



Costing Crown Court Litigators work
LGFS billing in iLaw Software

Version 2.0
January 2015

iLaw Crown Court Billing Overview

Litigators Crown Court work can be time recorded and billed to the Legal Aid Agency on an LF1 claim within iLaw. iLaw is also able to bill Solicitor Advocate/ Counsel work to the LSC on the AF1 claim via the GradFees module which can be purchased separately and integrated into the iLaw billing screens. iLaw can also bill POCA claims (within the GradFees module), re-trials and claims subsequent to the Final Sentence hearing.

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Entering Client Information

You can enter the Crown Court reference number in the **Case Number** box in **Client Details** or in the **Date of the representation order box** in the Litigators billing screen itself. This will ensure that iLaw knows what fees are appropriate from the relevant date. Also enter the client's **Date of Birth** and **MAAT ID** in **Client Details** in order to populate those details on the LF1 form.

Time Recording

Enter the time spent and disbursements incurred in the **Time recording** screen.

Select **Crown Court** as the option for both the **Legal Aid Class** and **Unit of Work** and time record all the work undertaken, including travel, waiting time and disbursements.

If not already set in the **Staff Management** screen in the main set-up screen, you will be asked to select a **CC band** before entering any time, select an appropriate Rate Band so that the appropriate hourly rates show in the Work in Progress Report for the Fee Earner.

Legal Aid Class	<input type="text" value="Crown Court"/>
Unit of Work	<input type="text" value="Crown Court"/>
Charge Code	<input type="text"/>
CC Band	<input type="text" value="Band A"/> <input type="text" value="Band B"/> <input type="text" value="Band C"/>

Note. You don't have to time record your Crown Court work for Litigators Fee claims but you can do if you want to record detailed time sheets for fee earners and add Crown Court work to your work in progress report.

S51 Hearings

If the hearing is the first hearing in the Magistrates Court of a Section 51 Indictable Only matter then select **Proceedings** as the **Legal Aid Class** and **Section 51 Indictable Only Cases** as the **Unit of Work** and time record all the work undertaken, including travel, waiting time and disbursements. iLaw will bill this work onto the LF1 claim even though it is recorded as Magistrates' Court work.

Legal Aid Class	<input type="text" value="Proceedings"/>
Unit of Work	<input type="text" value="§51 Indictable Only Cases"/>

Preparing the Litigators Claim

In the billing screen, select **Litigators Graduated Fee > LF1, LF2** link. You will see indicated the number of items to be billed and the number of items previously billed for this type of work.

- ➔ Crown Court (9 unbilled items, 0 billed items)
 - ➔ Standard Fee > 5144A
 - ➔ Non-Standard Fee > 5144
 - ➔ Litigators Graduated Fee > LF1, LF2
 - ➔ Graduated Fee > AF1, AF2 and 5144F

Section 1: Case and Offence Details

Select the appropriate fee earner and Court where the case was heard from the drop down menus in **Section 1**. If you have entered the **Case Number** and **Representation Order date** in the **Client Details** screen these will populate the relevant boxes in this section. If you have not previously entered this information then it is important that you do so for iLaw to be able to apply the correct rates and fees.

Date of representation order

The date of the representation order is important for iLaw to determine the right fees and claims applicable. Litigator Fee claims with a Representation Order date on or after 3 October 2011 will trigger Cracked trial fees reduced by 25% and Offence Category A fees aligned with category J and Offence Category G fees aligned with category F.

If your Representation Order date is situated between 1 April 2010 and 3 October 2011 you are able to claim the additional committal for trial fee. You will need to enter a check in the **Committal for Trial** checkbox and then the date that the Committal took place.

Offence Description

Select the appropriate offence from the drop down menu and the offence group will populate with the appropriate class. The Offence group code forms part of the calculation of the basic fee.

