

Guide to reading a Certificate

Please refer to the dummy certificate following this guidance. The guidance below relates to the corresponding numbers shown on the certificate.

- *1. The type of certificate issued e.g. Family Help (Higher), Full Representation
- *2. The Act under which the application for a certificate was considered i.e. the Legal Aid Act 1988 or the Access to Justice Act 1999
- *3. The LSC case reference (this must be quoted on all correspondence relating to the certificate)
- *4. The client details i.e. name and address, and opponent details (the opponents details must be shown on a certificate relating to civil proceedings but are not mandatory on certificates relating to family proceedings)
- *5. The details of the firm currently acting under the certificate on behalf of the client
- *6. The summary of the history of the certificate i.e. the levels of service and details of any amendments to the certificate. This includes the date of issue of the certificate. The date of issue may differ from the effective date of the proceedings and limitations (see *8) which may be earlier. No costs are recoverable for work done before the issue date.
- *7. The current status of the certificate i.e. whether the certificate is live or dead. If the certificate is dead this section will also include details of whether the certificate was discharged or revoked and the date when cover came to an end.
- *8. The scope of the certificate. This section provides the detail of what work is covered by the certificate.
 - The proceedings. These will be shown in bold type. Each set of proceedings will have it's own scope limitations and be shown in separate boxes on the certificate.
 - 'Limitation'. The scope limitation. This provides the detail of what steps are covered by the proceedings to which the limitation relates.
 - 'Effective'. This is date the decision was taken add the scope limitation to the certificate.
 - 'Removed'. This is the date of removal of the scope limitation.
 - 'Costs Limitation'. This specifies the limit of the solicitors' costs, including disbursement and counsel's fees but excluding VAT, which may be incurred under the certificate. The costs limitations for the different proceedings are **not** added together to determine the overall costs limit. The highest of the cost limitations, specified under **any** of the proceedings that appear on the certificate, applies to all work done under the certificate.
- *9. Guidance on the application of costs limits, amendments and family graduated fees.
- *10 The details of the regional office issuing the certificate

Full details of the standard wordings used on Public Funding Certificates can be found in Volume 3 of the LSC Manuals, Part F.

DUMMY CERTIFICATE

(*1) CLS FUNDING CERTIFICATE

(*2) Access to Justice Act 1999

(*3) Reference Number: **GFYJJJEI4155/A/Z/1**

(*5) Current Supplier Details		(*4) Client Details	
Firm Name	Wrighting Wrongs Solicitors	Client	Mr J Bloggs
Address	1, Justice House New Court Street Newcastle JU57 1CE	Address	30 St. James House Middlesbrough Street Sunderland SR1 2JP
Account No	0N000A	Opponent Details	Date Included
Phone No	0191 1234567	MR JOHN SMITH	02/01/09
Fax No	0191 8910111		
Ref No	WW/111		
Conducting Solicitor	Richard Wrighting		
Old Certificate Number			

This is to certify that the status of the Certificate is as specified in the "Certificate Summary" box below. Its scope is specified in the "Scope of Certificate" box overleaf. It covers the proceedings listed overleaf and is subject to the limitations and conditions listed overleaf.

(*6) Certificate Summary

Substantive certificate for **Family Help (Higher)** issued on 02/01/2009

Amendment issued on 09/01/2009

Amendment to **Full Representation** 01/02/2009

(*7) Current Certificate Status

LIVE

This certificate imposes both scope and financial limitations on the work to be done under it.
Payment will not be made for work undertaken outside the scope specified or in excess of the costs limit.
Solicitors should check the limitations imposed carefully and apply for an amendment where appropriate.

As applicant to receive Family Help (Higher) in relation to the proceedings, whether proposed or issued, for a variation or discharge of a contact order. (FGF Category 3)

Date work can commence on the above proceeding: 02/01/2009

<u>Limitation</u>	<u>Effective</u>	<u>Removed</u>	<u>Cost Limitation</u>
Limited to family Help (Higher), and to all steps Necessary to negotiate and conclude settlement. To Include the issue of proceedings and representation in those proceedings save in relation to or at a contested final hearing.	02/01/2009		This certificate limits the costs to be incurred under it (including disbursements and any counsel's fees but excluding VAT) to a maximum of £1,500 from 02/01/2009
			<u>Costs Limitation</u> This certificate limits the costs to be incurred under it (including disbursements and any counsel's fees but excluding VAT) to a maximum of £5,000 from 09/01/2009

As applicant to be represented on an application for ancillary relief. To include (a) an application made, before the final decree, for a variation order and (b) in the case of the payee only, the registration of any periodical payments order in the family proceedings court. To exclude (a) an avoidance of disposition order and (b) a variation order made after decree absolute. This certificate only covers child maintenance to the extent that the Child Support Agency does not have jurisdiction. (FGF Category 4)

Date work can commence on the above proceeding: 09/01/2009

<u>Limitation</u>	<u>Effective</u>	<u>Removed</u>	<u>Cost Limitation</u>
Limited to all steps up to and including final hearing And any action, excluding conveyancing work, necessary to implement (but not enforce) the judgement or order	01/02/2009		This certificate limits the costs to be incurred under it (including disbursements and any counsel's fees but excluding VAT) to a maximum of £2,500 from 01/02/2009

(*9)

MULTIPLE COSTS LIMITATIONS

A certificate covering more than one set of proceedings may have more than one costs limitation imposed. It is intended that There should be one effective costs limitation for all the work authorised by the certificate. Accordingly, the costs limit will be The highest of the limitations specified. Solicitors do not need to apportion their costs between the proceedings covered by each Limitation and need only apply for an amendment when the total costs for the work to be done under the whole of the certificate Are likely to exceed the highest limitation.

AMENDMENTS

Amendments to the certificate are now issued in the form of a replacement certificate which will show the amended scope Including any new costs limitation imposed. The amended costs limitation will set a new maximum for the costs to be incurred. The costs limitation is a final costs figure and the limitation imposed on the final version of the certificate will be the relevant Limitation on assessment.

FAMILY GRADUATED FEES (FGF)

All family proceedings now show the family graduated fee category into which counsel's fees will fall by reference in brackets to FGF (category 1-4) where the wording covers mixed categories this is shown by multiple category numbers. The FGF scheme Will only apply to the work done by barristers instructed by solicitors in relation to certificates granted on or after 1 May 2001.

Transitional cases: Where the certificate was granted before 1 May 2001 but is amended thereafter the fees incurred under the Amended certificate do not fall within the FGF scheme and the wording shown on the certificates should be disregarded.

High cost cases: Where a high cost case contract has been issued, the contract governs Payment of counsel's fees.

Appeals: Only interlocutory appeals are included within the scheme.

(*10) Regional Office

North East Region

Address

North East Region
LSC South Tyneside,
Berkley Way,
Viking Business Park,
Jarrow,
NE31 1SF

Signed

Regional Director