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STATUTORY INSTRUMENTS

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**2008 No. 666**

**The Community Legal Service (Funding) (Counsel in Family Proceedings) (Amendment) Order 2008**

**Amendments to the Community Legal Service (Funding) (Counsel in Family Proceedings) Order 2001**

7. For article 8(1) (Hearing units) substitute—

“(1) Where—

- (a) preparatory work for a hearing is carried out but that hearing does not take place;  
or
- (b) preparatory work for the main hearing is carried out but counsel is prevented from representing his client because—
  - (i) he has withdrawn from the proceedings with the permission of the court because of his professional code of conduct or to avoid embarrassment in the exercise of his profession; or
  - (ii) he has been dismissed by his client,

one half of a single relevant hearing unit fee, without special issue payments or court bundle payments, shall be paid.

(1A) For the purposes of paragraph (1)(a) “hearing” in care proceedings includes—

- (a) a Case Management Conference;
- (b) a Pre-Hearing Review;
- (c) an Issues Resolution Hearing.

(1B) Where, in care proceedings, the advocates concerned are able to discuss all relevant matters without the need for an Advocates’ Meeting under paragraph 5.2 of the Children Act Protocol or stage 2 or 3 of the Public Law Outline, one half of a single function F3 hearing unit fee, without special issue payments or court bundle payments, shall be paid.”.