

## **REVISED COST LIMITATION ON CIVIL LEGAL AID CERTIFICATES – 12<sup>TH</sup> DECEMBER 2011**

The Cost Limitations in CIS have been revised down to reflect the 10% reduction in hourly rates introduced on 3<sup>rd</sup> October 2010.

Plus, the default cost limits for Public Law Children Act under the new Fixed Fee/FAS schemes have been increased from £5,000 to £10,000 to avoid the unnecessary effort of increasing them routinely.

### **1. NON-FAMILY CASES – 10% FEE REDUCTIONS**

For new non-family certificates issued since 3<sup>rd</sup> October 2011, the prescribed hourly rates for solicitors were reduced by 10% and enhancements capped down, barristers hourly rates were codified and reduced by 10%, and experts' fees were codified and reduced by 10%.

Changes have been made to:

- **Default Cost Limitations on New Certificates (Annex A)**
- **Existing Cost Limits (Annex B)**

### **2. PUBLIC LAW CHILDREN ACT CASES.**

Providers have questioned why the default cost limit on a public law certificate is £5,000, when any case that proceeds to a hearing goes well beyond this cost level. The default cost limits for parent and children public law children act cases have therefore been increased to £10,000. See Annex C.

### **3. FAMILY CHANGES FEBRUARY 2012**

A similar approach is planned for the Family rate changes in February 2012. There will also be revised proceedings for some family proceedings.

## ANNEX A: PROCEEDINGS WITH REDUCED DEFAULT COST LIMIT

For information only, the CIS list wording for the proceedings for which the defaults have been reduced by 10%. The other proceedings defaults remain unchanged.

Category	CIS List Wording	Code
ACTIONS AGAINST THE POLICE	Negligence [W] Race Relations Act1976(W)(not stand alone) False Imprisonment [W] Trespass/Assault [W] Child Abuse Wrongful arrest [W] Misfeasance [W] Malicious Prosecution [W] FAA 76/LR (MP) A34 Breach of Statutory Duty [W] Personal Injury	PC003 PC029 PC006 PC008 PC043 PC005 PC020 PC007 PC038 PC028 PC026
CARE	Judicial Review	CC001
CIVIL CRIMINAL	Action for Judicial Review	CR010
CLINICAL NEGLIGENCE	Clinical Negligence	MN029
HOUSING	Recover Possess – tenant [W] Housing Disrepair Housing Act 1996 – antisocial behave [W] Bring a counterclaim Homelessness – Housing Act 1996. Harassment/wrongful eviction	HO001 HO071 HO022 HO062 HO018 HO073
IMMIGRATION	Judicial review	IM001
MENTAL HEALTH	Court of Protection – non medical Court of Protection – Deprivation of Liberty	MH022 MH024
PUBLIC LAW	Action for Judicial Review	PL001

## ANNEX B: NEW COST LIMITS

They are 10% reductions on existing costs limits (the existing figures are set out in the first column):

EXISTING UPPER LIMIT	NEW RANGE
G - £1,000	J - Up to £900
EGY2 - £1,500	EMGY2 - Up to £1,350
S - £2,500	SN - Up to £2,250
C2 - £3,000	CN2 - £2,000-£2,700
1 - £3,500	B1 - £2,500-£3,150
H - £5,000	F - £3,500-£4,500
V - £7,500	VN - Up to £6,750
3 - £8,500	B3 - £6,500-£7,650
L10 - £10,000	I10 - £7,500-£9,000
21 - £12,500	B21 - £10,000-£11,250
L15 - £15,000	I15 - £12,500-£13,500
L20 £20,000	K20 - £15,000-£18,000
L22 £22,500	K25 - £18,000-£20,250

**Annex C - PUBLIC LAW CHILDREN ACT**

<b>PROCEEDINGS</b>	<b>CODES</b>
App for supervision order (parent)(fixed	PB059
App for supervision order (child) (fixed	PB060
FF/FAS App for care (parent)	PB061
FF/FAS App for care (child)	PB062
FF/FAS App for supervsn (parent)	PB063
FF/FAS App for supervsn (child)	PB064