



The purpose of this checklist is to reduce the likelihood of your CIV CLAIM1A claim being rejected. Please complete the whole checklist, paying particular attention to requirements marked:



CIV CLAIM1C claims are often rejected because they fail to meet these requirements;



Denotes a 'priority reject' and will not count against your KPI.

Please ensure you are using the correct version of the form. The current version of the Claim 1C is Version 1 (December 2015). It is available at <https://www.gov.uk/government/publications/civ-claim1a-fixed-fee-public-and-private-law-schemes>

### 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@legalaid.gsi.gov.uk](mailto:laacivilclaimfix@legalaid.gsi.gov.uk) if you have any issues with the reject.

Client's name  Cert. Ref. No.

Provider's name  Provider's Acct. No.

Fee earner's name

The claim needs the attention of (please tick):  NIAT  HCC  VHCC  MHU

Mandatory Caseworker Check		LAA check Pass?
Has an emergency certificate been issued?	Where an emergency certificate has been issued you must use the rates calculator to check <ul style="list-style-type: none"> <li>• Has there been a gap between the expiry of the emergency and the grant of the substantive certificate</li> <li>• Has any work been claimed between the expiry of the emergency and the grant of the substantive certificate</li> </ul> Any work claimed within this time period must be removed by the provider	

	Requirement	Notes	Provider checked	LAA use:
				Pass?
<b>Stage One Checks</b>				
1	Expert invoice details 	You must claim experts' costs at the correct codified rate. These are shown at: <b><a href="https://www.gov.uk/expert-witnesses-in-legal-aid-cases">https://www.gov.uk/expert-witnesses-in-legal-aid-cases</a></b>  If you claim for the cost of Drug and/or Alcohol tests, unless LAA has granted prior authority for the tests you must provide a copy of the court order for the tests to be carried out.		

	Requirement	Notes	Provider checked	LAA use:
				Pass?
2	Family Graduated Fee Scheme or Family Advocacy scheme payments to counsel  	<p>You will have been advised by LAA of payments it has made to counsel(s) for the case. The amounts shown on CIV CLAIM1C for payments to counsel(s) must match the actual payments made by LAA. If not, you must ask counsel the reason for this and provide LAA with a covering letter explaining this.</p> <p>While you do not have to give counsel's details or the amount payable to each counsel on CIV CLAIM1C, doing so may help LAA identify any discrepancies.</p>		
3	Disbursements 	<p>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:</p> <ul style="list-style-type: none"> <li>• the service provider's details (e.g. be on headed notepaper);</li> <li>• your client's name (so as to link them to the case);</li> <li>• details of what the voucher is for;</li> <li>• where applicable, a detailed breakdown of work undertaken, time spent and the hourly rate.</li> </ul> <p>If you are unable to provide this level of detail due to the nature of a disbursement or the age of the case, LAA may accept a copy of your ledger plus evidence of the work undertaken (e.g. an expert report and instructions). You must explain your reasons for this in a covering letter accompanying the CIV CLAIM1C.</p> <p>Please mark each disbursement voucher with a number, and list all of the vouchers in numbered order on page 5 of the claim form, so that LAA can check it has all of the disbursement vouchers for which you are claiming. If there's not enough space on the claim form, please continue the list on a separate sheet. Please provide all of the vouchers securely attached together in a separate bundle.</p> <p><b>Please note that LAA will keep your vouchers.</b></p>		
4	Statutory charge (CIV ADMIN1) 	<p>If appropriate, has a statutory charge decision been made and the legal aid fund protected?</p> <p>If a statutory charge decision has not yet been made, you must provide LAA with a fully completed CIV ADMIN1, a copy of the court order/settlement agreement and your client's repayment proposals, so that LAA can make a decision. Where proceedings have not concluded the statutory charge may still apply after discharge/revocation; therefore please ensure details are provided to enable consideration by the LAA.</p> <p>Where a statutory charge decision could be made, you must report the outcome of the case promptly. If you fail to do so, payment of your claim might be delayed.</p> <p>If you receive money on behalf of your client, you must either provide LAA with a cheque for the full amount or an undertaking as to costs, pending a statutory charge decision.</p> <p>The legal help costs section on page 1 of CIV CLAIM1C must also be completed.</p>		

	Requirement	Notes	Provider checked	LAA use:
				Pass?
5	Have you used the correct fee scheme and rates? 	You must ensure that you use the correct fee scheme and fee rates are used. A rates calculator and guidance for civil claims are available at: <b><a href="https://www.gov.uk/government/publications/civil-claims-rates-calculator">https://www.gov.uk/government/publications/civil-claims-rates-calculator</a></b>  You must detail the amount of your profit costs so that LAA can check that you have claimed the correct fee.		
<b>Stage Two Checks</b>				
6	Expert Standards  <b>P</b>	All experts must meet the required Ministry of Justice standards for experts in England and Wales.  Where the standards have been met please tick the box. Where the standards are not met and no prior authority has been granted please provide a copy of the court order and experts CV		
7	Apportionment  <b>P</b>	In the case of an apportioned claim, please provide the reference number for each Legal Aid certificate to which the claim relates and state the percentage of your costs that should be apportioned to each certificate.		
8	Account number	The account number that you provide on page 1 of the CIV CLAIM1C must match that on your Legal Aid Certificate.		
9	Previous advice	If you are the final conducting solicitor and are submitting your final bill for a case, you must: <ul style="list-style-type: none"> <li>state that this is your final claim; and</li> <li>ensure that all previous firms have submitted their claims before you submit yours.</li> </ul>		
10	Outcome of case	You must provide the date of last work, outcome codes and details of in front of whom the case concluded. The date of last work determines the applicable VAT rate; please ensure that you use the appropriate VAT rate. In family cases the person in front of whom proceedings were concluded determines the rates applicable. In non family cases it is the court.		
11	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 and it must be clear who has signed the claim form.		
12	Do the costs qualify for court costs assessment	Your claim should be assessed by the court if the case has concluded in the county court or a higher court, and: <ul style="list-style-type: none"> <li>the total (excluding VAT) assessable profit costs, disbursements and (non FAS) counsel's fee costs exceeds £2,500; and/or</li> <li>there are inter-partes costs to be assessed by the court.</li> </ul> Please refer to Section 14.1, 14.2 & 14.13 of the Costs Assessment Guidance 2013 for further details on assessable costs in fixed fee cases.		
13	Outstanding show cause or reassessment  	Before you submit your claim you must check that neither a 'show cause' nor a reassessment is outstanding on the certificate. If either applies, it must be resolved before you submit your claim.		

