

## **Notes for completing Application for extension of Upper Cost Limit – Controlled Work**

### **GENERAL**

The Upper Financial Limits for all categories of work are set in the General Civil Contract Specification: Rule 3.6 for Legal Help and Rule 5.5 for Controlled Legal Representation. Note however, that the Regional Director does have the power to vary these limits for individual suppliers. Where your Upper Financial Limit has been varied, you will have been notified of the new limit by the regional office.

You must contact us before you reach the relevant limit, as retrospective authority to exceed the limit will only be granted in exceptional circumstances. The costs included in the limit are profit costs and disbursements (excluding VAT).

Please note that you do need to submit a copy of pages 1-5 of the Legal Help/Controlled Legal Representation form and any previous authority granted with the extension request. Where the evidence of income section is not fully completed on the application form your extension request will not be considered.

Please try to ensure that the information supplied to us is as detailed and comprehensive as possible. This assists us with considering the request and speeds up the decision making process. Generally, the higher the costs you are requesting, the more detailed your submission should be.

### **SUPPLIER DETAILS**

- **All** of the details in this section must be completed. This section did not appear on Version 2 of the CW3 and has been added to enable us to process applications more efficiently.
- We may need to telephone you to seek further information or to let you know the outcome of your application, so please provide the name of the category supervisor and a telephone number upon which you can be contacted.

### **CASE DETAILS**

- **All** of the details in this section must be completed, including the client's name and your file reference.
- Give details of work carried out to date: As a general rule, applications for extensions of the Upper Financial Limits need to provide a breakdown of the work undertaken to date, including disbursements.
- It is suggested that this breakdown includes a brief chronology of events, details of the legal issues involved and further information on the purpose and nature of any substantial attendances or preparation time that have been incurred.

- Any complicating issues that have been a factor in the Upper Financial Limit being reached should be expanded upon. These could include:
  - The complexity of the subject matter;
  - A difficult or novel point of law outside the mainstream of your work;
  - The volume of the documentation required to be considered;
  - A difficulty in obtaining standard documentation or undertaking standard steps;
  - Particular circumstances of the client;
  - Large disbursements incurred together with a justification.
- Give details of the new Financial Limit requested together with reasons:  
The additional costs requested must always be specified. When requesting a new Upper Financial Limit, you must provide a brief summary of the anticipated work to be done, or disbursements to be incurred. As above, where you anticipate any complicating factors, which in your view will extend the costs required, you must record a justification for this.

#### **SUFFICIENT BENEFIT/CLR MERITS TEST**

- **All** of the details in this section must be completed. Further guidance on sufficient benefit can be found in Rule 3.3 of the Contract Specification.
- If applicable, complete the question regarding money/property to enable us to assess any cost benefit issues arising. Briefly indicate what would be a successful outcome for the client and the chances (in percentage terms if possible) of achieving that outcome.
- Immigration suppliers should address the CLR merits test criteria set out in Rule 5.1 of the Contract Specification.

#### **DECLARATION**

- This must be signed by a solicitor or the category supervisor (or temporary supervisor) and dated in all cases.

#### **LSC DECISION**

- The regional office will contact you to let you know whether or not the extension request has been granted. If the extension has been refused will let you know the reason for this. Please note that our decision will be delayed if the information submitted is incomplete or insufficiently detailed.