



Civil legal aid forms update

Update 2: January 2005

About this starter pack of forms

This update is provided within your starter pack of forms. Attached to this document is guidance on how to use the forms and an order form.

The address label on this starter pack's packaging tells you how many forms you have been sent. If you have received more than one starter pack of forms, such as 20 forms, this update and guidance will be included within each pack.

You should ensure colleagues in your firm involved in civil legal aid work, including your administration staff, are made aware of the information in this mailing.

Included in this pack are:

- This update document that includes:
 - about changing to the new forms and when to stop using the old forms
 - about the forms' changes
 - the main changes to the forms
 - the new conclusion of proceedings form
 - guidance on how to complete the forms
 - online civil forms
 - how to order more printed forms
 - questions and feedback about the forms
 - New guidance notes for completing:
 - The solicitor's application form - CIV/SOL
 - The statutory statement form - CIV/STAT
 - Special urgency request - CIV/SU4
 - Conclusion of case reporting form - CIV/CONC
 - Payment on account of fees form - SLA/POA/3
 - An order form to request ongoing supplies of the civil forms
- Your pack then includes the number advised on the packaging of the following forms:
- CIV/SOL - Solicitor's application form.
 - CIV/STAT - Statutory statement (memorandum)
 - CIV/SU2 - Special urgency - notification
 - CIV/SU4 - Special urgency - request
 - CIV/SU/MAN - Special urgency mandate (pro-forma calculation sheet)
 - CIV/REP - Reporting Form
 - CIV/CONC - Conclusion of proceedings reporting form
 - CIV/SANCTION - Civil application for sanction by solicitor
 - CIV/AMEND - Civil application for amendment or extension by solicitor
 - CIV/TRANSFER - Civil request for transfer of agency
 - CIV/CEASE - Civil notification of solicitor ceasing to act
 - CIV/FIN/1 - Financial Eligibility Form 1
 - CIV/FIN/2 - Financial Eligibility Form 2
 - CIV/FIN/3 - Earnings statement by applicant's employer - use with Form 2
 - CIV/SLA/POA3 - Payment on account of fees

Changing to the new forms

The number of forms sent to you is based on the number of civil applications you made last year. We wrote to you on 10 January setting out the number we would supply. The later section sets out how to order further forms.

You should begin to use the new forms as soon as possible.

We will not accept the old forms after 31 March 2006.

You should now destroy stocks that you hold of the current civil legal aid application forms. You may wish to consider using a local paper recycling service to do this.

Amongst the new forms are civil legal aid versions of the general forms: sanction, amendment/ extension, transfer of agency and cease acting. These general forms continue to be used for criminal and children's cases, so if you undertake these types of legal aid work, you should **not** destroy stocks of these forms.

Please note that no revisions are being made to the information booklet CIV/INFO "Civil legal aid - information for applicant's booklet." We also previously advised that the form CIV/INTDOC - Notice to opponent is no longer in use.

About the forms' changes

As part of the reforms to civil legal aid introduced in October 2003, we issued new application forms. Since then, we have received feedback from the profession about the forms and have introduced a new computer system. To accommodate the changes you have requested and the system changes, we have revised the forms.

As well as consulting with the profession on the changes made, some practitioners have piloted the use of the new forms. Feedback from pilots has been positive, with solicitors commenting that the new forms are easy to follow.

Other changes we have made include:

- forms associated with civil legal aid applications are now red. This makes it easier for us to scan them.
- forms associated with special urgency work (SU4 and SU/MAN) are orange
- we have re-designed the previous general forms such as the sanction application form and the transfer form and these are now specific to civil legal aid. We have also produced printed versions of the special urgency mandate form (pro-form calculation sheet) and of the SLA/POA/3 accounts form.
- We have made some changes to the layout of forms to provide solicitors with the appropriate space to give their answers. On some forms, we have also added category codes lists to make it easier to provide the information. We have also revised the style of boxes to better allow for scanning of the forms. This means that there are more pages to some forms, although the number of questions has not changed.

We also wish to remind you that when completing legal aid forms, you should use black ink.

