



Legal Aid
Agency

Guidance on use of Rates Calculator

Version	Issue date	Last review date	Owned by
5	23/04/2015	23/04/2015	Civil Case Management

Version History

Version	Date	Reason
1	03/06/2013	Initial Release
2	22/10/2013	Make document available to older versions of Word
3	13/03/2014	Update to include new spreadsheet functions
4	01/05/2014	Update to include Single Family Court changes
5	23/04/2015	Update to include FAS Hearing Duration Calculator

Contents

Introduction	4
Main	5
CPGFS	8
PFLRS	10
Hourly Rates	11
FAS Other Public Law	12
Change Log	13
Breakdown - Type Of Law	14

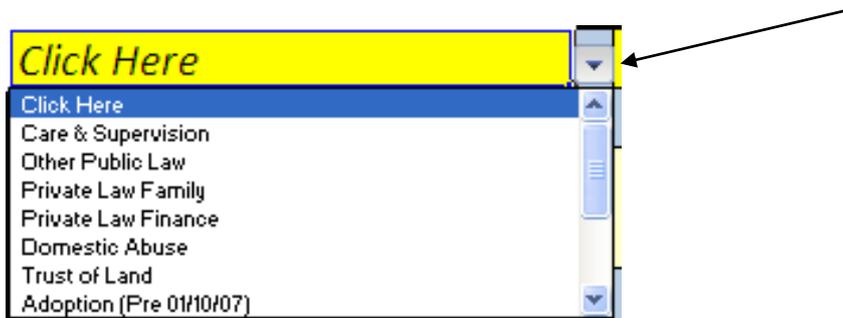
Introduction

The rates calculator has been designed as a tool to ensure that the correct rates scheme has been claimed upon submission of a bill of costs. The spreadsheet contains all rates schemes changes from 2000.

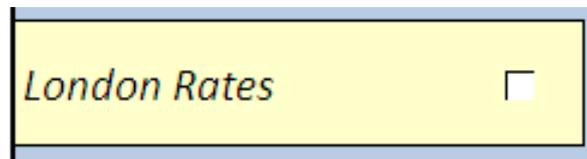
Each tab has also been protected so only the relevant sections of each tab can be amended.

The spreadsheet has been colour coded for ease of use:

All cells coloured yellow need to be completed in order for the relevant rates scheme to be displayed. Tabs that contain dropdown lists will show an arrow to the right when you select the cell:



The spreadsheet also contains tick boxes for optional extras such as London rates:



With the introduction of the Single Family Court the rates can now change based on the level of Judge rather than tier of court. By clicking on the relevant judge the blue bar will highlight that Judge and the calculator will amend the rates accordingly.



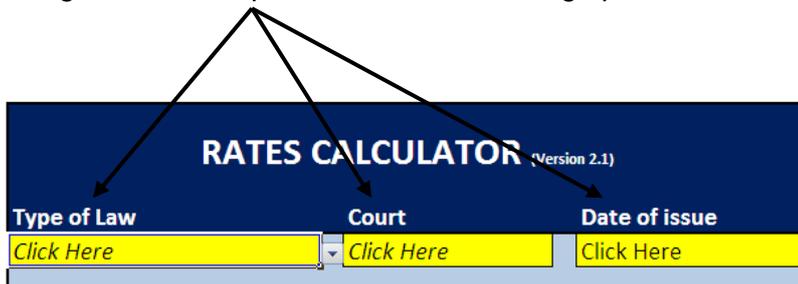


This is the title tab for the calculator. By selecting a rates scheme the spreadsheet will automatically populate the other tabs and will direct you to any relevant tabs.

This tab is split into 5 sections:

1. Rates Calculator

Using the three dropdown sections will bring up the relevant rates scheme.



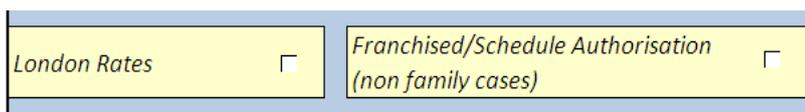
Please note these need to be changed in order from left to right. If you change the type of law the valid date ranges can change dependent on the area of law and the calculator will be unable to display any rates.

A breakdown of the Type of Law categories can be found at the end of this guide.

With the introduction of the Single Family Court payments will now be based on the level of judge rather than tier of court. If a case is issued after 21/04/14 or concludes after this date you will need to select the level of judge on the main screen to display the correct rates.



Please note that cases issued or concluded after 21/04/14 will assign a rates scheme based on the Judge Level regardless of the court type selected.



There are also optional tick boxes for London Rates and Franchised rates (these rates only apply to non family cases such as Judicial Reviews)

The relevant rates should now be shown. The spreadsheet will also inform you of the relevant fixed fee tab and whether the hourly rates for counsel and experts fees sections apply to this bill.

