

## Criminal Applications

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Your ref:

Please quote the department above and  
our reference: kt/dp2009



To: All criminal practitioners

7 August 2008

### CRIMINAL LEGAL AID - DUTY PLANS 2009

You can now apply for inclusion on the 2009 duty plans for the various sheriff and JP/district courts. If you wish to apply for inclusion in a plan you should complete and return the attached form, to reach us no later than **13 September 2008**.

To be eligible you must:

- hold a practising certificate with no restriction affecting your entitlement to undertake legal aid work as at the closing date for applications
- have been accepted onto the Criminal Legal Assistance Register
- have a place of business within the sheriff court or district court area for which the duty plan is being prepared and conduct the majority of your business within that court.

The full eligibility criteria are listed overleaf. Please note that newly qualified solicitors must have been providing criminal legal assistance and practising in the criminal courts for a period of one year, and then must serve on a JP/district court duty plan for one year before being considered for inclusion on a sheriff court plan. However, like last year, applications are invited from all other experienced solicitors, including those who have recently moved to another area, or have set up a new firm.

To apply, please complete the attached application form, which must be accompanied by a copy of the applicant's practising certificate. If you apply to be included on more than one plan, we reserve the right to select in which plan, if any, to include you, without recourse to you. You should therefore state any preference clearly on the application form.

We will acknowledge all applications on the date of receipt or as soon as possible after that date. Please submit your application as soon as possible to avoid last minute difficulties. A copy of this letter, the application form and the Duty Solicitor Guidelines are also available on our website [www.slab.org.uk](http://www.slab.org.uk). If you have any questions on applying for the duty plans, please contact Tracy Batchelor on 0131 240 1945.

The recent reforms of summary criminal legal assistance, implemented on 30 June 2008 introduced changes to the duty scheme payments, and also allowed "appointed solicitors" to provide ABWOR to clients appearing from custody where a prior solicitor/client relationship could be established. As part of the wider monitoring and review of the summary justice reforms, we will be looking closely at the operation of the duty scheme throughout the country.

Therefore, we will be conducting a full review of the operation of the duty scheme during 2009 in light of the summary justice reforms. This may bring changes to any duty plans which are implemented for 2009.