

QUICK GUIDE TO FINAL CLAIMS ON GRANTS ONLINE

The following guide has been prepared to assist practitioners in submitting their final account to Legal Aid to ensure that the payments and outcome of files are reported correctly and the payments issue within 5 working days. This information will be included in the next review of the **GUIDE TO CLAIMING PAYMENT**.

REPORTING DISBURSEMENTS

DISBURSEMENT TYPE	WHEN TO USE
COUNSEL FEES	Briefed counsel
AGENTS FEE	Briefed practitioner as agent (not counsel or instructing solicitor)
INTERPRETER	Interpreter fees
EXPERT NON MEDICAL	Expert witness e.g. crash expert, handwriting expert
MEDICAL	Doctors, DNA tests, Medical Reports
PSYCHIATRIST	Psychiatrist ONLY - Witness fees, Reports and Single Expert Witness reports and fees
PSYCHOLOGIST	Psychologist ONLY - Witness fees, Reports and Single Expert Witness reports and fees
PROCESS SERVER	Service Fees
TRANSCRIPTS	Court transcript fees
MISCELLANEOUS	Postage and Petties (“nominal disbursements”); no other description available
FILING/SEARCH FEES	Court fees, Search fees
SOCIAL WORKER	Social Worker ONLY - Witness fees, Reports and Single Expert Witness reports and fees
VIDEO LINK	Remote access fees
APPEAL BOOKS	Appeal book costs
INSTRUCTING SOLICITOR	Use where instructing has been approved (eg Murder grants)
ICL SUPERVISING AGENCY REPORTS	ICL/CR agency disbursements
AIRFARES	Airfare invoices
MILEAGE	Mileage component for travel including prison visits
ACCOMMODATION	Accommodation AND/OR meals costs
PARALEGAL	Paralegal costs approved by Legal Aid in exceptional cases.
REPORTABLE FAMILY THERAPY	Approved therapy costs in ICL/CR matters.

Where possible, a claim should not use the same disbursement type twice on the invoice as this causes the claim to pass to an assessor to pay manually. This commonly occurs when MISCELLANEOUS is listed twice on an invoice, where one of the line items should have been claimed as MILEAGE in criminal grants. In family grants, a common error occurs when MISCELLANEOUS is listed twice when the second disbursement should be PROCESS SERVERS or FILING/SEARCH FEES.

Postage and petties are defined as “nominal disbursements”. Please refer to Part 4 of the “Guide to Claiming Payment”.

FINALISATION REASONS ON THE FINAL TAX INVOICE (not for use on Disbursement Only Grants)

When you submit your final tax invoice for a matter, you advise LAWA by selecting yes to the question “is this the final claim for this extension” and yes to the question “is this the final claim for this matter”. It is **very important** that you tell us the matter is finalised by selecting these tick boxes so that the file can be removed from your active file list. If your active file list becomes too high, file capping action will be taken.

It is important that practitioners correctly report the outcome of their files so that our recorded outcomes are accurate. This should complement the report that you include on the final claim for the services provided. Refer to Part 6 of the Private Practitioner Manual for full details. There are three boxes you need to complete on the Tax Invoice.

Please provide the finalisation outcomes for this matter

Reason *

FINALISES

Finalised Stage *

GUILTY PLEA

Legal Outcome *

GUILTY - PART

FINALISATION REASON

REASON	WHEN TO USE
FINALISED	Matter is completed.
WITHDRAWN AT CLIENTS REQUEST	Practitioner has submitted a RID to advise the client no longer wishes to have a grant or is instructing privately AND practitioner has received the formal notification from Legal Aid that the grant is withdrawn.
AID REFUSED	Ongoing Aid has been refused. If the grant is terminated, please use “Discontinued”.
DISCONTINUED BY COMMISSION	Grant has been terminated by Legal Aid due to the practitioner advising via a RID, client not following advice, client dismissed practitioner and the matter is not transferred, no contact from client or client deceased.

