



Summary criminal legal assistance reform: fixed payments guidance

Implementation date: 30 June 2008

TO: All criminal legal assistance solicitors

Mailing 4: 20 June 2008

Your practitioner number

Your firm and branch code

REFORM OF SUMMARY CRIMINAL LEGAL ASSISTANCE: CRIMINAL FIXED PAYMENTS GUIDANCE

This mailing contains information about changes to criminal legal aid accounts. You should ensure that all staff colleagues or external law accountants who prepare your criminal accounts are made aware of this guidance.

Fixed payments guidance

As part of the reforms to summary criminal legal assistance, which will be implemented on 30 June 2008, there are significant changes to the fees system for summary criminal legal assistance. The enclosed *Criminal fixed payments guidance* details the changes and includes the new fee tables.

The main changes to the existing scheme include:

- the extension of the fixed payments structure to ABWOR in summary criminal proceedings
- the creation of a case disposal fee in the sheriff and stipendiary magistrates courts prescribing the same fee (£515) to ABWOR or to criminal legal aid, the latter where the case does not proceed to trial beyond thirty minutes
- the extension of the prohibition on charging for travel to a court in

a town or place where a solicitor has a place of business to ABWOR

- the creation of a £150 ABWOR fixed payment in the JP court (the former £70 block fee)
- an increase in the criminal legal aid core fixed payment in the JP court to £315.

New accounts synopsis forms and guidance

We will be introducing revisions to our criminal accounts synopsis forms from 30 June, to reflect the new summary criminal legal assistance system. The synopsis forms are generated by our computer system and automatically include information on the specific case.

We will shortly be issuing further guidance on how to complete these new forms, together with example copies of the new forms.

Application form starter packs

You should start to receive starter packs of the new criminal application forms from Thursday 19 June. We expect to dispatch all forms by 25 June. They are being issued in three stages:

- forms mailing A - CRIM/SUMMARY- Application for criminal legal aid in summary proceedings
- forms mailing B - AA/APP/CRIM - Application for criminal advice and assistance / ABWOR
- forms mailing C - other criminal forms
 - AA/INC/CRIM - Application for a grant of criminal ABWOR or increase in authorised expenditure for criminal advice and assistance/ABWOR
 - CRIM/SANCTION - Criminal application for sanction
 - CRIM/TRANSFER - Criminal request for transfer of agency
 - CRIM/CEASE - Criminal notification of solicitor ceasing to act
 - CRIM/EXCEPTIONAL - Summary criminal exceptional payments application.

Mailing 2 on 9 June 2008 advised how many forms we will send to each solicitor. The cover letter and the label on the form mailing packages will advise which forms and how many of them you have been sent.

Mailings are being sent by DX, LP and Fedex courier delivery. If you are to receive more than one of any pack, you will receive a small initial supply, followed by further mailings with the remainder of your order.

If you have not received any forms by 26 June, please contact the Board's Communications Department on 0131 240 1985.

Further mailings

Before 30 June, we will be issuing further guidance mailings which will include:

- an updated edition of the guidance on the summary criminal reforms, issued in Mailing 2 on 9 June. This revised guidance will include extra information and questions and answers to commonly raised queries at our training seminars.
- new Category Codes Card for advice and assistance/ABWOR
- new Equality Card for use with the new forms
- order form for further printed forms supplies.