



Ministry
of Justice

Court Assessed Claims Transfer

Guidance on Submission of Claims Following the Transfer of Court Assessed Claims

This guidance is intended to help you submit your claim correctly following the transfer of court assessed bills (formerly known as taxed bills) to Legal Aid Agency for assessment.

1. Provisions for Assessment

There are no changes to the provisions for assessment to commence.

- The case has concluded and there is an order from the court providing for assessment;
or
- The funding has been withdrawn by way of discharge or revocation.

You must also ensure that your Outcomes have been completed in CCMS before the claim will be released for processing.

2. How to Draw Your Claim

2.1. Your Bill Has Been to Court and Been Assessed at Court

This applies where you have completed your Bill of Costs and the court assessment process has been completed.

What should I complete in CCMS?

Please complete your claim in CCMS as normal. If you are unsure of the process to follow in CCMS, please use the step-by-step guide available here:

[CCMS Step-By-Step Guides](#)

What costs of assessment can I claim?

You can claim as normal for a court assessed claim. If you are unsure what that includes, please refer to chapter 12.2 of the Civil Finance Electronic Handbook

[Civil Finance Electronic Handbook](#)

What should I upload as evidence?

Anything you would normally upload as evidence, including, but not limited to:

- Your bill of costs
- Disbursement vouchers for costs over £20
- Any Family Advocacy Scheme (FAS) evidence where applicable

For further guidance on making sure you have the correct evidence, please refer to the CCMS Claim Checklist, available here:

[CCMS Claim Checklist](#)

2.2. Your Bill Has Been Drawn, But Not Assessed

This applies where you have had your Bill of Costs drawn, but the assessment process is incomplete. This includes claims where the Bill of Costs has been lodged with the court, but since returned to you, either at your request to the court or because the court has been unable to complete the assessment.

What should I complete in CCMS?

Please complete your claim in CCMS in line with the step-by-step guide 'Bills Formerly Submitted Under Court Assessed Process', available here:

[CCMS Step-By-Step Guides](#)

What costs of assessment can I claim?

You cannot claim for costs that have not been incurred. This may include, but is not limited to:

- An assessment fee, unless it has genuinely been incurred, which can be evidenced with an office ledger in lieu of a completed EX80A/B evidencing the fee.
- Any time for 'considering provisional assessment' or completing the EX80A/B if you have not done either of these.

You can also refer to chapter 12.2 of the Civil Finance Electronic Handbook.

[Civil Finance Electronic Handbook](#)

What should I upload as evidence?

Anything you would normally upload as evidence, including, but not limited to:

- Your bill of costs.
- Disbursement vouchers for costs over £20.
- Any Family Advocacy Scheme (FAS) evidence where applicable.

For further guidance on making sure you have the correct evidence, please refer to the CCMS Claim Checklist, available here:

[CCMS Claim Checklist](#)

2.3. Your Bill Has Not Been Drawn

This applies where you have not yet started the assessment process.

What should I complete in CCMS?

Please complete your claim in CCMS in line with the step-by-step guide 'Bills Formerly Submitted Under Court Assessed Process', available here:

[CCMS Step-By-Step Guides](#)

What costs of assessment can I claim?

You cannot claim for any costs outside what would be allowable on a claim under the existing Legal Aid Agency Assessed Bill process.

You can also refer to chapter 13 of the Civil Finance Electronic Handbook.

[Civil Finance Electronic Handbook](#)

What should I upload as evidence?

There are no changes to any evidential requirements. You should upload your supporting evidence as normal.

For further guidance on making sure you have the correct evidence, please refer to the CCMS Claim Checklist, available here:

[CCMS Claim Checklist](#)

3. Claims That Are Not On CCMS

If you have a paper certificate and would be claiming using a CIV CLAIM1 or CIV CLAIM1A form, please note LAA is not currently accepting any paper claims.

Regardless of what stage your claim is at in the court assessment process, you can submit a claim for a 100% contingency POA for your profit costs and advocacy fees using the POAC1 form, available here:

[Paper Contingency Process Guidance](#)

4. Appealing a Reduction to Costs

[A reduction of costs can be appealed through the existing appeal process for reviewing decisions made by LAA by an Independent Costs Assessor \(ICA\).](#)

[Standard Civil Contract, chapter 6.71 to 6.81](#)

[Please note that any claim reduced on assessment at the court must be appealed through the courts.](#)

5. Inter Partes Claims

There will be no changes to the requirements that any inter partes costs must be assessed at court. Please refer to chapter 14 of the Cost Assessment Guidance, available here:

[Cost Assessment Guidance](#)

6. FAQ

Question	Answer
<p>I have completed the court assessment process, but <u>I don't have the court have not sent back the sealed assessment certificate yet.</u> What can I do?</p>	<p>LAA will accept alternative evidence, such as a covering letter from the court returning the Bill of Costs, <u>or annotations from the assessing judge on the Bill of Costs</u>, so long as it confirms <u>the details of the assessment (where if the claim was reduced on assessment)</u> or if it was assessed as drawn. <u>LAA will also continue to require and</u> the date of the assessment.</p> <p><u>Where you are sending a bill to LAA without evidence of court assessment, it helps to avoid delays in processing if you can also include a note to explain what stage your bill paid it to in the assessment process.</u></p>
<p><u>Can I still claim a court assessment fee?</u></p>	<p><u>Yes, where you have genuinely incurred the costs and not received the money back from the court. You should evidence this with a financial ledger that demonstrates the financial transaction that has taken place.</u></p>
<p>I'm the second solicitor on the certificate, can I submit my bill separately from the first solicitor?</p>	<p><u>LAA's preference is for one claim to be submitted that covers both providers costs to mirror the assessment at court process. In exceptional circumstances, we can consider separate claims. CCMS can handle you billing together or separately on these claims.</u></p> <p>For more information on claiming in CCMS, please refer to the CCMS Advanced Guide '<u>Submitting a Claim When There Has Been a Provider Transfer</u>'</p>
<p><u>What can I claim for preparing a bill?</u></p>	<p><u>Guideline times are published in the Cost Assessment Guidance. Where more time is required, it can be justified on assessment.</u></p>

<p>Can I still choose to have my claim assessed at court?</p>	<p>No. This is not an optional change, so you must send your claim to LAA for assessment if the court have not completed the assessment of your claim.</p>
<p>Can I choose to have any claim assessed in this way?</p>	<p>No. This process change will only apply to claims that would previously had been assessed at court. If your claim is less than £2,500 and/or didn't conclude in front of a District Judge or above, then it should be drawn as an LAA assessed bill as normal. This may be returned to you to be redrawn.</p>
<p>I don't have details of counsel's claims, will you assess my claim independently?</p>	<p>No, there will be no changes to the requirements for submission of counsel's claims. LAA's operational requirements for this to happen are available in the CCMS Advanced Guides</p>

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