
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 47

PROCEDURE FOR DETAILED ASSESSMENT
OF COSTS AND DEFAULT PROVISIONS

***SECTION VI—DETAILED ASSESSMENT PROCEDURE FOR COSTS OF AN
ASSISTED PERSON WHERE COSTS ARE PAYABLE OUT OF THE LEGAL AID FUND***

Detailed assessment procedure for costs of an assisted person where costs are payable out of the legal aid fund

47.17.—(1) Where the court is to assess costs of an assisted person which are payable out of the legal aid fund, the assisted person's solicitor may commence detailed assessment proceedings by filing a request in the relevant practice form.

(2) A request under paragraph (1) must be filed within 3 months after the date when the right to detailed assessment arose.

(3) The solicitor must also serve a copy of the request for detailed assessment on the assisted person, if notice of the assisted person's interest has been given to the court in accordance with legal aid regulations.

(4) Where the solicitor has certified that the assisted person wishes to attend an assessment hearing, the court will, on receipt of the request for assessment, fix a date for the assessment hearing.

(5) Where paragraph (3) does not apply, the court will, on receipt of the request for assessment provisionally assess the costs without the attendance of the solicitor, unless it considers that a hearing is necessary.

(6) After the court has provisionally assessed the bill, it will return the bill to the solicitor.

(7) The court will fix a date for an assessment hearing if the solicitor informs the court, within 14 days after he receives the provisionally assessed bill, that he wants the court to hold such a hearing.