

Glossary of terms

Term	Meaning
A	
ADR	Alternative dispute resolution
AJA 1999	Access to Justice Act 1999
<i>Amendment</i>	A change in the scope of a certificate to allow further work to be undertaken.
<i>Appeal</i>	Appeals to Independent Funding Adjudicator or Independent Costs Assessor against the refusal of legal aid, provisional assessment of costs or discharge/revocation of certificate.
B	
<i>BACS</i>	Means BACS Ltd (formerly known as Bankers' Automated Clearing Services);
<i>Bid Zone</i>	A geographical area prescribed by us for the purposes of Contracts or for Contract Work
C	
Case Categories	Case categories are given their own Criteria in the Funding Code. Case categories in the Code differ from franchise categories which serve a different purpose.
CC/CA	Contract Compliance/Cost Assessment Audit - Audit of firms against the general civil/criminal contract to ensure they are meeting the contract specification
<i>CDS</i>	Criminal Defence Service - Solicitors and barristers funded by the Legal Services Commission to assist people suspected of, or charged with, criminal offences
<i>CFA</i>	Conditional Fee Agreements - No win No Fee agreements. Often used when Legal aid is not available in cases such as Personal Injury
CLS	Community Legal Service - The CLS is the framework for comprehensive local networks of good quality legal and advice services, supported by co-ordinated funding, and based on the needs of local people. Its aim is to improve access to information and advice so that people in England and Wales can find out about their rights and how to enforce them.
Community Legal Service Providers	Providers of legal help or information that have been certified as reaching the required quality standard
Contractual Charge	If a funded client gains money/property, or keeps some money/property which was placed in issue, then the contractual charge may attach, and the client has to pay back some or all of their solicitors bill for work done under Legal Help
Contributions	Monthly &/or lump sum payment(s) made by the assisted person toward the cost of a case
Costs Limitations	A costs limitation is binding on assessment either by the court or the Commission. Irrespective of the sum of costs on the assessment certificate the fund's liability does not exceed the final costs limitation imposed.

Term	Meaning
Court duty solicitor	The purpose of the court scheme is to ensure that individuals who do not have a solicitor (with some exceptions, see Duty Solicitor Manual) and are either in custody or charged with an imprisonable offence receive advice.
D	
<i>Detailed Assessment</i>	Determination of costs by the court or the LSC (also sometimes known as taxation)
<i>Devolved Powers</i>	In devolving powers to contract holders the Commission is transferring some of its statutory decision making powers, but retains the responsibility of ensuring that franchisees are exercising devolved powers appropriately.
<i>Disbursements</i>	Expenditure in addition to profit costs e.g. Court fees, Experts fees etc.
<i>Discharge</i>	The ending of a certificate without a financial penalty for the client
<i>DRU</i>	Debt Recovery Unit - The commission has an in-house department responsible for the recovery of financial liabilities resulting from unpaid contribution and costs and damages awards in publicly funded cases
DSCC	DEFENCE Solicitor Call Centre - "A service which will, upon notification from the Police, contact and arrange for a solicitor (either duty solicitor or own nominated solicitor) to attend a client when that client requests the services of a solicitor in the police station. Additionally, the service will also refer clients to CDS Direct for Telephone Advice where applicable. This service is currently contracted to First Assist."
<i>Duty solicitor scheme</i>	The scheme is made up of the Court Scheme and the Police Station Scheme.
E	
<i>ECHR</i>	European Convention on Human Rights - European convention which must be considered for all applications for public funding
<i>Emergency Certificate</i>	A temporary or provisional certificate issued before receipt of an assessment of means.
<i>Emergency Representation</i>	Emergency representation is only available as part of Legal Representation and does not apply to any other level of service. Legal Representation may only be granted as a matter of urgency where it appears in the interests of justice to do so.
<i>Exceptional Funding</i>	Such other services as are authorised by specific orders or directions from the Lord Chancellor. The Special Cases Unit based in Exchange Towers, London, deals with applications for exceptional funding.
<i>Excluded Work</i>	The Lord Chancellor has issued guidance under section 23 of the Access to Justice Act 1999, explaining the Government's intentions underlying paragraph 1 of Schedule 2 to the Act (Excluded services)
F	
<i>Family Graduated Fees</i>	The Family Graduated Fee Scheme came into force on 1 May 2001. It applies to barristers in independent practice who undertake family work under funding certificates granted on or after 1 May 2000. The graduated fees vary with the nature of the proceedings and a number of factors designed to reflect their complexity. Provision is also made for an additional fee to be payable in proceedings involving an exceptional amount of preparation.

