



Legal Aid
Agency

Working with others to achieve excellence in the delivery of legal aid

Litigators unused preparation (LU1) claim form guidance

July 2022



Contents

Completing the form	2
Section 1 – Case details	2
Section 2 – Fee earner details	2
Section 3 – Claim details	3
Section 4 – Document checklist	4
Section 5 – Background information/justification	5
Section 5b – Electronic unused material	7
Section 6 – Hourly rates	8
Section 7 – 0-3 hours fixed fee	9

Completing the form

You should download the most up to date version of the LU1 form from GOV.UK.

www.gov.uk/government/publications/lf1-claim-litigator-fees

Section 1 – Case details

In this section, you need to confirm:

- your provider number
- MAAT number for the case

You must also tick to confirm that you have not requested remuneration for the work detailed within the claim elsewhere.

Below is an image of section 1 of the form. It includes a space for the advocate name, the provider number, the MAAT number and a tick box to confirm that the work detailed in the claim has not been requested for remuneration elsewhere.

Section 1 – Case Details:

Provider Number	MAAT Number
<input type="text" value="Enter provide number here"/>	<input type="text" value="Enter MAAT number here"/>

The work detailed in this claim has not been requested for remuneration elsewhere:

Section 2 – Fee earner details

In this section you must provide details of each fee earner who has undertaken unused preparation in the case. You need to confirm:

- fee earner name
- fee earner grade
- if claiming at Grade A or B, how the fee earner meets the criteria and the reasoning for them undertaking the preparation
- if you are claiming London rates, you must add a tick to the box

Section 2 - Fee earner details: *(Please see section 6 for applicable hourly rates)*

Name of fee earner	Grade	If claimed at litigator rate A or B, please confirm how this grade is met and the reasons for undertaking preparation at this grade
F E Name	B	Admitted on 1/9/2017, read documentary mat
C Fee Earner	C	Considered raw data

Please tick if London weighting is being claimed:

Enter the fee earner name as it appears on either the Law Society or Cilex website. If a qualified solicitor, include the date they were admitted. This helps us to correctly verify grade.

Section 3 – Claim details

In this section you must provide details of:

- the type of unused material considered including:
 - documentary unused material, such as witness statements, documentary exhibits, and ROTIs
 - electronic unused material, such as telephone downloads and raw data
 - audio/video unused material
- the volume of unused material (either number of pages of documentary unused material, volume of unused electronic material or the run time of any audio/video unused material)
- how much time you have spent considering the unused material within your claim
- the total number of hours you are claiming minus the three hour fixed fee

Below is an image of section 3 of the claim form. It contains a table with six rows and three columns.

The first column details the type of material. There is a row for documentary material, electronic material and audio/video material.

The second column allows you to confirm the number of pages of documentary material, the volume of electronic material and the run time of audio/video material.

The third column allows you to confirm how much time you have spent considering each type of material. You must enter the time in hours and minutes.

Type of material	Volume of material considered (pages or hours/mins)	Time spent (hh:mm)	Grade of fee earner
Documentary (paper)	150 pages		Grade A
		4	Grade B
			Grade C
Electronic (raw data, telephone downloads etc)	5,300 pages		Grade A
		2	Grade B
		35	Grade C
Audio-Video (CCTV, bodycam, etc.)			Grade A
			Grade B
			Grade C
Minus 3 hours fixed fee		- 3:00	Grade B
Total:		38	

Explanation of the example

In the example above, counsel is claiming:

- 4 hours at Grade B to consider 150 pages of unused documentary material
- 2 hours at Grade B to consider electronic unused material
- 35 hours at Grade C to consider electronic unused material
- no audio/video material is claimed so this row is left empty
- the first 3 hours are deducted as the fixed fee at Grade B rates
- the final row details 38 hours unused preparation claimed in excess of the first 3 hours

Section 4 – Document checklist

For all claims, you must provide:

- the schedule of unused material
- the Disclosure Management Document (if one has been provided) or any other documentation to show that the material is unused material

Important note

We require this information to validate the status of the material you are claiming unused preparation for. Failure to do so could result in your claim being rejected. If you have not been provided with these documents, you should provide further details within the background information located in Section 5.

For claims of more than 10 hours you must also submit a work log or attendance notes detailing the following information:

- the date the work was completed
- the start and end times of the preparation
- detail of the material considered
- how many pages were considered or the run time of the video/audio material
- detail as to the outcome of the consideration

Important note

The determining officer reserves the right to request any further documentation they deem necessary to complete the assessment of your claim. It is important that you provide any documentation requested.

