

CAG Consultation – Table of amendments

Amendment	Reason for Change	Comments
14.1-14.2	Removal of reference to the LAA's assessment limits. Going forward the LAA will be responsible for the assessment of all licensed work costs not involving an inter partes detailed assessment irrespective of amount or venue in which proceedings were heard.	See attached consultation response
14.3-14.5	<p>Proceedings not issued</p> <p>This section has been removed as it is no longer necessary where the default position is that the LAA will be responsible for the assessment of all licensed work costs not involving an inter partes detailed assessment. In practice there is no change as the LAA was previously the sole assessing authority in instances where no proceedings were issued and this remains the case going forward.</p>	
14.6-14.8	<p>Proceedings before a lay justice or justices' clerk</p> <p>This section has been removed as it is no longer necessary where the default position is that the LAA will be responsible for the assessment of all licensed work costs not involving an inter partes detailed assessment, irrespective of the level of court in which proceedings conclude.</p>	
14.9-14.10	<p>County or Higher Courts and other family work</p> <p>This section has been removed as it is no longer necessary where the default position is that the LAA will be responsible for the assessment of all licensed work costs not involving an inter partes detailed assessment, irrespective of the level of court in which proceedings conclude.</p>	See attached consultation response
14.11-14.13	<p>Special Circumstances</p> <p>This section has been removed as it is no longer necessary where the default position is that the LAA will be responsible for the assessment of all licensed work costs not involving an inter partes detailed assessment.</p>	<p>Para 14.12 cites an example which provides for a scenario not exclusive to court assessment bills and should be retained within the Costs Assessment Guidance:</p> <p><i>“such as where, following an intervention into the provider, the file relating to the legal aid certificate cannot be found, and a notional assessment is required to pay counsel's fees or account to the client for money held”</i></p>

14.14-14.17	Calculating the Limit This section has been removed as it is no longer necessary where the default position is that the LAA will be responsible for the assessment of all licensed work costs not involving an inter partes detailed assessment, irrespective of the amount of assessable costs.	
14.18	Amended to remove the reference to the £2500 assessment limit.	
14.20-14.22	Amended to remove the reference to the £2500 assessment limit	
15.3	Minor amendment to refer to relevant contractual provision regarding right to assessment in addition to the CPR. This is for clarification purposes only and does not alter the substance of the provision.	
15.12	Amended to remove the reference to the Agency's assessment limit and clarification that guidance regarding times claimed for bills uploaded to CCMS can be found in paragraph 2.63.	See attached consultation response
15.16	Minor amendment to text for clarification purposes only.	
15.19	Paragraph removed as no longer necessary where the default position is that the LAA will be responsible for the assessment of all licensed work costs not involving an inter partes detailed assessment.	
15.21	Minor amendment to text for clarification purposes only.	
Appendix 1		
4.10	Amendment to clarify the circumstances when the Level 2 private law family fee may be claimed.	