

LEGAL AID BOARD

Guidelines on the use of CLA 11 Prison Visit Claim Form by Legal Practitioners under the Legal Aid Schemes

Legal practitioners, who wish to make a claim for a fee in respect of a prison visit under the Legal Aid Schemes listed below, must follow the guidelines hereunder to enable the Prison Service Officers to certify their attendance at the prison.

Legal Aid Schemes relevant to the CLA 11 Claim Form

- Criminal Legal Aid Scheme
- Legal Aid – Custody Issues Scheme
- Criminal Assets Bureau (CAB) Legal Aid Scheme

Guidelines for certification of the prison visit

1. A claim for a prison visit should only be submitted for consideration in circumstances where the visit is essential to the proper preparation and conduct of the client's case under one of the above listed Schemes. The legal practitioner will be required to sign a declaration to that effect on the CLA 11 Claim Form.
2. In the event of both a solicitor and a barrister visiting the inmate at the same time, a separate CLA 11 Claim Form should be completed and certified in respect of each practitioner.
3. Under the above mentioned Schemes, a single fee will be payable regardless of the number of inmates consulted by the legal practitioner at the prison during the same visit. In that context, even if more than one inmate is visited on a specific date, it is sufficient for a single CLA 11 Claim Form to be completed by each legal practitioner.
4. If after arrival at a prison for a **pre-booked** visit to consult with a legally aided inmate, the inmate refuses to meet the attending solicitor and /or the barrister, the Prison Officer may certify the attendance as if a consultation took place.
5. A fee in respect of a prison visit will only be considered for payment to the solicitor and / or the barrister who are representing the inmate in a case where Legal Aid has been granted to the inmate. Prison Visit Fees will not be payable and CLA 11 Claim Forms will not be certified by Prison Officers for other people such as paralegal staff etc. who may be visiting the inmate.
6. All fields on the CLA 11 Claim Form must be completed to facilitate the Prison Officer's certification of the attendance. If an individual field does not apply, "not applicable" must be inserted.
7. In respect of the field for the "Legal Aid Certificate Number" and the separate field for the "Court Case Number / Court Bill Number", if the inmate has already appeared before a Court, the legal practitioner should accurately provide at least one of the numbers referred to. If the appropriate number is not provided, it will not be possible for the Prison Officer to certify the attendance. If, as may occur on a rare occasion, the inmate has not already appeared before a Court and / or a valid reference number has not yet been allocated to the case by the Courts Service, this fact should be clarified on the CLA 11 Form.
8. On completion of the CLA 11 Claim Form by the legal practitioner, the Prison Officer should ensure that all fields are completed in line with the above provisions. If so satisfied, the Prison Officer should certify the attendance and provide the original copy of the CLA 11 to the prison attendee and retain the second copy.
9. If the Prison Officer is not satisfied that all the required fields have been fully completed, s/he should not certify the attendance. In such circumstances the responsibility will rest with the legal practitioner to ensure that the required information is provided to facilitate its certification. CLA 11 Claim Forms which have not been certified and stamped will not be considered nor processed through to payment.
10. Using the contact details set out below, legal practitioners should submit certified CLA 11 Claim Forms for payment under the Criminal Legal Aid Scheme to the Financial Shared Services Section of the Department of Justice and Equality. Certified CLA 11 Claim Forms for payment under either the non-bail side of the Legal Aid - Custody Issues Scheme or the Criminal Assets Bureau Legal Aid Scheme should be submitted to the Legal Aid Board. Certified CLA 11 Claim Forms pertaining to representation for High Court Bail Applications for criminal matters should be associated with the relevant CI 2 High Court Bail Application Claim Form and submitted to the relevant Court Registrar for onward submission to the Financial Shared Services Section of the Department of Justice and Equality.
11. All enquiries in relation to these guidelines may be addressed to the Legal Aid Board.

The Financial Shared Services Section,
Department of Justice and Equality,
Deerpark Road,
Killarney,
Co. Kerry.

Phone: (064) 6670300

The Legal Aid Board,
Criminal Legal Aid Section,
48/49 North Brunswick Street,
George's Lane,
Smithfield,
Dublin 7
Phone: (01) 6469644