Section 1 : Case & Offence Details			
Litigator / FE	AB : Ali Bailey	Case Number	T20121804
Court	LEWES CROWN	Date of representation order	02/05/2012
Offence Description	Murder	Offence Group	A

Section 2: Case Details and Enhancements

Section 2 defines the fee to be claimed by selecting the appropriate **Type of Case** and **Trial Type** to get the basic fee and then inserting the **Length of Trial**, **Number of Defendants** and **Pages of Evidence** as appropriate to claim the additional costs.

Type of Case and Trial Type

Select "Type of Case" of Appeal, Sentence or Trial as appropriate to the Crown Court case number. The selection of this drop down will determine the trial type options in that dropdown.

Select the "Trial Type" as appropriate from the drop down menu as to how the case proceeded i.e. to conclusion of the case via trial or guilty plea, up to or from transfer of Representation Order etc.

Elected Case Not Proceeded

There is a new fee for LGFS Cracked Trial or Guilty Plea (elected either way cases) £362 per proceedings. To claim this fee make sure the 'Date of the Representation Order' field in 'Section 1' is set to a date on or after 3 October 2011, then select 'Elected case not proceeded (ENP)' from the 'Trial Type' dropdown in Section 2.

'Elected Case not Proceeded' selected as the Trial Type

Section 2 : Case Details and Enhancements

Type of Case	T - Trial
Trial Type	Elected case not proceeded (ENP)
Length Of Trial	0
This case was	Elected by the client

Select "This case was" as appropriate from the drop down menu to confirm how the case was transferred to the Crown Court.

With this fee introduction the Committal Hearing fee is removed and the Category 1 Lower Standard fee paid for guilty pleas in the Magistrates' Courts is enhanced by 23% and the Higher Standard fee by 8.3% (please see the Magistrates' Court Category 1 Fee changes section).

The LAC1 form is to be completed and signed at the Committal Hearing for all Either Way Cases directed to the Crown Court by the magistrates. It should then be submitted to the LSC along with the LF1.

Note. If the case was elected to be heard in the Crown Court by the client and not proceeded with also select the last option under “trial type” of elected case not proceeded (ENP) and this will determine the new basic fee with no uplift for PPE count.

Appeals

If the matter is an appeal, select whether appeal against conviction or appeal against sentence from the “Trial Type” drop down menu to claim the appropriate basic fee. In Section 1 on this screen select the offence the defendant was convicted of. If the offence does not appear because it is a summary only offence, select any offence and change the offence description in the Word prepared LF1 claim.

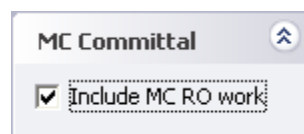
Breach matters

If the matter is regarding a breach of a Crown Court order, select breach of Crown Court Order (new) under “Trial Type” to claim the appropriate basic fee. In Section 1 on this screen select the offence the defendant was sentenced for. If the offence does not appear because it is a summary only offence, select any offence and change the offence description in the Word prepared LF1 claim.

Committal for Sentence

If the matter is regarding a committal for sentence or a hearing subsequent to sentence, make the selection from the **Trial Type** drop down menu to claim the appropriate fee.

Should the matter have time and/or disbursements recorded in the Magistrates Court as part of the case up to committal, select the Include MC RO work check box from the MC Committal menu on the navigation bar. This will ensure that all time recorded is marked as billed in the time records and ensure all disbursements recorded are claimed in the LF1.



Hearing Subsequent to Sentence Fee

Fixed Fees can be claimed for certain hearings subsequent to sentence which relate to the following:

- a) section 1CA of the Crime and Disorder Act 1998(5) (variation and discharge of orders under section 1C);
- b) section 155 of the Powers of Criminal Courts (Sentencing) Act 2000(6) (alteration of Crown Court sentence);

- c) section 74 of the Serious Organised Crime and Police Act 2005(7) (assistance by defendant: review of sentence).

The fees relate to Litigators claims where the representation order date is on or after 3rd August 2009.

The maximum page count for Litigators Fee claims has been reduced from 99,999 to 10,000. iLaw will cap any figure greater than 10,000 in the PPE box in section 2 of the Litigators Fee screen.

