

## Key Messages for Legal Aid Suppliers – December 2020

### Amendment requests

Further to [LSA circular 14/2020](#), suppliers are selecting the incorrect secondary type when submitting an *Amendment request*. For assistance, please refer to the table below.

Secondary Type	When to be used
Amend application Details	To be used to advise LSANI of an update to applicant's name, address, DOB or NINO. Also to be used for amending or adding Associated parties or opponents.
Amend certificate narrative	To be used to have the scope of an RL, RH or EF certificate amended
Correct a mistake	To ask for an error on a certificate to be amended
Full Certificate	To ask for a limitation on a RL, RH or EF certificate to be uplifted
Further Limitation	To ask for a further limitation on an already limited RL, RH or EF certificate
Additional Documentation – Application request – Financial eligibility assessment	To submit further financial documents when you have already submitted the Application request
Additional Documentation – Application request – merit assessment	To submit further documents in support of the merit assessment when an Application request has already been submitted
Additional Documentation – Appeal/Redetermination request	To submit further documents in support of an Appeal/redetermination when the Appeal/Redetermination request has already been submitted

Secondary Type	When to be used
Additional Documentation – Payment request	To submit further documents in support of a Payment request when the Payment request has already been submitted
Additional Documentation – Change of circumstances request	To submit further documents in support of the Change of Circumstances request when the Change of Circumstances request has already been submitted
Additional Documentation – Statutory charge request	To submit further documents in support of a Statutory charge request when the request has already been submitted
Additional Documentation – Authority request	To submit further documents in support of an Authority request when the request has already been submitted
Additional Documentation – Review request	To submit further documents in support of a Review request when the request has already been submitted
Update costs estimate	To update the costs estimate on a case after the original application request has been submitted

Failure to select the correct secondary type may result in the amendment request being withdrawn and a new request will need to be submitted.

## **LAMS - Short Messaging Service (SMS) for solicitors and barristers**

As per LSA circulars [19/19](#) (solicitor SMS) and [18/19](#) (barrister SMS), suppliers are reminded of the SMS service available.

A LAMS SMS Service has been established to provide external users of LAMS with an additional communication channel to receive time critical messages relating to system access and availability.

The SMS is separate from LAMS which means that the Legal Services Agency will be able to send messages to LAMS users regardless of the operational status of LAMS.

The Service operates on an 'opt in'/'opt out' basis, whereby the user is required to text a keyword to a number to subscribe to receive SMS notifications and STOP+keyword to 'opt out'. Users subscribing or unsubscribing will receive a message confirming that the appropriate action has been taken.

The Legal Services Agency will have access to a list of telephone numbers and cannot attribute numbers to individuals.

This service is also available to persons employed by members of the Law Society and Bar who are users of LAMS.

For further information on how to 'opt in' to the service, please refer to the appropriate circular linked above.

## **Financial eligibility in representation higher cases**

Suppliers are reminded to provide any key or additional information, relevant to the financial assessment of the applicant in the section 'About case', within the Financial Eligibility part of the application request.

## **Data management – inactive cases**

As detailed in paragraphs 18–25 of [LSA Circular 11/2020](#) , in advance of the introduction and use of inactivity prompts, LSA have now started work on looking at a number of cases that migrated to LAMS as they presented as 'live' cases but have remained inactive in LAMS since their migration into LAMS in June 2019.

Where it is clear to LSA that the case has concluded or was migrated in error, the case is being closed on LAMS and as detailed in LSA Circular 11/2020, an email

notification will issue to all supplier attached to the case advising that the case has been closed.

Where it is not clear, a letter will be sent to the lead Account Administrator of the business asking them to confirm the position regarding the case or cases associated with their business.

We would again ask that suppliers comply with paragraph 7b of [LSA Circular 12/19](#) and that a review all of the migrated cases (case submitted before 1 July 2019) associated with their business. If, on carrying out the review you identify cases that you regard as closed, you should notify the Agency using the case level messaging functionality, you should select 'Case Closed' in the subject of the message and provide the details of why the case is now closed. The Agency will then action the case on LAMS and the case would then appear as closed and will not be picked up by the inactivity job.

### **Closed cases on LAMS and requests for reopening**

As detailed in [LSA Circular 11/2020](#), suppliers are reminded of the **Auto Closure** and **Manual Closure** functions in LAMS. **Auto closure** functionality commenced on 8 August 2020. Where a Report on Case (RoC) has been processed in respect of every party attached to the case and the 28 days allowed for payment appeals has lapsed and no further requests have been received, the case should close automatically.

The Agency is also undertaking routine **manual closure** of cases which did not proceed beyond the application stage. That is, cases in which no certificate issued under civil legal services, including substantively refused emergency applications.

If necessary, practitioners will be able to submit a message against the case on LAMS asking that the case is re-opened. Such requests **must include reasons and clear grounds for requesting the case to be re-opened** or these messages will be referred back to the practitioner as the Agency will be unable to take any further action. Where reasons are provided, LSA will consider the merits of reopening in line with the individual circumstances, LSA policies and/or legislative provision. We

would re-emphasise that it is necessary for members to provide sufficient details **in line with** LSA Circular 11/2020 to enable the Agency to make such a judgement.

For further information on messaging, please refer to section 30 (page 200) of the [LAMS Supplier Manual](#) or watch the [messaging](#) instructional video. The case status in LAMS will be displayed as closed and the closure reason will be provided on the case summary screen.

## What you might have missed

A circular and related guidance have been uploaded regarding reviews, redeterminations and appeals to the Taxing Master regarding Crown Court legal aid costs. Please see below for relevant links.

- Circular - '[LSA 21-2020 – Reviews, redeterminations and appeals to the Taxing Master regarding Crown Court legal aid costs](#)' located under the '[circulares 2020](#)' area; *and*
- Guidance - '[LSANI guidance - reviews, redeterminations and appeals to the Taxing Master for Crown court legal aid costs](#)' located on the '[Legal aid legislation and guidance](#)' page.