

Legal Services Department
44 Drumsheugh Gardens
Edinburgh EH3 7SW

Hays DX ED555250 EDINBURGH 30
Legal Post LP2 EDINBURGH 7

Telephone (0131) 226 7061
Fax (0131) 225 3705



To: All civil legal aid practitioners

Helpline direct dial number:
0131 240 2007

Email: civilreform@slab.org.uk

Your ref:

Please quote the department above and
our reference: **Civil Reform / 9**

24 February 2004

Dear Sir / Madam

CIVIL LEGAL AID REFORM MAILSHOT 9

This mailshot is the ninth in a series of mailshots issued by the Board to provide information about the civil legal aid reforms and is being sent to all civil legal assistance practitioners. It provides updated information on some aspects of the reforms.

Registration and peer review

To further streamline the transition to the new system, two changes to the registration and peer review processes have been agreed:

- the full register will become operational and the administrative and peer reviews commence on 1 July 2004, rather than 1 April 2004
- the review process will follow a three year cycle, as opposed to a two year cycle

One of the main reasons for moving the start of the peer review process relates to children's legal aid. As you will know, children's legal aid cases do not currently attract payment under the new fee structure and are not subject to peer review. Following discussion between the Board, the Society and the Scottish Executive, it has been decided that children's legal aid should be brought within the scope of peer review. The Law Society is therefore proposing to amend its Practice Rules to incorporate the changes necessary to bring children's legal aid within the scope of peer review. The Scottish Executive will change the fees regulations so that solicitors conducting those cases are paid in line with the civil legal aid fees changes. As it will be preferable to include children's legal aid cases within peer review from the outset, the peer review process will commence on 1 July to allow the necessary changes to be made and approved. There will not be a separate Register for children's legal aid; it will be a requirement that firms undertaking children's legal aid cases are on the Civil Register.

As a consequence of moving the date to 1 July, the additional time will also allow the peer reviewers to become more acquainted with the process and solicitors more aware of the advantages of the new system.

Although the full Register will not become operational until 1 July, those firms who have already submitted their procedures or are now in a position to do so will be able to participate in a pilot peer

review exercise prior to 1 July, the results of which will be taken into account for quality assurance purposes.

In addition, it has been decided to operate a three year cycle of peer reviews, as opposed to a two year cycle. It was always a feature of the proposals that, to minimise inconvenience to firms we would, wherever possible, combine administrative reviews with our current criminal legal assistance compliance audits. Criminal compliance audits operate on a three year cycle whilst the proposal for civil was two years. We have therefore rationalised the cycles by increasing the two year cycle to three years for civil.

The practical implications of these changes are that:

- as the full Register will not be operational until 1 July, firms will not be required to confirm until the end of June that they have in place procedures to meet the Society's ten administrative requirements
- the administrative and peer reviews will commence after 1 July 2004
- firms will normally be subject to the administrative and peer reviews every three years
- registration will last for a period of three years, with the initial registration running from 1 October 2003 to 30 September 2006

Many firms have been asking about proforma procedures for the ten requirements and guidance thereon. Sample documents are available on the Board's website www.slab.org.uk in the legal profession section. The guidance is available in electronic versions including Microsoft Word 97 format. These can also be requested by e-mail from the Civil Compliance Auditors (see below for contact details). If your firm already has office procedures in operation that you feel could meet the ten requirements, please send us a copy, either by e-mail or in hard copy. This will allow us to confirm that the procedures are suitable or provide advice on changes you may wish to consider.

The Board's Civil Compliance Auditors are available to provide advice and guidance: they can be contacted at the following:—

Emma Thornthwaite
E-mail—thornthwaiteem@slab.org.uk
Telephone (0131) 226 7061
Extension 353

Isobel Tripp
E-mail—trippis@slab.org.uk
Telephone (0131) 226 7061
Extension 429

The information contained in this letter supersedes any other information relating to the timing of the peer review process, including that contained in the February edition of *The Journal*.

Electronic versions of the forms

We know that some solicitors are completing application forms by hand and find this time consuming. All forms associated with civil legal aid applications are available in a format to let you complete them on computer. The forms are on the Board's newly redesigned website at www.slab.org.uk (you no longer need a password to access the site) in the profession section of the site. The site has information about how to use and download them on to your computer.

The forms that solicitors are most likely to wish to complete on computer are available in a format to let you fill them out on screen. You can type into the answer boxes and then when completed, print out the form. The forms are in pdf format, and you need Adobe Reader (formerly called Adobe Acrobat Reader) to use them. This software is free and can be downloaded from Adobe's website at www.adobe.co.uk or follow the instructions on the Board's website.

The forms available are:

- Solicitor's application form - CIV/SOL
- Special urgency – notification - CIV/SU2
- Special urgency – request - CIV/SU4
- Reporting Form - CIV/REP
- Financial Eligibility Form 1 - CIV/FIN/1

Adobe Reader will however not let you save on to your computer the information you have typed into the form. If you wish to keep an electronic copy of the application, you can purchase software to do this. Adobe sell software from their online store called Adobe Acrobat Approval (version 5) which costs £35 (excluding VAT) that allows you to save the data from forms. There are other software products available which also allow you to save information from forms, including other Adobe Acrobat software that costs £259, as well as from other companies. However, please remember that to be able to complete an application on computer and then print it, you only require the free Adobe Reader software.

We hope that having the forms available from our website will encourage more solicitors to complete the forms electronically, thereby making the process more efficient and easy to operate.

We are continuing to listen to your feedback and to look at ways in which the availability and usability of forms can be developed and improved. We plan to issue revised civil application forms in March and will be providing information on this change in due course. Following comments from the profession, we plan to make the statutory statement (memorandum) a separate document to complete.

A further mailshot will be issued to cover Registration issues and timescales but, in the meantime, if you do have any queries, please contact our Telephone Helpline on 0131 240 2007.

Yours faithfully



Tom Murray
Director of Legal Services and Applications

Telephone Helpline

If you have a query about the registration process, the applications or reporting processes or fees and accounts under the new system please telephone our Civil Legal Aid Reform Helpline on
0131 240 2007

Alternatively, you can e-mail us with any queries - civilreform@slab.org.uk

*If you have any queries about the Quality Assurance system please telephone the Law Society on
0131 476 8147.*

Have you missed any information?
Previously issued mailshots about the civil legal aid reforms

Details of Mailshot	Date of Mailshot	Issued by	Issued to
Mailshot 1 – Registration	29 August 2003	Board	All firms
Mailshot 2 – Applications and Reporting	5 September 2003	Board	All legal aid practitioners
Mailshot 3 – Fees and Accounts	19 September 2003	Board	All legal aid practitioners
Mailshot 4 - New civil legal aid forms and starter pack	26 September 2003	Board	The Managing Partner, all firms on the provisional civil register
Mailshot 5 – Information for Applicants booklet	26 September 2003	Board	The Managing Partner, all firms on the provisional civil register
Mailshot 6 – Information for Applicants booklet (printed version)	8 October 2003	Board	The Managing Partner, all firms on the provisional civil register
Mailshot 7 – Frequently Asked Questions	13 October 2003	Board	All legal aid practitioners
Mailshot 8 – Solicitor’s application form	13 November 2003	Board	All legal aid practitioners