

REQUEST FOR REIMBURSEMENT OF OUTLAYS UNDER SOLEMN CRIMINAL LEGAL AID (incl. APPEALS) AND CHILDREN'S LEGAL AID; REQUEST FOR INTERIM PAYMENT OF FEES IN SOLEMN CRIMINAL LEGAL AID

January 2016 **SLA/ROL/6**

ACCOUNTS ACCOUNTS SCOTTISH THISTLE H 91 HAYMAI EDINBURG DX555250 LP2 EDINB				ΓS	Please complete this form, including the certificate overleaf, and send it with the necessary documents to the address opposite. No covering letter is necessary.				
Please tick	d: C	riminal	Solemn		Appeals		Chil	dren's 🗌	
Solicitor's name:									
Firm's name:									
Legal aid reference number:									
Assisted pe	rsons name:								
Practitioner's code for solicitor to whom payment is to be made:		Nominated solicitor Fi				rm's code Account point ID			t point ID
	own internal reference:								
Date of invoice	Details	of disburs	ements			Net amount	VAT (if appro	priate)	Total
		(Please	continue ove	erleaf if necess	ary)				
				Sub tota	als:				
FOR OFFICIAL	USE ONLY								
Pavment auth	norised				nput			. Dat	e

Date of invoice	Details of disbursements	Net amount	VAT (if appropriate)	Total		
	Sub totals:					
	Total value of claim:					

REIMBURSEMENT OF OUTLAYS AND INTERIM PAYMENT OF FEES

ELIGIBILITY FOR INTERIM REIMBURSEMENT OF OUTLAYS

- 1. There must be a valid solemn, criminal appeal or children's legal aid certificate in existence at the date of this claim.
- 2. The proceedings must not be concluded.
- 3. A claim for reimbursement of outlays may be made only if the total of the disbursements is at least £750.
- 4. Reimbursement can be obtained only when a disbursement has actually been made. No advance can be made in contemplation of some outlay to be incurred at a later date.
- 5. No claim for reimbursement of faculty services fees can be made.
- 6. Where the charges of an expert witness are claimed all necessary sanctions must be obtained and a copy of the grant of sanction for the employment of the witness must be submitted, along with a detailed breakdown of the expert charges.
- 7. The claim must be submitted by the nominated solicitor on the form SLA/ROL/6.
- 8. The form, including the certificate below, must be completed and sent to the address shown. All relative accounts or invoices, duly endorsed as paid or accompanied by evidence of payment, (but not a copy of the client's ledger card), must be securely attached. Where appropriate, a copy of the sanction granted for the employment of any expert witness should be attached.

ELIGIBILITY FOR INTERIM PAYMENT OF FEES

- 9. There must be a valid solemn criminal legal aid certificate in existence at the date of this claim.
- 10. The proceedings must not be concluded.
- 11. An interim payment of fees will be made only where one of the following criteria has been met
- the trial exceeds 20 days (this does not include any other procedural hearing in the case); or
- a period of no less than 12 months has elapsed since the grant of solemn criminal legal aid; or
- a trial diet has been set for a date at least 6 months from the First Diet or Preliminary Hearing; or
- the trial has been adjourned for a period of 6 months or more; or
- the fees properly incurred exceed £10,000.
- 12. As we can only pay fees which are "properly incurred" in terms of sections 4(2)(a) and 33(1) of the Act, an assessment of the fees is required. An account must therefore accompany this claim form. The amount of any payment in respect of a claim under these arrangements shall be limited to 75% of the fees that will become eligible for payment and earned during the period covered by the claim. The form, including the certificate below, must be completed and sent to the address shown.

GENERAL

- 13. It will be necessary to establish that the solicitor has made a disbursement of outlays or properly incurred fees that are covered by the grant of legal aid. The intention however, is to make a payment to the solicitor as quickly as possible and, in the time available, it will not be possible, or appropriate, to undertake the same sort of detailed scrutiny that is made when the final account is rendered. If interim reimbursement or payment of fees is made, this is not to imply that the payment is accepted as a valid charge under the legal aid certificate. If it is subsequently determined that any disbursement or interim fee is not properly allowable, or is allowable in part only, the solicitor will be required to make any necessary repayment to the Legal Aid Fund.
- 14. The final account must contain a complete list of all outlays or fees in the case including those paid under the interim reimbursement or interim payment of fees arrangements.

CERTIFICATE

I certify that to the best of my knowledge and belief

- (a) the criminal / children's legal aid reference is correct
- (b) the criminal / children's proceedings are ongoing
- (c) the information given on this form is correct.

I undertake that any fees or outlays paid by the Board in terms of this request, which exceed the fees or outlays allowable on assessment of a final account, shall be repaid to the Scottish Legal Aid Fund; and I authorise the Board to deduct such sums from any future payment due to me from the Fund.

Signature of solicitor	Date
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