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| Legal Aid Agency | EC Claim1 – MH Checklist  For use with EC Claim1 - MH |

The purpose of this checklist is to reduce the likelihood of your EC Claim1 – MH claim being rejected. Please complete the whole checklist, paying particular attention to requirements marked:

Please ensure you are using the correct version of the form. The current version of the EC Claim 1 is Version 8 (April 2015). It is available at <https://www.gov.uk/government/publications/escape-fee-case-claim-forms>

**If LAA rejects your claim**:

* please ensure that you include this checklist when you resubmit your claim;
* the LAA will tick those requirements that have been met, and it is your responsibility to check the remaining requirements before you resubmit the claim;
* you can email LAA at [**laacivilclaimfix@justice.gov.uk**](mailto:laacivilclaimfix@legalaid.gsi.gov.uk) if you have any issues with the reject.

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| --- | --- | --- | --- |
| Client’s name |  | Ref. No. |  |

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| --- | --- | --- | --- |
| Provider’s name |  | Provider’s Acct. No. |  |

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| --- | --- | --- | --- |
| Fee earner’s name |  |  |  |

|  | **Requirement** | **Notes** | **Provider checked** | **LAA use:** |
| --- | --- | --- | --- | --- |
| **Pass?** |
| Stage One Checks | | | | |
| **1** | The case must be correctly uploaded to LAA Online | Ensure the case has been uploaded on LAA Online and the month in which it was claimed is clearly indicated on form EC CLAIM-1. All costs must be claimed under the appropriate fields on LAA Online. Ensure the case has flagged as escaped on LAA Online |  |  |
| **2** | CWA submission | The costs claimed on **CWA** must match those claimed on form EC Claim1 – MH and running record of costs. |  |  |
| **3** | The correct hourly rates have been claimed on the Claim submitted | Ensure that the correct rates have been claimed on all documentation submitted including form EC Claim1 – MH, running record of costs and **CWA** submission. Please ensure that the applicable rates are claimed throughout the case.  The rates can be located in the [EC Handbook](https://www.gov.uk/government/publications/submit-an-escape-fee-case-claim) and the [EC rates calculator](https://www.gov.uk/government/publications/civil-claims-rates-calculator) |  |  |
| **4** | Has Claim Form been signed and dated | The certification must be signed and dated as indicated on the claim form. This must be an original signature by a representative of the firm and it must be clear who has signed the claim form. |  |  |
| **5** | Summary of Claim on page 1 has been fully completed | The summary of claim must be fully complete in order for your claim to be accepted. This must include a completed UFN; the latter must correspond with the UFN recorded on your **CWA** submission. |  |  |
| **6** | Vouchers for disbursements of £20 or more (inc VAT) | You must provide a voucher for every disbursement of £20 (including VAT) or more. For mileage claims and court fees, LAA will accept a copy of your ledger or the letter you sent with a payment. All other vouchers must show:   * the service provider’s details (e.g. be on headed notepaper); * your client’s name (so as to link them to the case); * details of what the voucher is for; * where applicable, a detailed breakdown of work undertaken, time spent and the hourly rate.   Please provide all of the vouchers securely attached together in a separate bundle |  |  |
| Stage Two Checks | | | | |
| **7** | Section 20 renewal hearings | Please ensure that your section 20 renewal hearing has been claimed in the correct period of eligibility. Please note that section 20 renewal hearings roll back into the period to which it relates. |  |  |
| **8** | Matter starts | The information retained on file should show that the matter can be claimed as one matter. If the information indicates that costs have been rolled up when a new matter start should have been commenced the file will be returned for correction. |  |  |
| **9** | Enhanced rates for Counsel | If enhanced rates for Counsel have been authorised this must be claimed correctly and must be supported by the endorsed prior authority form. Counsel’s costs must be included at CLR rates in your profit costs, with the enhancement claimed in the field for Counsel on **CWA** and form EC Claim1 – MH. |  |  |
| **10** | The matter has been opened under the Mental Health category | If the incorrect category of work is claimed on the MH EC Claim1 – MH the claim will be rejected. |  |  |
| **11** | Fees claimed | The correct fees have been claimed on **CWA** representing the levels of work undertaken in respect of the file of papers submitted. |  |  |
| **12** | Adjourned hearing fee | If a matter has been adjourned you must claim the adjourned hearing fee as part of your online **CWA** submission. This must also be clearly shown on the EC Claim1 – MH form. |  |  |
| **13** | Staged disbursements | If form EC Claim1 – MH indicates that you have made a claim for staged disbursement, you must not include any staged disbursements in the net disbursements on form EC Claim1 – MH, running record of costs or on your CWA submission. You should only claim for previously unbilled disbursements as part of your net disbursement costs. |  |  |
| **14** | Flagged as an Escape Case | Correct codes have been claimed and accordingly the case is appropriately flagged as an Escape Case on **CWA.** |  |  |
| **15** | File of papers | The correct file of papers that corresponds with the claim submitted has been provided with the EC Claim1 – MH form. |  |  |
| **16** | IT based running record of costs has been provided | IT based running record of costs should be provided in accordance with Standard Terms reference 7.19. Where this is not provided a manual sheet detailing each item of work, rate and value must be provided. A total of costs claimed should be clear with the disbursement total shown separately. |  |  |
| **17** | The Claim should not be considered as a Tailored Fixed Fee (TFF) Claim | If the case falls under the **Tailored Fixed Fee (TFF) Scheme** then this is not considered an Escape Fee Claim. Form A must be completed and submitted to the Liverpool regional office between 1st April and 10th May. |  |  |
| **18** | Amending CWA Submissions | If a claim is returned on the basis that your CWA submission requires amendment, please do not resubmit your claim until you have received confirmation that the amendment has been completed.  To make your application for claim amendment please send your completed amendment form to [PA-claimamend@justice.gov.uk](mailto:PA-claimamend@justice.gov.uk)  For guidance on LAA Online submissions, please refer to Guidance for Reporting Controlled Work. |  |  |

**For LAA use:**

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| Caseworker’s name |  | Region |  |