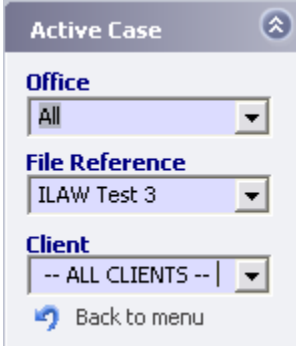
Defendants

If you have co-defendants linked to the same file reference you will see need to enter the additional defendants details in the Litigators Fee billing screens for inclusion on the LF1.

Select **Defendants** from the **Views** menu to complete the necessary details for inclusion on the LF1 claim form. When preparing an LF1 claim for more than one defendant complete the details for all defendants, iLaw will only populate the name of the lead defendant and any other defendants will need to be inserted for inclusion on the LF1 claim form.

Enter the **Client's name**, **Date of Birth**, **Representation Order date** and **MAAT ID**. The lead defendant may have these details entered already. Select Judicial Apportionment, Evidence Provision Fee and Number of Instructed Advocates as appropriate.

Note. Should you be preparing an LF1 claim for more than one defendant, ensure you have all relevant client details under this one file reference and have selected "-- ALL CLIENTS --" in the client name section to ensure time recording against all clients is marked as billed into this LF1 claim.



The screenshot shows a software interface titled "Active Case" with a close button in the top right corner. It contains three dropdown menus: "Office" with "All" selected, "File Reference" with "ILAW Test 3" selected, and "Client" with "-- ALL CLIENTS --" selected. At the bottom, there is a "Back to menu" button with a circular arrow icon.

Disbursements

Select "Time & Disbs" from the Views task bar at the left of the screen to see the total of the time and disbursements recorded. If there has been a VAT rate change during the course of this case, in this screen you should select in the TD column those third party disbursements which are true disbursements for VAT purposes so that the correct VAT rate is applied to them on the claim. Disbursements such as travel expenses will have the appropriate VAT rate added to them at the date the claim is raised.

Litigators Graduated Fee

Chronological List of Time Recorded										
Date	FE	Billed?	Work Undertaken	Time	Qty	Cost	VAT	Reason	TD?	
01/03/12	ILAW	No	MC CC Mileage	-	6	£2.70	£0.54	Return office to Magi		
01/03/12	ILAW	No	MC CC Travel Disbursement	00:00		£5.00	£1.00	Parking at Magistrate		
12/04/12	ILAW	No	CC Preparation : B Rate	02:00		£90.00	£18.00			
12/04/12	ILAW	No	CC Travel : B Rate	01:00		£24.75	£4.95			
12/04/12	ILAW	No	CC Waiting : B Rate	02:00		£49.50	£9.90			
12/04/12	ILAW	No	CC Letter	-	5	£17.25	£3.45			
12/04/12	ILAW	No	CC Telephone	-	4	£13.80	£2.76			
12/04/12	ILAW	No	CC Disbursement (subject to Vat)	-	-	£4.00	£0.80	Parking at Crown Cou	<input type="checkbox"/>	
12/04/12	ILAW	No	CC Mileage	-	20	£9.00	£1.80	Return office to Crow		
12/04/12	ILAW	No	CC Attending Counsel : B Rate	03:00		£102.00	£20.40	Attending Counsel at		
26/04/12	ILAW	No	CC Preparation : B Rate	00:30		£22.50	£4.50			
26/04/12	ILAW	No	CC Attendance : B Rate	01:30		£67.50	£13.50	Attending witnesses		
26/04/12	ILAW	No	CC Disbursement (subject to Vat)	-	-	£500.00	£100.00	Medical Report	<input checked="" type="checkbox"/>	
01/05/12	ILAW	No	CC Preparation : B Rate	00:30		£22.50	£4.50			
01/05/12	ILAW	No	CC Attending Counsel : B Rate	00:54		£30.60	£6.12	Attending counsel at		
01/05/12	ILAW	No	CC Travel : B Rate	01:00		£24.75	£4.95			
Total Costs				15:30		£1,141.58				
Vat						£228.32				
Total work recorded						£1,369.90				

Travel Disbursements and Mileage

The LF1 form requires that Travel Disbursements and Mileage are shown separately in Section 3 so that the destination and reason for travel is included. When time recording Crown Court Travel use the **Travel Disbursement** charge code. This must be used for all Bus Fares and National or London Underground Rail tickets.

