

LSA Circular 04/22

10 February 2022

Dear Practitioner,

Guidance on the Completion of Financial Eligibility in Advice and Assistance and Representation Lower Courts Applications

Dear Practitioner,

- 1. Practitioners should note that with effect from 21 February 2022 all new applications for advice and assistance and representation lower courts must comply with the Agency's Guidance in respect of providing evidence to support the determination of applicants' financial eligibility.**
2. The new Guidance, which can be found within the '[Legislation and Guidance](#)' page of the Agency's website, deals with the evidence the Agency will require to support all applications for advice and assistance and representation lower courts.
- 3. While practitioners should familiarise themselves with all aspects of the Guidance they should note that irrespective of whether an applicant for advice and assistance is in receipt of a passport or other benefit they do not qualify for advice and assistance if their disposable capital exceeds £1000.**
4. The Guidance deals with circumstances whereby the practitioner may not have all relevant information to hand at the time of the initial application. **The Agency will require all evidence supporting the applicant's financial eligibility before a payment request is submitted.** If all necessary evidence to prove the applicant was financially eligible is not uploaded on LAMS no payment request will be considered but sent back under query for the information to be

provided within 21 days and if not received the request will be withdrawn and the case closed.

- 5. The new guidance does not apply to existing grants of advice and assistance and representation lower, nor to any applications submitted up to 20 February 2022, However, any new application submitted on and after 21 February 2022 must comply with the new guidance which reflects the legal framework for such applications.**

Yours faithfully,



Paul Andrews
Chief Executive