

Good Practice Audit Themes 2018

We value the contribution of our panel lawyers to the delivery of legal aid services throughout NSW.

Year after year, the vast majority of panel lawyers provide excellent legal aid services made evident through positive audit outcomes.

We have identified five good practice themes from our panel lawyer audits during 2018. Adopting these good practices will enable panel lawyers to confidently meet Legal Aid NSW audit requirements.

1

Meeting the needs of our clients

Consistently providing a quality service to legally aided clients. Keeping clients informed about their matter promptly in courteous language they can easily understand, taking into account their age, maturity, education, language, mental health or disability or cultural background. Providing meaningful replies to all client correspondence and telephone enquiries. Where applicable, meeting with verbal children shortly after relevant documents are received and before participation in court proceedings. Communicating appropriately with other lawyers, Counsel, experts, witnesses and the staff of the Tribunals or Courts or other agencies or institutions. Making appropriate arrangements for the representation of legally aided clients at all court events and dispute resolution events.

2

Keeping Legal Aid NSW informed

Keeping Legal Aid NSW informed about:

- anything relevant to a client's grant of legal aid
- anything which may affect a client's ongoing eligibility for legal aid, in particular any change to the client's financial situation, and
- any changes to a client's circumstances or contact details.

Making changes to clients' details in Grants Online using the Client Update function.

Submitting any applications for legal aid, requests for extensions of funding and requests for reconsideration and review promptly with all relevant information and supporting material to enable a decision to be made without delay.

When a legally aided matter is completed, completing a file outcome form in Grants Online at the time of submitting a final claim. If a grant concludes without the need for a claim to be submitted, a file outcome form is still submitted in Grants Online.

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3

Maintaining complete records

Maintaining complete records to support quality legal work and verify claims that are submitted. Practice standards require lawyers representing legally aided clients to ensure that:

- they maintain clear and legible file notes of all telephone conversations, conferences, interviews, meetings with clients or witnesses and experts. Refer to Conference attendance sheet,
- all court attendances are noted on the file in date order with at a minimum start and finish time/s of the court attendance. Refer to Court attendance sheet and Court attendance sheet plus travel, and
- receipts or other verifying evidence for all disbursements claimed for payment from Legal Aid NSW are retained on the file.

4

Submitting accurate claims

Submitting accurate claims for payment to Legal Aid NSW. Refer to Submitting accurate claims tool. Claiming fees and disbursements in accordance with the applicable Legal Aid NSW scale of fees and only for the purpose specified in the grant of legal aid. Refer to grant approval letters, Legal aid policies and guidelines, including Terms and Conditions of use of Grants Online and the Guide to claiming fees. Submitting extension requests rather than claiming against unused work items.

5

Cooperating with an audit request

Audits apply to all panel lawyers. All panel lawyers are required to adhere to the panel service agreement and practice standards applicable to the panel to which they are appointed.

Don't ignore any audit requests you may receive on your Noticeboard in Grants Online. Failure to cooperate with an audit request can result in removal from a panel. If you have any questions about an audit request you receive, please contact Professional Practices by responding to the audit request via Grants Online.

More information: Please contact the Senior Audit & Review Officer by email audits@legalaid.nsw.gov.au