The graphic below shows a Bus Fare disbursement recorded as a Travel Disbursement.

Review and Amend							
Date	FE	Billed?	Work Undertaken	Rate	Time	Cost	Reason
20/09/2012	ILAW	No	CC Attendance : A Rate	£53.00	02:00	£106.00	Att.
20/09/2012	ILAW	No	CC Travel Disbursement	£0.00	00:00	£3.00	Bus Fare
20/09/2012	ILAW	No	CC Disb(not subject to Vat)	-	-	£150.00	Psychiatric Report

These disbursements are shown in separate grids in the **Time & Disbs.** screen in the Litigators Fee Billing screens.

Disbursements

Please select which disbursements should appear on an interim disbursements only claim by checking the Interim.

No.	Type of Disbursement	NET £	VAT £	Gross £	Auth?	POA?	Interim?
1	20/09/2012: Psychiatric Report	£150.00	£0.00	£150.00	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2							

Travel Costs

When claiming travel costs, the destination and reason must be included.

No.	Date	Destination	Reason	Distance (public rate)	Distance (private rate)	NET £.p	VAT Y/N?
1	20/09/2012	Lewes CC	Bus Fare	15		£3.00	<input checked="" type="checkbox"/>

For each travel disbursement listed, you are required to enter manually the 'Destination' and the 'Distance' if you are claiming mileage at Public Transport rate (25p per mile) or Private transport rate (45p per mile). The **Vat Y/N** column will be completed automatically by iLaw. When the LF1 is printed, Disbursements subject to and not subject to Vat are placed in Section two and Travel Costs are placed in Section three.

Section two – details of disbursements (excluding travel)

If prior authority has been granted, a copy of the authorisation letter must be submitted. Disbursement vouchers must be submitted for all disbursements of £20 or more, regardless of whether prior authority has been granted. Please use Section 3 for all travel costs claimed.

Type of disbursement (e.g. medical report)	Net amount claimed (£)	VAT claimed (£)	Gross amount claimed (£)	Has prior authority been granted Y or N?	Have you applied for a payment on account Y or N?	Payment Received Y or N?
20/09/2012: Psychiatric Report	£150.00	£0.00	£150.00	N	N	

Section three - Breakdown of Travel Costs

When claiming travel costs the date of travel, destination and reason for travel must be included. If you are travelling to visit your client you must justify why these expenses should be paid when a local supplier would not incur them. Travel will be allowed at public transport rates unless justification for private travel is provided. Please provide copies of all tickets or receipts for public transport costs incurred over £20.00. Please see the LGFS Guidance for more information.

Date (dd/mm/yy)	Destination	Reason for travel	Distance (claiming mileage at Public transport rates)	Distance (claiming mileage at Private transport rates)	Amount claimed £:p (Exc VAT)	VAT Y/N
20/09/2012	Lewes CC	Bus Fare	15		£3.00	N
Total Claimed			0	0	£3.00	

Prior Authority

Should you have applied for prior authority for any disbursements, received a payment on account or made an interim disbursement claim, select as appropriate against that disbursement as shown below and these details will populate as necessary into the LF1 claim form.

Disbursements

Please select which disbursements should appear on an interim only claim by checking the Interim box.

