



## **Legal Aid – Custody Issues Scheme Procedures & Guidelines for claiming Translation / Interpretation Fees**

**1<sup>st</sup> October 2015**

### **1. General**

This document, in conjunction with the Legal Aid – Custody Issues Scheme Provisions and Guidance Document, contains important information regarding the procedure for the submission of claims for translation / interpretation fees under the Legal Aid – Custody Issues Scheme. Solicitors and service providers should make themselves familiar with these guidelines as claims submitted in an incorrect format, or without the required information, will be returned by the Board to the relevant solicitor for further attention.

### **2. The submission of a claim**

Claims for fees under the Legal Aid - Custody Issues Scheme should only be submitted by the solicitor on record. The service provider should ensure that all invoices pertaining to a case are forwarded to the relevant solicitor by the earliest possible date to ensure that their claim may be included with the solicitor's claim for fees in respect of the case. In turn, the solicitor should ensure that all invoices in respect of translation / interpretation services are submitted with their own claim for fees to the Legal Aid Board. Claims for payment should not be submitted piecemeal as this will cause unnecessary delays in the overall consideration of a claim. Where it is not possible for the solicitor to submit the translation / interpretation claim with their own claim for fees, that solicitor should submit any further claims arising to the Board by the earliest possible date. It should be noted that claims for fees may not pre-empt the final Court Decision or Order recommending that the Legal Aid – Custody Issues Scheme would be applied.

### **3. The documents to be included with a claim**

Original invoices must be submitted for all necessary translation / interpretation services provided in respect of the proper representation of a client. The invoice must be accompanied by an original **CI 4 Attendance Form** fully completed by the translator / interpreter and certified by the relevant solicitor for each attendance. A single Form CI 4 should, where possible, be used to record all attendances associated with an individual case. Where this is not possible, an additional Form CI 4 may be submitted as required. A solicitor who engages a translation / interpretation company is responsible for ensuring that all fields on the **CI 4 Attendance Form** have been fully and accurately completed before certifying the attendance in accordance with the provisions of Paragraph 7 below.

### **4. The required information on the invoice**

In addition to the amounts claimed, each invoice should contain a specific invoice number and an invoice date. Each invoice submitted should relate to one client / case only and that client's name and the Court Record Number must be clearly referenced. There is no limit to the number of attendances which can be included on an invoice providing they all relate to the one specific client / case and each attendance is verified on an accompanying Form CI 4.

### **5. Querying the status of a claim**

Translation / interpretation service providers should direct all queries in relation to their claim for payment to the relevant solicitor firm by whom they were engaged and to whom they submitted the claim. Solicitor firms should direct any queries they have in relation to a claim to the Legal Aid Board at the contact details below.

## **6. The rates payable for translation / interpretation services**

With effect from the 1<sup>st</sup> October 2011, the following rates apply:

- Payment for interpretation (including sign language) services will be made at a rate of €40 for the first hour or part thereof and €20 per half hour thereafter.
- Payment for translation services will be made at the rate of 10 cent per word.
- Translation of a book of evidence will be paid at a rate of €22 per page.
- Mileage, where the interpreter is required to travel outside of a radius of 15km from the company base, will be paid at a rate of 24 cent per kilometre.

Where costs for translation and / or interpretation services are likely to be in excess of €2,000, solicitors must obtain at least three quotations for the provision of the service and submit evidence of same to the Legal Aid Board with their claim for fees at the conclusion of the case.

## **7. Certification obligations of the solicitor**

Under the Scheme, a solicitor who engages a translation or interpretation service provider is responsible for:

- certifying that the service was necessary and that the person or company has the appropriate competence to provide a professional service
- certifying that the service provider attended on the dates and times directed by the solicitor and also certifying the location of the service delivery, the accuracy of the hours worked and the amount claimed
- certifying that the translation or interpretation costs refer only to the client's specific case and that they do not pertain to any services provided for in the Courts that are the subject of a separate contract arranged by the Courts Service
- ensuring that an original invoice with a unique invoice number from the relevant company (which must include full details of the services provided) is submitted for consideration and is accompanied by a fully completed Form CI 4
- collating a claim and ensuring that all aspects of the claim, including documents from the solicitor firm, junior (and, where applicable, senior) counsel, translators and interpreters are submitted together in one single claim immediately after the case is finalised
- ensuring that, for audit purposes, they retain evidence of the services commissioned (including copies of reports etc.).

## **8. Further information**

Further information on the Legal Aid - Custody Issues Scheme, including the provision of translation and interpretation services under that Scheme, is available in the Legal Aid – Custody Issues Scheme Provisions and Guidance Document which can be accessed by logging on to [www.legalaidboard.ie](http://www.legalaidboard.ie), or alternatively, by contacting the Legal Aid Board for a copy:

**Legal Aid Board**  
**Criminal Legal Aid Section**  
**48/49 North Brunswick Street**  
**George's Lane**  
**Smithfield**  
**Dublin 7**  
**D07 PE0C**

**Ph: (01) 6469644**

**Email: [cla@legalaidboard.ie](mailto:cla@legalaidboard.ie)**

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