



Accounts update

This mailshot provides information about the procedures for direct submission of claims for payment by solicitors when exercising their rights of audience in criminal cases

In criminal proceedings where there is a grant of legal aid solicitors, when exercising their rights of audience (“solicitor advocates”), can submit claims direct to us for assessment. This is an interim arrangement which will operate until early 2013 when we expect to extend Legal Aid Online to the submission of solicitor advocates’ fees.

How to send the claim to us

The form **ACC / ROAS / 1 (Claim for payment by Rights of Audience Solicitor)** has been modified to enable you to provide us with the key information necessary to assess the claim (for example, case category, status of solicitor advocate, etc.). All future claims should be submitted using the updated form which is available here [claim form](#) .

These procedures will come into effect from 2 July 2012.

All claims should be submitted to the following email address: faculty@slab.org.uk

The email subject must include details of the assisted persons name and legal aid reference number. If fee notes are being submitted for multiple cases it is essential that a separate email is submitted for each case.

Criteria for assessing the claim

Where the solicitor advocate undertakes multiple items of work in the same case only one fee note should be submitted.

We will accept a claim in the following circumstances:-

- The proceedings have concluded; or
- You reasonably anticipate not receiving any further instructions in the proceedings.

Any claim which appears to be submitted prematurely will be rejected. For example, a claim where you fail to make clear that your involvement has reached a conclusion.

To ensure prompt assessment it is important that you provide a sufficiently detailed narrative in support of each entry. For example, where a fee for a consultation is claimed you should state who attended, the purpose of the consultation and duration. Entries which lack specification will slow down the assessment process and may result in the charge being restricted.

The purpose of enabling direct submission is to make payment as quickly as possible. The assessment will be based on the information available and generally will be done in advance of the instructing solicitor's account. It will, therefore, not always be possible, or appropriate, to undertake the same sort of detailed scrutiny that is made when the solicitor's account is sent to us. We make every effort to make an offer or payment in full and final settlement. However, in circumstances where payment is made, this does not necessarily imply that the payment is accepted as a valid charge under the grant of criminal legal aid. If it is subsequently determined either through negotiation or taxation that any fee(s) is not properly allowable, or allowable in part only, you will be required to make the necessary repayment to the Legal Aid Fund.

Exceptions to this procedure

Bail appeals

Single fee notes for bail appeals should continue to be submitted to the instructing solicitor for inclusion in their account and should not be submitted under this procedure.

Advice and assistance

Any claim under advice and assistance or ABWOR must be submitted to the instructing solicitor. In those cases the solicitor advocate's fee is chargeable as an outlay and we cannot pay these fees direct.

Who to contact if you have any questions

For any queries about the matters raised in this mailshot, please contact the Accounts Specialists team on 0131 226 7061 extension 245, 654, 659 or 687.

Are your contact details correct?

Please tell us if the firm or address details we have used are incorrect. Write to our Receipts and Payments Department with any changes in address or solicitors' details. If you have any questions about mailing addresses please contact Receipts and Payments on 0131 240 2080.