No.	Type of Disbursement	NET £	VAT £	Gross £	Auth?	POA?	Interim?
1	01/03/2012: Return office to Magistrates	£2.70	£0.54	£3.24	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	01/03/2012: Parking at Magistrates Court	£5.00	£1.00	£6.00	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	12/04/2012: Parking at Crown Court	£4.00	£0.80	£4.80	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	12/04/2012: Return office to Crown Court	£9.00	£1.80	£10.80	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	26/04/2012: Medical Report	£500.00	£100.00	£600.00	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6	01/05/2012: Parking at Crown Court	£2.50	£0.50	£3.00	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	01/05/2012: Return office to Crown Court	£9.00	£1.80	£10.80	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8							

Billing the claim for submission

Change the dates of the Date Billed and Date work ended as appropriate and select “Bill Now.”

Section 4 will then confirm the total of the Litigators Fee claimed and the actual time billed. Select “print LF1 claim” from the task bar on the left of the screen and the LF1 claim will be prepared in Word format.

Retrials/ further claims

Should you wish to make a further claim on a file such as a retrial or further hearing subsequent to sentence, select **Retrial Claim** from the Trial/Retrial menu on the left of the screen and this will allow you to make a whole new claim LF1 claim as appropriate.

Should you wish to appeal against any reduction by the LSC, iLaw can produce the LF2 by selecting “Print LF2”. From this task bar iLaw can also produce an interim disbursements claim.

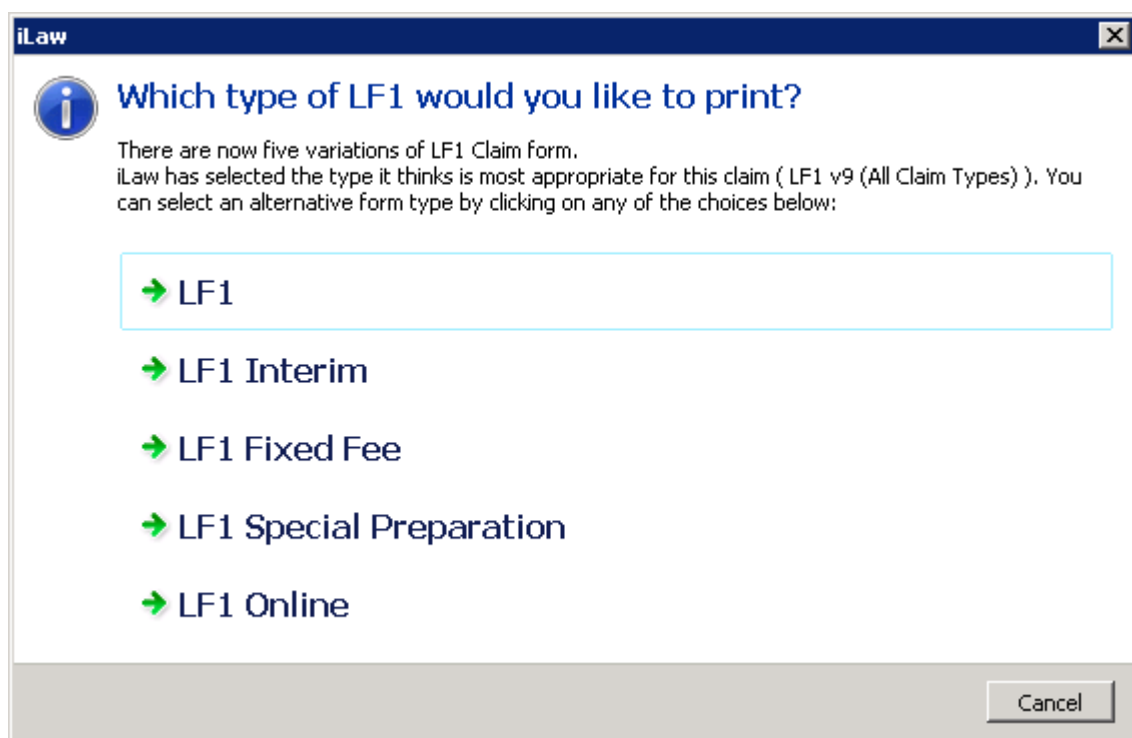
By selecting “claim summary” from the task bar at the left of the screen you can record the amounts received in respect of your LF1 claims for your own records and see at a glance in a specific date range whether your claims are paid in full or not.