The main changes to the forms

CIV/SOL form - solicitor's civil legal aid application

- We have reordered the content of this form. You can complete all the applicant's details at Parts A and B at the first meeting, and complete the remaining sections later, on a computer rather than handwriting them. The applicant's or representative's declaration is now at the end of section B, so they can sign it at that first meeting once their details are complete.
- We have introduced a category code list:
 - The list means that you no longer have to refer to separate sheets of category codes. You can mark a 'X' against the craves the applicant seek legal aid for.
 - When new category codes are issued in the future - for example, following the introduction of new legislation - you should include the new category code in the 'Other' section at the end of the list. We will write to you about any new category codes.
- We have amended and improved the guidance and navigational directions on the form.
- We have moved the checklist of documents we need to the back of the form, so it is easier to refer to.
- There is additional space to give information on key questions.
- There are additional sections to give multiple opponents' details.

CIV/STAT - Statutory statement for civil legal aid

- Instead of including the statutory statement (which used to be known as the legal aid memorandum) as part of the civil legal aid application, several solicitors asked us to remove it and issue it as a separate document. You should send this as normal with the CIV/SOL form.

CIV/SU2 - Special urgency notification under regulation 18(1)(a) or 18(2)

- We have introduced a category code list.
- We have removed the equality questionnaire.

CIV/SU4 - Special urgency application under regulation 18(1)(b)

- We have introduced a category code list.
- We have removed the equality questionnaire.

CIV/SU/MAN - Special urgency mandate

- The original interim mandate form, issued in April 2004, has been re-designed in the same format as the other civil legal aid forms.
- We have included the equality questionnaire in this form.

CIV/REP - Reporting form

- The focus of the questions has changed. We now ask you to give us information about what is happening in the case and your current views on whether the case continues to meet the statutory tests.

CIV/SANC - Sanction application form

- This form is for use only in civil legal aid cases.
- Use this form for any combination of single applications for counsel, an expert or unusual work. For more than one such request for sanction, complete a form for each request. For example, if you are applying for sanction for one counsel and three experts, complete three forms - one for counsel and the first expert, and a further two forms for the two remaining experts.

CIV/AMEND - Amendment application form

- This form is for use only in civil legal aid cases.
- We have introduced a category code list.

- There is additional space to give information for key questions.
- There are additional sections to give multiple opponent's details.

CIV/TRANSFER - Transfer application form

- We have included an applicant's mandate on the form. This will save you drafting your own mandate.

SLA/POA/3 - payment on account of fees

- We are now supplying printed versions of this form which is used to make claims for payment of any blocks completed when make a stage report.

Introduction of the conclusion of proceedings form - CIV/CONC

In 2003 the civil legal aid reforms introduced stage reporting on the progress of a case at key stages. The conclusion of the case is one of the compulsory reporting stages. The questions on the current stage report form are not wholly relevant to the conclusion of a case. We have therefore designed a form for use at the conclusion of a case.

The information we ask for in this form will help us to

- improve our decision making
- give better guidance to solicitors on the information we need to make decisions on cases, and on best practice
- keep assisted persons better informed about recoveries and expenses
- analyse the effectiveness of, and trends in, legal aid provision and show the value of legal aid to the public.

The information we ask for in **Section C - Conclusion of case** is important for a number of reasons.

- At present we are not told when a case is concluded. We therefore do not know if we will receive an account and whether the Fund will have to pay. When we receive the CIV/CONC form, we will be able to estimate the likely cost and include it in our budget estimates to government.
- At present, we are unable to monitor the outcomes of cases. This is valuable information for the public and would show the value of legal aid provision.
- We need to monitor the assessments solicitors make at the outset and at subsequent stages of cases. In general, solicitors make reasonable and considered assessments of the prospects of success and the statutory tests of probable cause and reasonableness. However, if we find certain firms continually make inaccurate predictions or assumptions, we can help them make

more accurate predictions and facilitate best practice.

- Analysis of outcomes helps us
 - assess whether our decision to grant legal aid was correct.
 - continue to look at trends in cases.

Completing sections D & E - Expenses and property recovered and preserved will allow us to deal more efficiently with you and your client about expenses and property recovered.

- When a case concludes we often have to contact solicitors about expenses and property recovered and preserved. We now ask for the relevant information on the form. This should reduce the time you have to spend discussing and corresponding with us, saving you time and inconvenience at later stages. The information is easily available at the conclusion of proceedings.
- We have a lot of contact with assisted persons as well as solicitors. If expenses are not recovered, the solicitor's fee will be paid from the contribution or property recovered or preserved. It is therefore reasonable and in the assisted person's interests for them to know what is happening about the recovery of expenses or property. If you give us sufficient information, there are better prospects of recovery and we can keep the assisted person better informed.

