

Dear ACL LAG Member

It has been a busy time for us all recently with one thing and another and the LAG committee hope that you are coping with the demands upon us all in these strange times.

We have been engaged recently following the sudden announcement about the abolition of Court Assessments in legal aid only cases. As you will have heard the mandated date for the start of all bills being assessed in house by the LAA is 17 August 2020.

No clear written transitional arrangements have been communicated by the LAA, but it is understood that the Courts will be instructed to return all bills that are with them on that date and you may find that some courts will reject submissions made before that date if the process is unlikely to be completed in time.

Along with the other representative bodies – the Bar Council, LAPG to name a couple – the ACL LAG were consulted about amendments to the Costs Assessment Guidance resulting from the planned changes and we were asked to make submissions about this under the standard consultation provisions in the LAA Contract.

Representative Bodies were not expressly asked to consult the efficacy of removing Court Assessments, but like other Bodies, we made our submissions to the LAA during the consultation period about the problems we perceived as a result of the abolition of the Court Assessment process. In a subsequent meeting with the LAA, it was made clear that none of the submissions by us, or other Bodies, on the wider issue of removing Court Assessments were welcomed. Please find attached those submissions along with the responses that have now been received to them from the LAA.

What we have been told by the LAA is that they find Court Assessment bills difficult to follow as the current format does not make it possible for them to assess easily. They have certain criteria that they need to meet during the assessment on their side and is best summed up as being able to see in a chronological order, on one line, who did what, when it was done, how long it took and how much is the cost.

They need to see this information for each item claimed for and ideally they want all disbursements grouped together in one list.

Routine communications they would like to see broken down as to the various costs centres as we do now so that the numbers to each participant are clear to them.

We are now engaged in a series of discussions with the LAA about the format of bill submissions after 17 August 2020 in the larger cases where the Court would have assessed the costs. The LAA Finance and Operations Team say they want to work with us to create a format that is easy for them to understand and for us to produce to enable assessments to be undertaken with the minimum of rejections and requests for further information.

We have not been told of any plans to stop accepting conventional court bills for LAA assessment yet. We will be requesting this does not change until the format has been finalised and software providers have had time to consider and/or prepare a version to offer customers.

What has been established is that CCMS is here to stay for a while and the system does not

accommodate larger bills well and there is a limit to the number of lines that CCMS can handle in one transaction. For this reason there is a need for a compromised bill format to be created.

The committee is anxious that a new LAA produced Form is not the result of the changes and we are also determined that our members do not really want to learn and in some cases purchase software for a new billing process so we are aiming to try to adapt the one of the existing bill formats with some minor changes in the presentation and layout and in the case of electronic bill, dispensing with the need for different phases etc..

If you have any observations or comments that you would like us to take into account please would you contact us at [lagchair@costslawyer.co.uk](mailto:lagchair@costslawyer.co.uk) by noon on Friday 31 July 2020.

Kind regards  
Bob Baker  
Co-Chair ACL LAG



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