Section 5 – Background information/justification

This section is only mandatory where one of the following applies:

- the claim is for 30 hours preparation or more
- where the reading time claimed exceeds the guideline rates per item,
- electronic material has been claimed (further detail can be found at Section 5b)

Use this section to justify the hours claimed, the approach taken and the grade of the fee earner who completed the work. Examples of the background information you should provide include but is not limited to:

- detail of the prosecution's case against the client

- the defendant's case and any specific instructions the client gave regarding the importance of the material
- whether anything was identified to either undermine the prosecution case or assist the defence case
- if claiming more than the guideline rate, what is it about the material that required more time to consider

Section 5 contains a free text box. Below is an example of the level of detail required for a low value claim.

Defendant charged with conspiracy to supply class A drugs. Defendant accepted they were friends with the co-defendants but denies being involved in any conspiracy to supply drugs.

There were 150 pages of unused witness statements, Grade B claiming guideline rates as material standard for a case of this type. Grade C considered the raw telephone data and referred around 300 pages of the relevant messages to the Grade B to consider in more detail.

Explanation of the image

Defendant charged with conspiracy to supply class A drugs. Defendant accepted they were friends with the co-defendants but denies being involved in any conspiracy to supply drugs.

There were 150 pages of unused witness statements, Grade B claiming guideline rates as material standard for a case of this type. Grade C considered the raw telephone data and referred around 300 pages of relevant messages to the Grade B to consider in more detail.

Important note

The larger your claim, the more detailed background/justification we would expect to see. We only have the information that is provided alongside the claim to make an assessment. It is essential that you provide detailed justification.

You may also upload key documents such as the case summary, skeleton arguments or defence case statement to support your claim.

Section 5b – Electronic unused material

This section is mandatory where electronic unused material is claimed.

You need to confirm:

- the type of electronic unused material which was considered, such as phone download/call records, cell records
- the format of the electronic unused, for example, Excel, PDF, and JPEG
- if there was any duplication of the material
- what approach was taken to viewing the electronic material, such as key word searching

You must also confirm if the material has been uploaded to the Secure File Exchange or the Crown Court Digital Case System. Enter a tick in the box to confirm if the material has been uploaded to either system.

Section 5b contains a free text box. Below is an example of the level of detail required for a low value claim.

Telephone data included in/out call data and two full phone download reports (the other two phone download reports were served as evidence). The phone material was disclosed in PDF format, there is some duplication in Excel. PDFs used to calculate page count where possible. Material was considered in Excel format where available. Used electronic search techniques to focus on key dates set out by the prosecution. Client also provided key dates and locations to prove he was not involved in the conspiracy but was actually looking for work.

Has this material been uploaded to
(a) the Secure File Exchange?
(b) Crown Court Digital Case System?



Explanation of the image

Telephone data included in/out call data and two full phone download reports (the other two phone download reports were served as evidence). The phone material was disclosed in PDF format, there is some duplication in Excel. PDFs used to calculate page count where possible. Material was considered in Excel format where available. Used electronic search techniques to focus on key dates set out by the prosecution. Client also provided key dates and locations to prove he was not involved in the conspiracy but was actually looking for work.

A tick has been entered to confirm that material has been uploaded to the Secure File Exchange and the Crown Court Digital Case System.

Section 6 – Hourly rates

This section details the hourly rates applicable for unused preparation claims.

There is a table with two columns detailing:

- Litigator Grade A (London) - £50.87 per hour
- Litigator Grade A (National) - £48.36 per hour
- Litigator Grade B (London) - £43.12 per hour
- Litigator Grade B (National) - £41.06 per hour
- Litigator Grade C (London) - £31.03 per hour
- Litigator Grade C (National) - £27.15 per hour

Section 6 – Hourly Rates Table:

Grade of Fee Earner	Unused Preparation Hourly Rate
Litigator Grade A (London)	£50.87
Litigator Grade A (National)	£48.36
Litigator Grade B (London)	£43.12
Litigator Grade B (National)	£41.06
Litigator Grade C (London)	£31.03
Litigator Grade C (National)	£27.15

Section 7 – 0-3 hours fixed fee

This section details the fixed fee for the first 0-3 hours unused preparation.

Where the representation order is dated on or after 19 February 2021 the fixed fee is £64.68.

Where the representation order is dated between 17 September 2020 and 18 February 2021 the following fixed fees can be claimed.

There is a table with two columns detailing:

- Litigator Grade A (London) - £76.31
- Litigator Grade A (National) - £72.54
- Litigator Grade B (London) - £64.68
- Litigator Grade B (National) - £61.59
- Litigator Grade C (London) - £46.55
- Litigator Grade C (National) - £40.73

For representation orders dated on or after 19th February 2021 the fixed fee is £64.68.

Representation orders dated between 17 September 2020 and 18th February 2021

Grade of Fee Earner	Unused fixed fee for 0-3 hours
Litigator Grade A (London)	£76.31
Litigator Grade A (National)	£72.54
Litigator Grade B (London)	£64.68
Litigator Grade B (National)	£61.59
Litigator Grade C (London)	£46.55
Litigator Grade C (National)	£40.73



© Crown copyright 2022

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

