Reductions

##### *HPCDS Revised Fees*

Standard Fee	Current Fee	Fee from 3 October 2011
London	£84.00	£75.60
Non-London	£79.50	£71.55

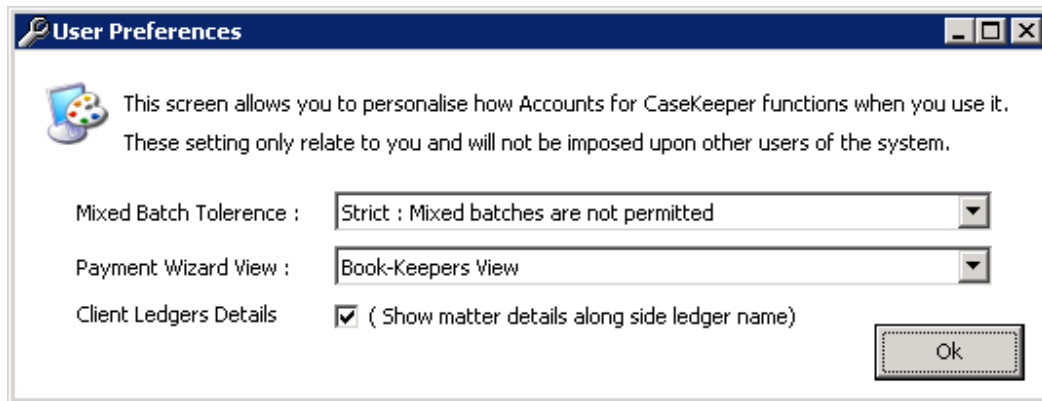
**Note.** All Civil Mileage rates are not subject to any reduction as they are disbursements rather than Solicitors hourly rates.

## Accounts Module

### 1. Matter Description for Client Accounts Ledgers

Matter descriptions can be shown on each Client Ledger. In 'User Preferences' select the 'Client Ledger Details' check-box. The 'Matter Description' itself is entered either at the time of case being created or it can be entered in the 'File Management' screen.

Accounts User Preferences



Matter Description showing after the file reference for the client ledger selected.

Non-Client Ledger  Client Ledger  Client Deposit Accounts  Nominal

James. Anthony : Crime1 [ Assault PC 12/09/2011, TWOC ]

Date	Description	Details / Reason	Debit	Credit	Office Balance
	Period Start Balance				0.00
23/09/11	Invoice 2864 - CDS6 Totals : Repre	Total Claimed	284.35		284.35
23/09/11	Invoice 2864 - CDS6 Totals : Repre	Total Claimed VAT	56.87		341.22
23/09/11	SMP Allocation	James. Anthony : Crime1 -		341.22	0.00
	Period End Balance				0.00