








ADVOCATE GRADUATED FEES CHECKLIST

| AF1 - Claim for Advocate Graduated Fees  Legal Aid Agency | | CLIENT: REF NO: COUNSEL NAME: COUNSEL ACCOUNT NUMBER: BAR CONTRACT MANAGER: LAA REGION: | | | Pre-Submission Provider Check Clerk: | For LAA Office Use: Region: Caseworker: |
|---|--|---|---------|------|---|--|
| Requirement | Original? | Notes | Checked | Pass | Fail | |
| 1. |  Correct Form Completed | <input checked="" type="checkbox"/> AF1 - Version 6 April 2013 – for Advocate Graduated Fee Claims. NOTE - Guidance on acceptable evidence of earlier submission can be found at: http://www.justice.gov.uk/downloads/legal-aid/crime-categories-of-law/evidence-requirements-support-outstanding-agfs-claims.pdf Transferred cases must be submitted under the new court and new case number. | | | | |
| 2. |  Original signature by the Instructed Advocate | <input checked="" type="checkbox"/> The Certification (section 8) must be signed and dated by the Instructed Advocate and not a fee clerk or any other person unless agreement exists with the LAA. NOTE - The Instructed Advocate's signature must be an original, not an electronic or scanned one. | | | | |
| 3. |  Claim submitted within time | If the claim is submitted more than three months after the case concluded, have you provided written justification in line with the relevant provision of any secondary legislation arising from the Legal Aid, Sentencing and Punishment of Offenders Act 2012. [N.B. reasons for late submission should be detailed in 'Section 7 – Additional Information' on the AF1.] NOTE - The relevant secondary legislation is The Criminal Legal Aid (Remuneration) Regulations 2013. Guidance on out of time AGFS claims can be found here: http://www.justice.gov.uk/downloads/legal-aid/crime-categories-of-law/crown-court-fee-guidance-appendices.pdf | | | | |
| 4. | Relevant enclosures: A copy of the representation order  | We require a copy of the original representation order and any amendments for each of the clients that you are claiming for and for any additional case uplifts you are applying for. NOTE - You should also provide a copy of any extension to cover multiple counsel or a noting brief. | | | | |
| 5. | Relevant enclosures: Extracts of the committal bundle | We require the front sheet(s) from the committal bundle and Notice of Additional Evidence(s) (NAE's) served by the prosecuting authority, showing the total pages served (required for all final graduated fee and hardship claims). | | | | |

Any issues with your rejected claim please email us – AGFSPriorityRejects@legalaid.gsi.gov.uk

V. 1 June 2013

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| | | | <p>NOTE - In trial cases, if the NAE does not identify the total number of prosecution witnesses, we will require copies of the original statement list and all other additions / NAE's in which witnesses are identified.</p> <p>NOTE – If the prosecuting authority is not the CPS please clarify who they are within section 7 additional information.</p> | | | |
| 6. | <p>Relevant enclosures: A copy of the indictment</p> | | <p>A copy of the indictment is required for all final graduated fee and hardship claims.</p> <p>NOTE - If no indictment is available, you must give a full explanation within section 7 Additional Information'.</p> | | | |
| 7. | <p>Relevant enclosures: Judicial Apportionment Order</p> | | <p>We require a copy of the Order in respect of Judicial Apportionment (for each defendant).</p> <p>NOTE - In any case where your client has been convicted of some but not all offences charged you should contact your instructing solicitors to determine whether an application has or will be made. If it has or will, then a copy of any Order MUST be submitted with your claim.</p> | | | |
| 8. | <p>Relevant enclosures: Justification for Travel and Hotel expenses</p> | | <p>We require invoices / receipts for accommodation and travel expenses for all individual disbursements of £20 or more excluding VAT.</p> <p>Travel & Hotel Expenses Breakdown</p> <ul style="list-style-type: none"> Please provide a summary of any travel and hotel expenses you have incurred including dates and miles travelled where relevant. If you are registered for VAT, all expense must be claimed exclusive of VAT. <p>Where you are instructed to appear at a non-local court, please provide justification for attendance and amount claimed,</p> | | | |
| 9. | <p>Relevant enclosures: Hardship evidence</p> | | <p>If you are claiming hardship have you enclosed evidence in support of your claim e.g. bank statement/bank letter</p> | | | |
| 10. | <p> LAC1 Form</p> | | <p>If claiming a Cracked trial, Discontinuance or Guilty Plea Graduated fee in an either way case, has a Legal Aid Committal Form (LAC1) which is fully completed and certified by the correct Magistrates' Court been enclosed.</p> <p>NOTE - If you cannot provide a LAC1, a memorandum of conviction confirming that the case was directed to the Crown Court should be provided. Guidance on the LAC1 process can be found here: http://www.justice.gov.uk/downloads/forms/legal-aid/lac1-guidance.pdf</p> | | | |
| 11. | <p>Instructed Advocate</p> <p></p> | | <p>Have you completed the relevant option in respect of Instructed Advocate (section 8) and if necessary provided supporting evidence (e.g. a copy of the letter to the Court).</p> | | | |

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| | | | <p>NOTE Guidance on complying with the Instructed Advocate provisions can be found here:</p> <p>http://www.justice.gov.uk/legal-aid/areas-of-work/crime/crown-courts/advocates-graduated-fee-scheme</p> | | | |
| 12. | Conferences and Views | | <p>Travel time to conference and views total breakdown</p> <ul style="list-style-type: none"> Please provide a detailed breakdown of any travel to conference and views you have incurred including dates and miles travelled where relevant. Please provide full destinations e.g. HMP Walton, so that reasonable time and expenses can be determined. | | | |
| 13. | Claimable work - all work claimed is allowable and the correct rates are being claimed. | | <p>Have you completed (as relevant) :</p> <ul style="list-style-type: none"> section 2 (basic fees) section 3 (fixed fees) section 4 (miscellaneous fees). <p>Are the amounts claimed exclusive of VAT.</p> <p>Have you claimed in accordance with the 'AGFS Guidance on the Completion of the AF1'</p> <p>http://www.justice.gov.uk/legal-aid/areas-of-work/crime/crown-courts/advocates-graduated-fee-scheme</p> | | | |
| <div style="display: flex; align-items: center;"> <p>Denotes most common reasons for rejects in this bill category</p> </div> | | | | | | |
| <p>IF REJECTED, PLEASE ENSURE COMPLETED CHECKLIST IS ENCLOSED WHEN YOUR CLAIM IS RESUBMITTED</p> | | | | | | |

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