RATES CALCULATOR <small>(Version 2.1)</small>		
Type of Law	Court	Date of issue
Care & Supervision	County Court	09/05/11 - 02/02/12
London Rates <input type="checkbox"/>	Franchised/Schedule Authorisation <input type="checkbox"/> (non family cases)	
If this case falls under the fixed fee scheme go to the CPGFS tab		
CPGFS Phase 2		
Attendance	£64.90	Hourly Rates For Experts/Counsel apply if issued after 03/10/11
Preparation	£64.90	
Advocacy	£71.50	
Attendance with Counsel	£36.30	
Travel	£32.45	
Waiting	£32.45	
Letters out	£4.10	
Letters in	£2.05	
Phone Calls	£4.10	

2. Experts hourly rates

By selecting an expert type and the date of issue from the relevant date ranges the spreadsheet will display both London and Non-London rates for the instruction of experts in a case. Any relevant notes related to this expert type will also appear.

Hourly Rates For Experts		
For certificates issued on/after 03/10/11		
Hourly rates unless stated to be a fixed fee		
Expert	Non-London	London
Click Here		
Date of Issue		
Click Here		
Click Here 03/10/11 - 31/03/13 01/04/13 - 01/12/13 Post 01/12/13		

3. Counsels hourly Rates

In the same way as the experts hourly rates by selecting the type of counsel instructed the spreadsheet will display the relevant hourly rates.

Hourly Rates For Counsel	
For certificates issued on/after 03/10/11	
Counsel	
Junior Counsel in the County Court	
Non London	London
£112.50	£135.00

4. VAT

As the VAT rate changes based on the type of work claimed you must first select the nature of the certificated work and then input the date that the case concluded. Please ensure that the correct date format is used

VAT Rate	
Nature of Certificated Work	Profit Costs
Costs arising from supplier firms and any solicitor agent.	
Date case concluded (dd/mm/yy)	01/01/07
Applicable VAT Rate: 17.5%	

5. Emergency Certificate Date Scope

This function will automatically calculate the date limitation of an emergency certificate (4 or 8 weeks) based on the date the emergency certificate was issued. If a substantive certificate has been issued on a case it will also calculate if it was issued within the date limitation, granting continuous cover, or if there was a gap between the expiry of the emergency and issue of substantive along with the relevant dates that are not covered.

Emergency Certificate Date Scope	
Date certificate was issued:	
Emergency:	Substantive:

This tab is used to determine the fixed fee applicable to care cases that fall under the Care Proceedings Graduated Fee Scheme

This tab is split into 3 sections:

1. Selection of the fixed fee

By selecting the relevant party and area information the fixed fee applicable to a case will be displayed along with the exceptional case threshold. The fixed fee will also be modified if the tick boxes for 2+ clients, High Court or the 1/2 fee tick box are used.

Fixed Fee cases under Care proceedings			
Parent		VAT	
Midlands	TOTAL	£2,621.00	£458.68 (17.5%)
2+ Clients <input type="checkbox"/>			£524.20 (20%)
High Court <input type="checkbox"/>			
	Exceptional	£5,242.00	
	1/2 Fee Applies	<input type="checkbox"/>	

2. Phase 1 Advocacy rates

Cases that fall under the Phase 1 fixed fee scheme have advocacy paid at hourly rates. If the rate selected on the Main tab does not fall under this scheme then the rates for this section will default to nil.

Advocacy - Hourly Rates only apply to Phase 1 Fixed Fee Scheme				
	Hours	Mins	Total	Rate
Attendance	[Empty Input Box]		£0.00	0
Drafting			£0.00	0
Hearing			£0.00	0
Travel			£0.00	0
Wait			£0.00	0
Other		[Empty Input Box]	£0.00	
		VAT	<input type="checkbox"/>	15% Enhancement
Total	£0.00	£0.00	(17.5%)	Interim
		£0.00	(20%)	

If the advocacy was done by a panel member clicking the tick box will apply a 15% enhancement to all rates excluding the other section.

3. FAS

This section is used to determine payment under the Family Advocacy Scheme.

With the introduction of the Single Family Court the payment of any hearing that takes place after 21/04/14 will be determined by the level of judge instead of the court. The calculator automatically amends the dropdown list based on the hearing date keyed.

In order to determine the hearing unit cost select the hearing type and court/Level of judge from the relevant dropdown lists and input the number of units claimed.

FAS Payment - Applies to cases where the application was signed by the funded client post 08/05/11			
Hearing Date	<input type="text"/>		
Hearing Type	Court/Level of Judge	Number of Units	
<hr/>			
Bolt on Payments	Court Bundle		
Harm <input type="checkbox"/>	<input type="text"/>		
Understanding <input type="checkbox"/>	Travel <input type="checkbox"/>		
Expert <input type="checkbox"/>			
Hearing Unit Cost	VAT (20%)	Bolt on Payment	VAT (20%)
#N/A	#N/A	#N/A	#N/A
Total	VAT (20%)	Total (Inc VAT)	
#N/A	#N/A	#N/A	

Any bolt on payments can be added by selecting the relevant tick boxes or the dropdown list for court bundle.