Should you have made a mistake in your preparation of the claim you can select “Unbill” and make any amendments in the Litigators Fee billing screen clicking on **Bill Now**. If you have iLaw Accounts you will need to reverse the transaction in the Client ledger before unbilling.

LF1 Form Variations

There are now variations of the LF1 form that should be used when making Litigator Fee Claims for Fixed Fees, Interim disbursement claims, claims made on LSC Online and claims for special preparation. The existing LF1 should be used for all claims considered a Graduated Fee.

You can select the LF1 form type when you click on **Print LF1 Claim** from the **Claims** menu in the Litigators Fee Billing screen. iLaw will select the LF1 form type from the options that it thinks is appropriate but you have the ability to select an alternative LF1 form type.



What LF1 form to use for which claim?

Use this guide to assist you when making the LF1 selection from the new box provided.

LF1 Graduated Fee v9 October 2012

This claim form is for all Graduated Fee Claims. It should not be used for Fixed Fee claims, Interim Fee claims, Special Preparation, and when the LF1 has been submitted online.

LF1 Fixed fee

This is a three page form for fixed fees only.

This claim form should be used for these Fixed Fees only

- Appeal against sentence (from a Magistrates Court)
- Appeal against conviction (from a Magistrates Court)
- Committal for Sentence
- Contempt Proceedings
- Alleged breach of a Crown Court order
- Hearing subsequent to sentence
 - S1c Crime and Disorder Act 1998 (Vary discharge ASBO)
 - S155 Powers of Criminal Courts (Alter sentence)
 - S74 Serious Organised Crime and Police Act 2005
- Evidence Provision Fee
- Before Trial Transfer (new and org)
- Up to and including PCMH transfer (new and org)

LF1 Interim

This is a two page form for claims for Interim disbursements only. You will still be able to print an LF1 Interim claim for disbursements by clicking on the **Print LF1 Interim** link from the **Claims** menu.

LF1 Online

For graduated fees submitted online only. This is a three page form with an optional fourth page for additional information should it be required.

LF1 Special Preparation

This form is only required if a special preparation claim is being made.

LF3 Claim forms for Interim Disbursements and final fee claims

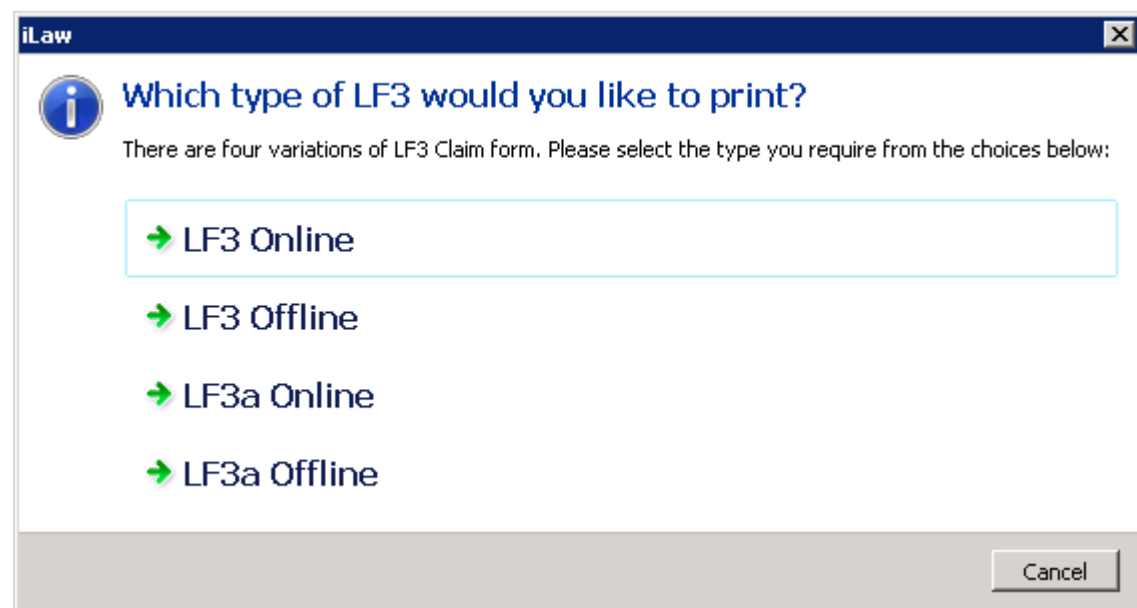
The LF3 forms for interim claims can be accessed from the **Print LF3** button from the **Claims** menu in the **Litigators Graduated Fee** screen.