Term	Meaning
<i>Family Help (Lower)</i>	Family Help (Lower) exists to provide more substantial advice, assistance and negotiation to resolve disputes. It may be used to secure the early resolution of a family dispute or to obtain a necessary consent order following settlement. Family Help (Lower) may also be used to provide legal support for cases going through Family Mediation.
<i>Family Help (Higher)</i>	Family Help (Higher) is appropriate when it becomes necessary to issue proceedings other than for the purpose of obtaining a consent order (or, in the case of a Respondent, proceedings have already been issued) with a view to securing the early resolution of a family dispute. Family Help (Higher) does not cover preparation for, or representation at, any final hearing. Legal Representation covers representation in all other contested Family proceedings.
<i>Family Mediation</i>	Family Mediation is a separate level of service under the Funding Code, which authorises mediation of a family dispute and an assessment of whether mediation appears suitable to the dispute and the parties and all the circumstances.
<i>File Review</i>	Organisations must have written arrangements for the periodic review of case files. The review must cover both legal advice issues and procedural compliance issues.
Full Representation	A grant of legal representation other than investigative help
Funding Assessment	Replaces merits test under Legal Aid Act 1988
Funding Code	The Funding Code, approved by the Lord Chancellor in January 2000, contains all the rules and procedures for deciding which individuals cases should be funded by the Legal Services Commission from 1 April 2000
G	
H	
I	
IAA	Immigration Appeals Adjudicator
Independent Funding Adjudicator	Deals with appeals against refusal of funding and prior authorities
Independent Costs Assessor	Deals with appeals against provisional assessments of claims
<i>Investigative Help</i>	Investigative Help is only available where prospects of success are unclear. It covers only the cost of investigating a potential claim.
J	
K	
L	
LAA 1988	Legal Aid Act 1988 – Still applies to certificates originally processed under the Legal Aid Act 1988

Term	Meaning
Land charges	On occasions, funded clients are successful in recovering or preserving an interest in their domicile. The Funding code allows for eventual recovery of solicitor's fees from the property's eventual sale, and a charge is registered. The Land Charges Section at the LSC head office administers these charges, and subsequent property transactions
Legal Help	Advice and Assistance about a legal problem, not including representation or advocacy in proceedings. Legal Help replaces Advice and Assistance (excluding ABWOR) under the Legal Aid Act 1988.
Legal Representation	Authorises legal representation for a party to proceedings or for a person contemplating taking proceedings.
Levels of Service	The Funding Code sets different Criteria for different services, and sometimes for different stages of a case, the Code divides the services which may be funded by the Commission under section 4(2) into discrete "Levels of Service", each of which has its own legal definition and Criteria.
Licensed Work	Certificated work (i.e. full representation) that requires a licence to start the work
Likely costs	An estimate of the likely total gross costs to be incurred on behalf of the client to disposal of the proceedings. This includes counsel's fees, disbursements and any enhancement or uplift on costs.
Likely damages	A realistic estimate of the size of any money award the client would receive if substantially successful at trial or final hearing, after allowing for any likely reduction through contributory negligence or otherwise.
LSC Online	LSC Online is an online billing and e-business tool
M	
Master Index	A department within the LSC that records all supplier details on LSC databases. Master index must be informed when a solicitor changes firm, firms merge, separate, new fee earners join a firm or the firm name changes.
Means Test / Financial Eligibility	The process by which we assess a clients financial eligibility for Public Funding
Mediation	Family Mediation is a separate level of service under the Funding Code, which authorises mediation of a family dispute and an assessment of whether mediation appears suitable to the dispute and the parties and all the circumstances.
Merits Test	The consideration of all the legal circumstances of a case to assess whether a case has sufficient legal merit to justify the provision of public funding. Replaced by The Funding Assessments for cases processed under the Access to Justice Act.
MPA	Multi party action. MPAs are any action or actions in which a number of clients have causes of action, which involve common issues of fact or law arising out of the same cause or event.
N	
NFP	Not for profit organisations. For example, Citizen Advice Bureaux, Advice Centres and Organisations relying on external funding
NMS	New Matter Starts - Number of controlled matter civil starts a firm may commence in a particular category