FINALISATION REASON CONTINUED

REASON	WHEN TO USE
TRANSFERRED	Not for Practitioner use. If you have been advised the grant has been transferred, please simply tick yes to “is this the final claim for this extension”.

FINALISED STAGE

STAGE	WHEN TO USE
AFTER APPEAL HEARING	The appeal was heard.
AFTER CRIMINAL CASE CONFERENCE	Settled as a result of an Indictable case conference.
AFTER INJUNCTION OR RECOVERY APPLICATION	Grant does not proceed past the initial recovery order/injunction.
AFTER LEAVE FOR APPEAL	Leave to appeal was refused.
AFTER PREP FOR TRIAL	Trial was fully prepared, client entered guilty plea (crime). Trial was fully prepared negotiations settled the matter before the trial (family).
AFTER PROCEEDINGS COMMENCED	Family grants that did not proceed to trial or DR or the grant was refused for ongoing assistance.
AFTER DR	Matter settled or ongoing aid refused after DR conference.
AFTER LATE INTERVENTION DR	Conference with ICL late in the proceedings.
AFTER OPINION	Aid was refused after an opinion (usually criminal appeal).
AFTER SOS CONFERENCE	After a conference in protection proceedings.
AT OR AFTER TRIAL	Trial commenced.
BEFORE PROCEEDINGS COMMENCED	After negotiations, no court proceedings commenced.
BEFORE PLEA	Charges discontinued before a plea entered.
GUILTY PLEA	Guilty plea entered.
NO COURT PROCEEDINGS	Advice only grants, no further assistance required.
TERMINATED/NO INSTRUCTIONS	Practitioner has submitted a RID to advise that the client is no longer providing instructions and a refusal of aid has issued for this reason.
WITHDRAWN/ NO PROCEEDINGS	Proceedings were discontinued or withdrawn.

LEGAL OUTCOME

OUTCOME	WHEN TO USE
APPEAL ALLOWED	Appeal succeeded or partially succeeded.
APPEAL DISMISSED	Appeal was refused or dismissed.
APPLICATION GRANTED	The application commenced in court was granted or partially granted.
APPLICATION REFUSED	The application commenced in court was refused.
CONSENT ORDERS	Matter settled with formal agreement consent orders or conduct orders (restraining orders).
GUILTY ALL CHARGES	Pleaded or found guilty of all charges in the grant.
GUILTY – PART	Guilty plus other charges reduced or discontinued or acquitted.
LEAVE TO APPEAL DISMISSED	Leave to appeal was not granted.
NEGOTIATED AGREEMENT	Agreement reached without formal consent orders.
NO AGREEMENT	No agreement reached.
NO MERIT	Practitioner submitted a RID advising no ongoing merit or appeal has no merit and aid has been formally refused.
NOT APPLICABLE/ NOT KNOWN	No outcome reached.
NOT GUILTY	Found not guilty after trial.
TERMINATED/NO INSTRUCTIONS	Grant formally terminated after client fails to follow conditions of the grant.
WITHDRAWN/ NOLLE	Matter withdrawn; charges discontinued

FINAL CLAIMS DUE TO CLIENT NOT ENGAGING, NEGATIVE APPEAL OPINION AND COSTS ORDERS

A practitioner must submit a request ID and receive a decision from Legal Aid in relation to that request in the following circumstances:

- Appeal Opinion is negative
- Client is not providing reasonable instructions
- Client cannot be located
- Client does not have ongoing merit in a matter
- Client is engaging a practitioner on a private basis
- A transfer is requested by the client or practitioner
- Costs were awarded
- Practitioner considers that further aid would be refused

This allows the client to be formally advised of the status of their grant of aid and will save any confusion if they contact Legal Aid in the future.

CLIENT CONTRIBUTIONS DEDUCTED FROM ACCOUNTS

Practitioners should advise Legal Aid prior to submitting a claim if they have been unable to collect a cash contribution from a client advising the reasons why the contribution could not be made (eg change in financial circumstances). This information should be submitted as a RID on grants online prior to submitting your final account. Legal Aid will not act where this information is submitted in the report of a claim as the process is automated.