Important: The 'Print LF3' button will show for claims where the 'Date of representation order' entered is on or after 2nd October 2014.

Selecting the LF3 to print

There are four variations of the LF3/ LF3a claim form. The LF3 forms are used to claim your interim claim depending upon whether it is claimed 'online' or 'offline'. The LF3a forms are used for submitting the litigator's final claim for matters that have had an interim payment received.

The LF3 option screen (the LF3 Online form is selected as default)



Important: If a litigator's claim has had no request for an interim payment you should continue using one of the variant forms of the LF1 for the final claim.

The LF3 claim variations are:

⇒ LF3 online

Select this option for LGFS interim claims that are created online.

⇒ LF3 offline

Select this option for LGFS interim claims that are created in iLaw to be sent to the LAA.

To include disbursements on this form click the **Interim?** checkbox in the **Time & Disbs.** Screen.

No.	Type of Disbursement	NET £	VAT £	Gross £	Auth?	POA?	Interim?
1	29/09/2014: Expert's Report	£350.00	£0.00	£350.00	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	29/09/2014: Photocopying	£0.68	£0.14	£0.82	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3							
4							

Section four of the LF3 offline form will include all disbursements checked and show the total of the Interim disbursements claimed.

Note: If you are making an interim claim for the graduated fee total then you will need to enter those details into the **Graduated Fee claimed** boxes for **Net**, **VAT** and **Total** and then amend the **Total claimed**.

⇒ LF3a online

Select this option for the Litigator fee final claim created **online** where an interim fee has been previously paid.

⇒ LF3a offline

Select this option for the Litigator fee final claim created **offline** where an interim fee has been previously paid.

Important: If you have been paid for an interim claim you must submit an LF3a and not a variant form of the LF1 for the final claim.

If you have either been granted prior authority or applied for a payment on account check the **Auth?** and **POA?** checkboxes in **Disbursements** grid in the **Time & Disbs.** screen.

No.	Type of Disbursement	NET £	VAT £	Gross £	Auth?	POA?	Interim?
1	29/09/2014: Expert's Report	£350.00	£0.00	£350.00	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2	29/09/2014: Photocopying	£0.68	£0.14	£0.82	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3							
4							

In section two of the LF3A Offline form, the columns 'Has prior authority been granted Y or N?' and 'Have you applied for a payment on account Y or N?' will show populate with 'Y'.

Has prior authority been granted Y or N?	Have you applied for a payment on account Y or N?	Payment Received Y or N?
Y	Y	

Links to Litigators LF3 guidance

Litigators' Graduated Fee Scheme Guidance on interim payments

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/354796/interim-payment-guidance-sept-2014.pdf

Use form LF3 to make an interim litigator fee claim

<https://www.gov.uk/government/publications/preview-lf3-apply-for-an-interim-litigator-fee-claim>

Apply for a litigator fee final claim where an interim fee has been paid

<https://www.gov.uk/government/publications/preview-lf3a-apply-for-a-litigator-fee-final-claim-where-an-interim-fee-has-been-paid>

The logo for 'ilaw' features a stylized 'i' that is a solid black circle with a white dot in the center, followed by the lowercase letters 'law' in a serif font.

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