

Children's Legal Assistance – Quality Assurance Criteria

Section A: The legal aid application					
1. Did the solicitor apply for or grant the appropriate form of legal assistance and give accurate and appropriate advice to the client regarding the client's eligibility?	①	②	③	C	n/a
2. Did the solicitor obtain verification of the applicant's financial eligibility, where appropriate?	①	②	③	C	n/a
3. Did the solicitor obtain and retain a completed, signed Legal Aid Online Declaration for the advice and assistance, ABWOR or legal aid application?	①	②	③	C	n/a
4. Where appropriate, has the solicitor applied for sanction and/or increase(s) in authorised expenditure in accordance with the guidelines, and, if granted, instructed and obtained the appropriate experts or counsel or work?	①	②	③	C	n/a
Section B: The advice given to the client					
5. If the client is a child under 12 years old, is there evidence on the file that the solicitor satisfied themselves that the child was capable of giving instructions?	①	②	③	C	n/a
6. If the client is a child, were communications with the child at an appropriate level and in a form they would understand? [Note – will include files, notes of meetings, letters etc.]	①	②	③	C	n/a
7. At the initial meeting and throughout the case, did the solicitor give accurate and appropriate legal advice to the client?	①	②	③	C	n/a
8. Is there evidence of a note of action to be taken, agreed with the client, where appropriate?	①	②	③	C	n/a
9. If appropriate given the timescales of the work, did the solicitor issue a 'Terms of Engagement' letter appropriate to the level of understanding of the client?	①	②	③	C	n/a
10. How effective were the solicitor's fact and information gathering skills, including the identification of any further investigation or any additional information required and the taking of steps necessary to obtain it? [Note – this should include obtaining relevant hearing/court documents]	①	②	③	C	n/a
11. Did the solicitor take appropriate steps to inform the client as to the date, time and place of children's hearings or court hearings and provide advice and take instructions in good time, where possible?	①	②	③	C	n/a
12. Did the solicitor keep the client informed on progress?	①	②	③	C	n/a
Section C: The children's hearing or court proceedings					
13. Is there evidence of adequate preparation for each children's hearing/court appearance, to include (as appropriate) evidence that hearing papers have been considered, preparation of the list of witnesses, productions and list of authorities as appropriate to the facts of the case?	①	②	③	C	n/a
14. Where timescales allowed and where appropriate, did the solicitor attempt to make contact with SCRA to discuss case prior to each children's hearing/court appearance?	①	②	③	C	n/a
15. Where possible, did the solicitor attempt to take steps to take instructions from the client in a reasonable timescale prior to each children's hearing/court appearance?	①	②	③	C	n/a
16. Is there evidence that the solicitor took appropriate steps to assist the client to effectively participate at the children's hearing?	①	②	③	C	n/a
17. Did the solicitor take steps identified/agreed with the client, advise on the outcome and, if appropriate, an appeal?	①	②	③	C	n/a
Section D: Consideration of account					
18. Has the account been submitted to the Scottish Legal Aid Board in accordance with guidelines and, if asked for further information, has this been provided?	①	②	③	C	n/a
Section E: Equality and diversity					
19. Has the solicitor taken all reasonable steps to address any issues relating to age, disability, gender, race, religion or belief and sexual orientation which arose in the course of the case?	①	②	③	C	n/a
Overall mark for file					
1 Non Performance				4	Competent plus
2 Inadequate professional service				5	Excellent
3 Competent	①	②	③	④	⑤