

Dear ACL LAG member

We hope that you are all safe and well following the long lockdown period from which we might be emerging soon.

Despite little by way of communications from us recently we have been anything but idle and since the announcement of the abolition of Court Assessments from 1 June 2020 we have been engaged in a number of meetings and preparation of submissions to be taken into account by the LAA in their re-writing of the Costs Assessment Guidance 2018.

We have had only 14 days to make submissions to what is possibly one of the most major changes to hit the legal aid costs community apart from of course the introduction of CCMS.

Please see attached the submissions that we have made on your behalf. The other representative bodies including LAPG and The Law Society have backed our points and relied on them in their own submissions.

There is no chance that the decision to abolish Court Assessments for legal aid costs (except those assessed concurrently with inter partes costs) will be reversed, but the implementation of the process is something that we are trying to address so that there is minimum change to how we all present our bills in cases where previously the Court would have assessed the costs.

At a video meeting with LAA Operations and various members of the Finance team including Rob Damião, on Tuesday, we were informed that the LAA will refund the provider for assessment fees paid to HMCTS if they want to 'cancel' assessments of bills already sent to courts which they are still waiting for, in order to get their costs assessed and paid more quickly. The LAA will also pay assessed court bills without the sealed EX80 form as long as there is proof it is been assessed e.g. where the Judge or Costs Officer has written "Assessed as drawn" and signed on the bill if there have been no reductions. A draft of the EX80 or summary of assessed costs on the bill itself must be completed though. We have not seen any official guidance on this at this stage and it may be advisable for providers to highlight that this is what they are doing when submitting claims on CCMS.

We will let you have further information as and when we are able to do so. The current interim arrangements for submission in pretty well any format of bill of costs will come to an end soon enough and our major concern is what format of bill is to be used thereafter.

Any reports of how the new process is working, or not as the case may be, would be good to hear about so do feel free to report this to us.

Kind regards

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Co-Chairs ACL LAG



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