

## **LSANI Guidance (External) – Civil Practitioners – How to Submit a Civil Remuneration Redetermination Request - Rule 13**

### ***Important update***

Please be advised that this guidance sets out the process for ***Civil Remuneration Redetermination*** requests under Rule 13 of the Civil Legal Services (Remuneration) Order (Northern Ireland) 2015. The request type that must be submitted is a “Review-Payment Request” this is because of current LAMS functionality. This is the process for a redetermination request which may progress to the Internal Panel.

### **Introduction**

**Where a representative is dissatisfied with the Legal Services Agency’s (‘the Agency’) determination of costs payable in a non-taxed Civil Payment matter they should follow the process outlined below.**

1. This document outlines the process to be followed when a representative is seeking a redetermination of an Agency decision on the calculation of costs payable.
2. This document is written with reference to Rules 11, 12, 13 of the Civil Legal Services (Remuneration) Order (Northern Ireland) 2015.
3. Representatives seeking clarification on matters at case level can make enquiries via the messaging function on LAMS, for example if an explanation of calculation of costs authorised is needed, and the Agency will respond via LAMS.

## Requesting a Redetermination

4. A review of the original determination by the Agency is the first step in resolving a disagreement on remuneration. The representative should submit a review request via LAMS, setting out the **full reasons** for the review request including whether they also wish to make oral representations. Please be advised that oral representations should not be relied on to circumvent providing adequate information at the initial payment request stage.
5. The representative must submit the request, following the process below, within 21 days of receiving the determination notification from the Agency in accordance with Article 13 and 17 of The Civil Legal Services (Remuneration) Order (Northern Ireland) 2015.

## How to submit a review request on LAMS – User Screens

6. When selecting the Primary request type, please select 'Review' from the drop-down menu.

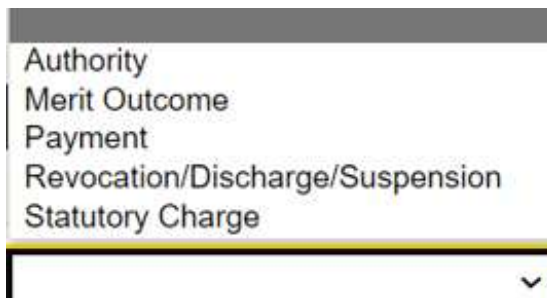
The screenshot shows the 'Choose request type' screen in the LAMS system. At the top, there is a blue header with the 'nidirect' logo and 'Suppl' on the right. Below the header, the text 'LSANI' is displayed. The main heading is 'Choose request type'. A message states: 'You have chosen the option to submit another request against the case listed below.' Below this is a table with case details:

Legal aid reference	RH/22/01/00081
Level of service	Representation Higher
Nature of proceedings	Personal Injury
Applicant	Joe Smith
Current Solicitor	Vincent Vega

Below the table, there is a message: 'Choose the request type you wish to submit by selecting the appropriate primary and secondary type from the lists below. The application will ensure you cannot select an invalid combination.'

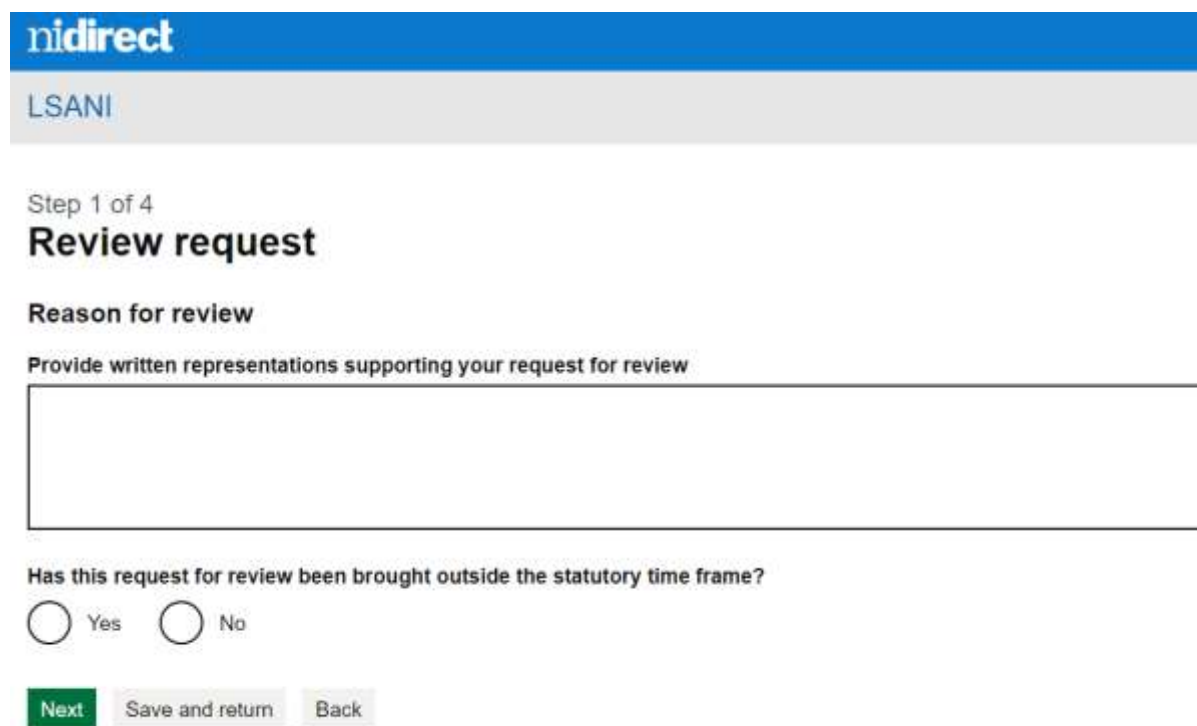
Under 'Primary request type', there is a dropdown menu with 'Review' selected. Under 'Secondary request type', there is an empty dropdown menu. At the bottom, there are two buttons: 'Next' (green) and 'Back' (grey).