	Requirement	Notes	Provider checked	LAA use:
				Pass?
14	All works falls within your LA Certificate's scope 	You must ensure that all work you claim for falls within the scope of your Legal Aid Certificate. If work outside the scope has been claimed for, LAA will reject your claim and ask you to amend and resubmit it.  LAA will not normally allow costs you incur during a period that a Notice to show cause is outstanding on your Legal Aid Certificate.		
15	Panel membership declaration	If you claim for panel membership enhancement, the section on page 3 of CIV CLAIM1C must be signed by all panel members. In the event that the fee earner is unable to sign this declaration, in exceptional circumstances LAA will accept the signature of either one of your firm's partners or a fellow panel member, supported by an explanation in a covering letter provided with the CIV CLAIM1C.		
16	Solicitor Advocacy under the Family Advocacy Scheme (FAS)	If you claim for advocacy under the FAS you must submit a fully completed Advocate's Attendance Form (AAF) with your CIV CLAIM1A. The AAF must be an original, not a copy, and must be either signed or sealed.  The AAF must contain details of times, dates and type of hearing. The only FAS claims for which AAFs are not required are those for HU1 work without bolt ons where we will require a copy of the order or notice of hearing  All bolt ons shown on your AAF must be individually sealed or initialled by the judge or court clerk, and any amendments must be sealed by the court. You must show any lunch-time adjournments on the claim.  If you claim for more than two advocates' meetings, you must also submit a copy of the court order requiring that you attend the meetings.  You must ensure that all work you claim for falls within the scope of your Legal Aid Certificate, and that it is claimed for at the correct rates. Rates are available at: <b><a href="https://www.gov.uk/government/publications/civil-claims-rates-calculator">https://www.gov.uk/government/publications/civil-claims-rates-calculator</a></b>		
17	Counsel's fee notes (non-FAS/FGF)	Codified rates for counsel apply to Legal Aid Certificates issued on or after 3/10/11, so LAA requires that fee notes contain counsels' rates, details of their seniority and hours worked. Rates for counsel are shown at: <b><a href="https://www.gov.uk/government/publications/civil-claims-rates-calculator">https://www.gov.uk/government/publications/civil-claims-rates-calculator</a></b>  For Legal Aid Certificates issued on or after 02/12/13 rates for solicitors apply to counsel an submission of CF1a is mandatory detailing counsel's fees. The CF1a can be located at: <b><a href="https://www.gov.uk/government/publications/cf1a-counsel-claim-form">https://www.gov.uk/government/publications/cf1a-counsel-claim-form</a></b>		
18	Bill, as assessed by the court	You must provide your annotated bill, as assessed by the court; either the original or a copy is acceptable. If you are unable to provide this, you must provide LAA with a letter from the court stating that your bill has been assessed and approved.		

	Requirement	Notes	Provider checked	LAA use:
				Pass?
19	Original sealed assessment certificate (EX80A or EX80B) 	<p>You must provide an original sealed <b>Legal aid/Legal Aid Agency assessment certificate</b> (EX80B) for fixed fee cases where no costs are awarded, including fixed fee cases that have escaped the fixed fee scheme. Please ensure that the figures on it match those on your CIV CLAIM1C.</p> <p>For fixed fee cases where costs have been assessed we require a current version of the assessment certificate EX80B. Where the current version cannot be submitted caseworker discretion will be used to determine whether all information required is provided.</p> <p>If you wish to claim a sum greater than that shown on the EX80B you must ask the court to revise and reseal the EX80B. If you claim for less than is shown on the EX80B LAA may ask you the reason for this.</p>		
20	Costs Orders/Default Costs Certificate	<p>The LAA can only assess costs payable to the client by another party where no assessment of those costs is needed; i.e either costs agreed, for a specific amount or default costs certificate has been obtained.</p> <p>Where costs have been ordered in favour of your client but have not been recovered, and, court assessment of those costs is not required you must complete pages 9 and 10 of CIV CLAIM1C.</p> <p>Where the Default Costs Procedure has been followed you must provide a copy of the default costs certificate. Alternatively please enclose a copy of the order in which the fixed costs were ordered.</p> <p>Please remember that, while a court order may entitle your client to recover costs from a debtor at the rate ordered by the court, you may only claim costs from LAA at LAA's prescribed rates, which are shown at: <a href="http://www.justice.gov.uk/forms/legal-aid-agency/civil-forms/claims">http://www.justice.gov.uk/forms/legal-aid-agency/civil-forms/claims</a></p>		
21	Claim form fully completed	Before you submit the form you should check that all of the relevant pages of the claim form have been fully completed, with correct addition where applicable, and ensure that all necessary information required to process your claim is included.		

**For LAA use:**

Caseworker's name

Region