

## Final fixed fee schemes for family and family mediation

Following a 12 week consultation in 2006 and a further 6 week consultation earlier this year, the LSC has announced the final fees for legally aided family work that will apply from 1 October 2007.

The LSC received 187 responses to the consultation paper on family fees – *Legal Aid Reform: Family and Family Mediation Fee Schemes* – published in March 2007, which also included related LSC Funding Code changes.

Commenting on the publication of the fees, Carolyn Regan, the LSC's Chief Executive, said:

"The fee schemes are designed to maintain access to quality advice for clients, including those with exceptionally long and complex cases.

"It is important to stress that these new fees will not reduce the family legal aid budget.

"The schemes are part of the overall reform of legal aid which is designed to ensure we have a sustainable system in the long-term. The new fixed fees will allow us to control and safeguard expenditure. They will also help providers adjust the way they work in anticipation of the next step of best value tendering."

The final family fee schemes - covering private and public family law and family mediation - build on the LSC's strategy for family legal aid, *Making Legal Rights a Reality for Children and Families*, as well as other reviews that were announced in the Government's vision for legal aid as outlined in its paper, *A Fairer Deal for Legal Aid*.

The family fees have been carefully calculated, based on average case costs, and refined as a result of the consultation. The main changes made to the schemes include:

- changes that ensure that early settlement is encouraged in the private scheme
- changes to the public law scheme to ensure that clients and solicitors are not penalised as a result of factors like a switch in solicitors or client disengagement

A decision on level 3 for the 'Family Help: Private' scheme will be announced later this year in the context of our consultation on level 4 private and advocacy payments for public law cases. It remains the LSC's firm intention to move towards a system that will pay the same amount for the same work, regardless of who carries it out. This principle is being consistently applied and is reflected in the harmonisation of rates in the final family mediation fees. The new fee schemes will be introduced through regulations and the unified contract. Stakeholders will be consulted on the detail of the regulations in the next few weeks.