- From the secondary request type dropdown list, please select 'Payment'.



A screenshot of a dropdown menu. The menu is open, showing five options: 'Authority', 'Merit Outcome', 'Payment', 'Revocation/Discharge/Suspension', and 'Statutory Charge'. The 'Payment' option is highlighted. The dropdown is contained within a form field with a downward arrow icon at the bottom right.

- Then select 'Next'.
- Please enter detailed representations in support of your request in the 'Reason for Review' box. If representations exceed the space permitted in the text box, then additional information can be uploaded as Supporting Documents – taking care to title the document 'Reasons for Review'. Complete and select 'Next'.



The screenshot shows the 'nidirect' logo at the top left, followed by 'LSANI'. Below this, it indicates 'Step 1 of 4' and the title 'Review request'. The section is titled 'Reason for review' and includes the instruction 'Provide written representations supporting your request for review'. There is a large empty text box for input. Below the text box, a question is asked: 'Has this request for review been brought outside the statutory time frame?' with two radio button options: 'Yes' and 'No'. At the bottom, there are three buttons: 'Next' (highlighted in green), 'Save and return', and 'Back'.

10. Upload any required documents and select 'Next'.

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Step 2 of 4

## Review request

### Supporting documents

Do you have documents to submit in support of your review?

Yes  No

[Add document](#)

### Documents

Received date	Title	Document description	Available
No documents uploaded			

[Next](#) [Save and return](#) [Back](#)

11. Tick the declaration box and click 'Submit'.

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Step 3 of 4

## Review request

### Declaration

I hereby certify that the information given on this form is accurate and complete.

By ticking this box, you are agreeing to the above declaration

[Submit](#) [Save and return](#) [Back](#)

Step 4 of 4

**Review request****Confirmation****LSANI has received your review request.**It has been given the reference **RH/22/01/00081-004.**

You can view the current status of the request using the case management option on your homepage.

[Continue](#)

12. Redetermination requests are initially picked up by the Payments Team and a supervisor will complete a check on the payment assessment taking into consideration all the known facts and appropriate legislation.
13. If an error is identified at this stage, it will be rectified, the appropriate payment made and the representative notified. If the supervisor agrees with the original payment determination, the review request is then referred to the Internal Review / Redetermination Panel. At this point, on LAMS a task will be completed, and a message will be sent to the representative as below; this is to let the representative know that their request for redetermination has been sent to the Internal Panel.

“Your request for review RH/24/01/012345 has been considered by the initial assessment team. The original decision has been upheld and the review will now proceed to the Internal Panel.”

14. The representative will also receive a message on LAMS from the payments team advising that the matter has been transferred to the appeals team to arrange the internal panel. At this stage the overall request status will show as active on LAMS. Please note current system functionality means the service

status (shown below) will automatically convert to Notice of Appeal-Review Complete however, *the review remains live*. At any time, if you are unsure about the status of your request you can send a message against the request on LAMS and clarity will be provided.

**Request ID**

RH/24/01/XXXXX-XXX

**Primary type**

Review

**Secondary type**

Payment

**Status**

Active

**Service status**

Notice of appeal - Review complete

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15. The representative will then be contacted by the Internal Panel to confirm the panel listing date and this will be 10 working days in advance where possible. If the representative wishes to make oral representations and had not indicated this when submitting the review request, they must send a message via LAMS to request oral representations providing full and detailed reasons, any such message must be sent at least 5 working days before the panel date. The panel will determine whether oral representations are considered necessary in accordance with Article 13(5) of The Civil Legal Services (Remuneration) Order (Northern Ireland) 2015.
  
16. Internal Panel hearings are normally conducted via Webex and if an in-person hearing is preferable the representative must specify this in the review request and the Agency will endeavour to accommodate this.

17. Once the Internal Panel has considered the Redetermination request that task on LAMS will be completed and their decision will be uploaded to LAMS, generally, decisions will be uploaded within 2 weeks of the Panel sitting. A LAMS message will issue to confirm the Panel decision has issued.

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**May 2024**