Term	Meaning
O	
Offer of Public Funding	An offer of funding is issued when the client is assessed as having to pay a contribution toward the costs of a case
P	
PACE	Police And Criminal Evidence - Police And Criminal Evidence Act was passed in 1984 and provided for non means-tested advice & assistance to clients detained at a Police Station
PDS	Public Defender Service - The PDS provides independent advice, assistance and representation on criminal matters. The LSC directly employs the PDS staff of solicitors, accredited representatives and administrators.
Peer Review	Peer review is a quality assessment tool. It directly measures the quality of advice and legal work carried out by legal aid providers. Peer reviewers are experienced legal aid practitioners. They assess a stratified random sample of a provider's case files using a standard criteria and ratings system. They determine the quality of advice and legal work provided to clients in a particular category of law.
Police Station Duty Solicitor	"A solicitor who is available to provide free legal advice in the police station and who will be on "duty" (usually daily slots) to provide such advice for those clients who do not have their own nominated solicitor but who want legal advice."
Post-certificate matters	Any action taken following the issue of a full certificate
Pre-certificate matters	Any action taken before a full certificate is issued.
Prior authority (Civil Certificates)	Where it appears to a client's solicitor to be necessary for the proper conduct of the proceedings to incur costs by taking any of the steps specified in Volume 1 Part B of the LSC Manual, he may, unless authority has been given in the certificate, apply to the Regional Director for prior authority to incur expenditure. This is mandatory where the proceedings are in the Magistrates Court.
Prospects of success	<p>The likelihood of the client obtaining a successful outcome in the proceeding, assuming the case were determined at trial or final hearing</p> <p>Very good = 80%+ Good = 60-80% Moderate = 50-60% Borderline = Differences of opinion. Not possible to say if 50%+ Poor = >50% Unclear = Further investigation required</p>
Providers	All agencies delivering information and advice provision within the CLS or CDS network. These include solicitors, and a range of not for profit agencies within the voluntary and statutory sectors

Term	Meaning
Provisional Assessment	A reduction by the Commission of the costs claimed
Public Interest	The public interest of a case is a new consideration under the Funding Code which formed no part of the merits test in the Legal Aid Act 1988. Public interest is a very wide concept. Different types of case may exhibit a public interest in different ways.
Q	
Quality Mark	The Quality Mark is a set of standards and requirements that assure the quality of service of legal providers. To carry out legal aid work organisations must obtain the Quality Mark for the level of service they provide. Members of the public who need legal advice and other help can then rely on receiving a quality assured service.
R	
Reassessment	A review of a clients financial eligibility for public funding (also known as a further assessment)
Refund	Refund contribution payable to the assisted person of a credit balance on any case balanced, which may include contributions, damages, or interest on damages.
Refusal	Refusal of application for legal aid
Regulations	The CLS Fund regulatory framework
Reject	Application/process rejected due to its containing an omission or error
Revocation	Ending of public funding with financial penalty for the client (see revoked certificate)
Representation orders	A document granting a right to representation under section 14 of the Access to Justice Act 1999. Governed by Criminal Defence Service (General) (No. 2) Regulations 2001 [S.I. No. 2001/1437] (as amended)
Revoked Certificate	A funding certificate may be revoked (stopped), for example, if a funded client fails to disclose financial information, which has been requested. The funded client will then be liable for all costs incurred during the time of the certificate. The debt may be pursued by our Debt Recovery Unit in London
S	
SCU	Special Cases Unit - Management/administration of Civil Multi Party Actions, applications for authority to instruct Leading Counsel and cases where the costs are likely to exceed £25,000
Show Cause	A notice, which is issued under a Public Funding Certificate inviting the solicitor and client to give reasons why the certificate should not be discharged or revoked.
SIU	Special Investigations Unit - Head office unit responsible for handling complex or potentially fraudulent means assessments for applications made to Regional Offices
Special Children Act Proceedings	Generally representation for children, parents and those with parental responsibility (including delegated parental responsibility under section 2(9) Children Act 1989) will be granted funding without reference to means, prospects of success or reasonableness.

Term	Meaning
SQM	The Quality Mark is the quality standard for legal information, advice and specialist legal services. It comprises a set of standards designed to ensure that a service is well run and has its own quality control mechanisms that assure the quality of the information or advice the service provides.
SQM Categories	Reflect different area's of expertise of a provider
Standard Wordings	Standard wordings for matters, proceedings, stages, limitations, refusals, show cause, revocation and discharge used by the LSC
Statutory Charge	Where the Commission funds a service for a client as part of the Community Legal Service, unless regulations provide otherwise, the un-recovered cost of funding the service gives rise to a first charge on any property recovered or preserved by the client in any proceedings, or in any compromise or settlement of any dispute, in connection with which the services were funded: see section 10 (7) Access to Justice Act 1999.
Substantive Certificate	A certificate that may be issued following receipt of an application for substantive legal representation. The certificate may be contributory or non-contributory and the issue may depend on the acceptance of an offer of public funding.
T	
Taxation	Determination of costs by the court or LSC (now known as detailed assessment)
Taxed Bill	The taxed bill is the bill drawn by a costs draftsman for the court to assess a sol's costs, or our definition of a claim 1 which has been detailed assessed.
U	
Undertaking As To Costs	Undertaking form a solicitor that costs to be claimed, including disbursements, will not exceed a certain amount, which may allow the release of monies held in the fund to the client.
V	
VHCC	Very high cost cases – Cases meeting the referral criteria are dealt with by the Special Cases Unit
W	
<i>Wider Public Interest</i>	The potential of the proceedings to produce real benefits for individuals other than the client (other than benefits to the public at large which normally flow from proceedings of the type in question).
X	
Y	
Z	