Guidance on how to complete the forms

We have included, in the forms pack, guidance on how to complete some of the forms:

- CIV/SOL form
- CIV/STAT form
- CIV/SU4 form
- CIV/CONC form
- SLA/POA/3 form

These guidance notes relate specifically to completing the application forms.

For further guidance about applying for civil legal aid, and more details about the information needed in support of different types of application, refer to the Civil Legal Assistance Handbook, which is available on our website, www.slab.org.uk

Online civil forms

All of the new forms are now available in pdf format from our website at www.slab.org.uk in the legal profession section.

The pdf versions let you complete the forms on computer. You can type into the answer boxes, and then when completed, print out the form.

You can also use these forms to print out a copy of the form for completion by hand, if you have run out of supplies of the printed version of the form.

You need Adobe Reader (formerly called Adobe Acrobat Reader) to use these forms. This software is free and can be downloaded from Adobe's website at www.adobe.co.uk

If you wish to electronically save the information in the form, you need to have purchased software, such as Adobe Acrobat to enable you to do this.

In the coming months, we will be introducing Civil Legal Aid Online services, which will enable you to transact electronically with us, for example by making an application using your web browser. This system will bring benefits to civil legal aid practitioners. Updates on the service will be published in the Recorder.

How to order more printed forms

Starter packs

If you wish to request another starter pack of all these civil forms, please contact the Board's communications department on tel 0131 240 1985, or email general@slab.org.uk

We would prefer that you order a further starter pack if you believe you will need more of most of the new civil forms at an early stage.

Ongoing supplies

You can now order the new forms for ongoing use in the usual way from our printers, Stewarts.

Forms are supplied to you within one working week.

Attached to this update is a new order form, which you should now use. The order form is also included with all orders supplied by Stewarts, and is also available on our website.

To place an order you can call Stewarts on 0131 659 6010 or return the order form by fax or mail (if faxing an order, you do not need to also send as confirmation your order form by mail).

When placing an order, you **must** give your firm code and/or practitioner number.

You should ensure you maintain an adequate stock of the printed forms. Please do **not** photocopy the new forms.

We continue to request that you order an appropriate number for your likely use. Generally, practitioners who submit a higher volume of applications can order five packs of civil forms at one time, whilst those who do fewer should place smaller orders.

If you need forms urgently

If you have not ordered enough forms and need them urgently:

- you can print out a pdf version of the form. These are available on our website, www.slab.org.uk

- you can contact the Board's Communication Department who will be able to send you a small emergency supply
- you should not photocopy printed forms
- you should continue to place an order with Stewarts, and can expect to receive this within one working week.

Advice and assistance forms

You should note that new advice and assistance forms will also be issued to you in late February/ March.

We will be writing to you about these new forms, and again a starter pack of these will be sent to you. There will also be a new order form to obtain ongoing supplies.

Ordering guidance publications

Copies of Board publications, including the attached guidance, are available on our website, www.slab.org.uk in the legal profession section.

You can also order printed copies from our Communications Department by calling 0131 240 1985 or email general@slab.org.uk

Questions and feedback about the forms

We welcome your comments on the new forms. We are continuing to review the forms and your feedback can assist us identify where improvements could be made when we next change our forms.

We also welcome any questions you may have about this guidance and how to use the forms.

We may send you a further update if a number of common questions about using the forms are raised by practitioners.

If you wish to contact us with queries or comments, you can:

- call the appropriate contact as shown in the table below
- email: general@slab.org.uk
- give your feedback about using the form through our website www.slab.org.uk

For questions about:	Name	Post	Telephone number
Completing the civil application forms and guidance	Ann Forbes-Partington	Assistant Manager, Civil Applications Administration	0131 240 2072
	Brenda Goldstein	Team Leader, Civil Applications Administration	0131 240 2070
	Catriona Whyte	Head of Legal Services (Applications)	0131 240 2088
Completing sections D and E of the CIV/CONC form	Joe Kelly	Manager of Treasury Department	0131 240 2031
Completing the civil financial eligibility forms	Claire Ewart	Assistant Manager of Financial Assessment Unit	0131 240 2091
Completing the SLA/POA/3 form	Steven Carrie	Head of Specialist Unit, Accounts Department	0131 240 2054
Ordering printed forms	Stewarts		0131 659 6010
Ordering starter packs, guidance publications, queries about pdf forms, other queries or feedback	Communications Department		0131 240 1985