You can also use the FAS Hearing Duration Calculator to work out the hearing type and the number of units applicable. Please note that this will only calculate daily hearings not Interim Hearings that take place over several days. For the calculation to work it is important to use a 24 hour time code using the highlighted format e.g. 13:45

FAS Hearing Duration Calculator (This Only Applies To 1 Day Interim Hearings)		
Start time or time court required you to attend	Time hearing completed	Length of adjournment
hh:mm	hh:mm	hh:mm
<hr/>		
Duration of Hearing:		
Hearing Type:		
Number of Units:		

This tab is used to determine the fixed fee applicable to Public Law cases that fall under the Private Family Law Representation Scheme.

This tab is split into 2 sections:

1. Selection of the fixed fee

As with the CPGFS tab after selecting the relevant Category and Court from the dropdown lists this section will display the relevant fixed fee. The fixed fee will also change based upon the level(s) of work done on this case.

PFLRS			
Category	Court		
Children	Other	London	<input type="checkbox"/>
L3	<input type="checkbox"/>	L3 Settlement	<input type="checkbox"/>
L4	<input type="checkbox"/>	Enforcement	<input type="checkbox"/>
		Exceptional Threshold	
		1/2 Fee	
Total	VAT (20%)		

2. FAS

This section functions in the same way as the CPGFS FAS tab. Please see the FAS section on page 9 for details

FAS Payment			
Hearing Date			
Hearing Type	Court/Level of Judge	Number of Units	
Bolt on Payments	Court Bundle		
Harm	<input type="checkbox"/>		
Expert	<input type="checkbox"/>		
Early Res Fee	<input type="checkbox"/>	Travel	<input type="checkbox"/>
Hearing Unit Cost	VAT (20%)	Bolt on Payment	VAT (20%)
#N/A	#N/A	#N/A	#N/A
Total	VAT (20%)	Total (Inc VAT)	
#N/A	#N/A	#N/A	

Hourly Rates

For cases claimed at hourly rates this tab will pull the relevant scheme selected on the Main tab

By inputting the number of hours and minutes worked on a case this tab will calculate the total amount payable for a piece of work or an entire bill. Ticking the Panel membership box will apply a 15% enhancement to all sections excluding Bill prep and Disbursements.

CPGFS Phase 2		County Court				
	Hours	Mins	Total	Rate	Panel Membership <input type="checkbox"/>	
Attendance	1		£64.90	64.9		
Preparation		30	£32.45	64.9		
Advocacy			£0.00	71.5		
Travel			£0.00	32.45		
Waiting			£0.00	32.45		
Attendance with Counsel			£0.00	36.3		
Bill Prep					£97.35	
Letters out			£0.00	4.1		
Letters in			£0.00	2.05		
Phone Calls			£0.00	4.1		
					£0.00	
			Profit Costs	VAT		
			Total	£97.35	£19.47	£116.82
Disbursements						
With VAT			VAT	£0.00		
Ex VAT			Disbursements			
			Total	£0.00	£0.00	£0.00
VAT	20.0%		Grand Total	£97.35	£19.47	£116.82

The yellow dropdown box can also be used to change the VAT rate.

FAS Other Public Law

This tab is used to calculate any FAS payments that do not fall under CPGFS or PFLRS.

This tab functions in the same way as the CPGFS FAS section. Please see page 9 of this guide for details.

FAS Payment - Applies to cases where the application was signed by the funded client post 08/05/11			
Hearing Date	<input type="text"/>		
Hearing Type	Court/Level of Judge	Number of Units	
Bolt on Payments		Court Bundle	
Harm	<input type="checkbox"/>	<input type="text"/>	
Understanding	<input type="checkbox"/>	Travel <input type="checkbox"/>	
Expert	<input type="checkbox"/>		
Hearing Unit Cost	VAT (20%)	Bolt on Payment	VAT (20%)
#N/A	#N/A	#N/A	#N/A
Total	VAT (20%)	Total (Inc VAT)	
#N/A	#N/A	#N/A	

Change Log



This section details any amendments made to the spreadsheet and the update version the amendment was made on. The current version of this spreadsheet is 2.12

Breakdown – Type of Law

Care & Supervision	<p>Cases involving the local authority such as an application for care or supervision order.</p> <p>These are cases undertaken under S31 Children Act 1989</p>
Other Public Law	<p>Any public law children cases other than those under S31 Care Proceedings</p> <p>These can include child assessment orders, emergency protection orders, secure accommodation orders, other proceedings under parts IV & V of the Children Act 1989 and related adoption proceedings.</p>
Private Law Family	Applications between individuals (rather than the local authority) in relation to the welfare of children these can include residence, contact, prohibited steps, parental responsibility
Private Law Finance	Cases involving Ancillary relief
Domestic Abuse	Domestic Abuse cases. This will include any application for a non molestation or occupation order under Part IV of the family Law Act 1996 and injunctive relief in family proceedings under the Protection of Harassment Act 1997
Trust of Land	Trust of Land Cases
Adoption/Placement (Pre 01/10/07)	<p>Although adoption and placement proceedings fall under Private Law the rates category for these cases changed post 01/10/07. As such these have been kept separate.</p> <p>These rates apply to free standing adoption and placement cases only</p>
Adoption/Placement (Post 01/10/07)	
Inheritance	Cases involving Inheritance
Clinical Negligence	Cases involving Clinical Negligence
Housing	Cases involving Housing Disputes
Judicial Review	Application for a Judicial Review