

We recognise there are some occasions when your clients may not bring evidence with them but simply by taking care when filling in forms can significantly reduce reject rates which will then lead to reduced delays on funding decisions, requests for adjournments and extra postal costs. It will also mean that legal aid staff can provide you with a faster and more efficient legal aid decision not only on your current case but also on completed forms awaiting processing. In order to reduce the overall level of rejected Criminal legal aid applications, which in some areas of work is as high as 64% of all applications received, we have put together this feedback document, which highlights the top 5 reasons for rejects and what action needs to be taken to avoid applications being rejected.

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Incomplete forms

Criminal Legal Aid Forms will be considered incomplete if any of the questions on the CDS14, CDS15 and CDS16 (if required) have not been fully completed.

This means question must be answered:

- Yes
- No
- N/A
- With all other specific information completed.

Applications will be rejected if the forms have been struck through (as shown in example below), as they need to have affirmative confirmation of the questions.

payments for anyone in your household? Yes No
If 'Yes', please say how much. £ every

If your maintenance income is £500 per month or more, please provide evidence.

5 Other income

5a Do you or your partner receive any of the following (please tick all that apply):

<input type="checkbox"/> Student grant or loan	<input type="checkbox"/> Rent from another property
<input type="checkbox"/> Board or rent from family, lodger or tenants	<input type="checkbox"/> Income from any other source (excluding income declared in Q5b & c)
<input type="checkbox"/> Financial support from anyone else or someone allowing you to use other assets or money e.g. trust funds.	<input checked="" type="checkbox"/> None of the above

You

Add together the total amount you receive from the above sources of income. £ every

If you receive income from other sources or property please provide bank statements and dates.

Forms must have all questions answered as shown in the example below.

If your client is unable to provide exact figures where required provide an estimate and note that in the further information box.

For further guidance on how to fully complete the CDS forms 14,15 and 16, please refer to annex 19 of the Criminal Legal Aid Manual. This can be downloaded on the Legal Services Commission Website at:

http://www.legalservices.gov.uk/criminal/criminal_legal_aid_eligibility.asp

Do you receive a private pension or a pension from an employer? Yes No
If 'Yes', please say how much. £ every

Your partner: Yes No

Please provide the total amount you receive for maintenance payments for anyone in your household? Yes No
If 'Yes', please say how much. £ 200 every month

If your maintenance income is £1000 per month or more, please provide evidence.

4 Maintenance income

4 Do you or your partner receive maintenance payments for anyone in your household? Yes No
If 'Yes', please say how much. £ every

Your partner: Yes No

Do you or your partner receive any of the following (please tick all that apply):

<input type="checkbox"/> Student grant or loan	<input type="checkbox"/> Rent from another property
<input type="checkbox"/> Board or rent from family, lodger or tenants	<input type="checkbox"/> Income from any other source (excluding income declared in Q5b & c)
<input type="checkbox"/> Financial support from anyone else or someone allowing you to use other assets or money e.g. trust funds.	<input checked="" type="checkbox"/> None of the above

You

Add together the total amount you receive from the above sources of income. £ every

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No mortgage or rental agreement

If your clients housing costs are over **£500** p/cm they must provide either a:

- Mortgage statement from the last 3 months
- Rental agreement from the last 3 months

If neither of these are available they can provide their bank statements again from the last 3 months if they show the payments being made.

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Old Versions of the forms provided

If you are unsure of which version of the form you should be using please contact the magistrates' court and they will be able to tell you. If you need to order new stock, this can be done through dsicmm:

Telephone: 0845 3000 343

Fax: 0845 5438 258

Email: cdsforms@legalservices.gov.uk

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No Evidence or out of date evidence

What can my client provide if they do not have the following...

A Self Assessment tax return/Accounts

Most recent wage slip

Proof of income as paid cash in hand

Proof of income as self-employed for less than a year

Proof of income as recently ceased trading or lost their job

Why my client cant provide them?

Their tax return/Accounts are out of date

Their employer refuses to provide them with them?

They do not have a wage slip from the last 3 months

They do not have any evidence?

They haven't completed a self-assessment tax return of filed accounts

Their evidence doesn't reflect their current situation

What else could I provide?

*One of the following types of evidence

*Bank Statements (last 3 months)
Cash book
Invoices and receipts
Any record of takings.

*Bank statements
Contact details for the employer

Previous wage slips accompanied by last 3 months bank statements

*Letter from employer confirming how regularly applicant works and how much they get paid.
Bank Statements (last 3 months)

*Bank Statements (last 3 months)
Cash book
Invoices and receipts
Any record of takings.

*Letter from accountant confirming closure of business.
Last accounts showing closure date.
Letter from employer confirming loss of job.

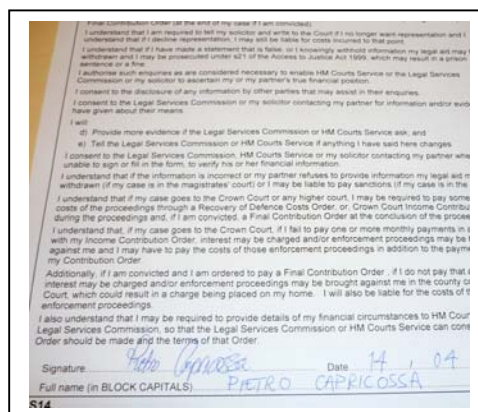
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Incomplete declaration

The applicants, solicitors and partner's declaration (if applicable) must all be signed and dated for a form to be considered complete and the application can be processed if all other required information is provided.

The only circumstances where a form can be accepted without the applicant or partners signatures are detailed in section 4.4.6 and 4.4.7 of the Criminal Legal Aid Manual, April 2010.

This is available from the LSC Website > CDS pages.



File Requests

Further to this from time to time the LSC will request forms from providers, as the purpose of these requests are to improve the quality of legal aid work delivered, it would be greatly appreciated if when these forms are requested they could be provided in a timely manner, as this is a requirement of the unified contract. Further information can be found in the Unified contract July 2008 under section 8.

Further Information: If you have any suggestions for how we can work together to reduce the amount of applications rejected please contact us at: louise.perry@legalservices.gov.uk