

Action by Listed Provider	Documentation Required from Listed Provider	Maximum Guideline Rate	Staff Actions/Notes
Step 1: Section 16 review			
<ul style="list-style-type: none"> Take initial instructions and identify legal issues. Prepare application for legal aid. Report to LSA on outcome. Forward final account. 	<ul style="list-style-type: none"> Fully completed Mental Health application (Form 7) which includes a brief summary of the situation. Report by provider. Final account (Form 10). 	<p>New instructions</p> <p>3</p> <p>hrs @ GHR</p> <hr/> <p>Repeat within 4 months</p> <p>2</p> <p>hrs @ GHR</p> <hr/> <p>Repeat within 18 months</p> <p>2½</p> <p>months</p> <p>hrs @ GHR</p>	<p>On receipt of application Agency staff to:</p> <ul style="list-style-type: none"> match application with previous CTO files ensure appropriate "discount" is recorded in application refer to commentary on granting aid for Mental Health proceedings <p>Where aid is granted Agency staff may approve grants at the specified maximum guideline rate (as discounted for repeat instructions if applicable). If more than the maximum guideline rate is requested the file may be referred to a specialist adviser for recommendation.</p>
Step 2: Second section 16 review during one continuous period of assessment and treatment			
<ul style="list-style-type: none"> Take instructions and identify legal issues. Report to LSA advising reasons for second application. Forward final account. 	<ul style="list-style-type: none"> Letter from provider advising reasons for second application. Final account (Form 10). 	<p>Further</p> <p>1</p> <p>hr @ GHR</p>	<p>Agency staff to match with previous CTO files. Agency staff may approve a grant of 1 hour. If more than 1 hour is requested the file may be referred to a specialist adviser for recommendation.</p>

Mental Health

Mental Health

STEPS FOR PROCEEDINGS UNDER THE MENTAL HEALTH (COMPULSORY ASSESSMENT AND TREATMENT) ACT 1992

Action by Listed Provider

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Step 3: Undefended CTO application following a section 16 review

- Take instructions and identify legal issues.
- Report to LSA providing update on situation.
- Forward final account.

- Letter from provider providing update on situation and request for extension.
- Final account (Form 10).

5

hrs @ GHR

Repeat
within 4
months

3½

hrs @ GHR

Repeat
within 18
months

4

hrs @ GHR

On receipt of letter Agency staff to:

- match application with previous CTO files
- ensure appropriate "discount" is recorded in application
- refer to commentary on granting aid for Mental Health proceedings
- confirm previous grants for s.16 reviews

Agency staff may approve grants at the specified maximum guideline rate (as discounted for repeat instructions if applicable). If more than the maximum guideline rate is requested the file may be referred to a specialist adviser for recommendation.

Step 4: Undefended CTO application where there has been no section 16 review

- Take initial instructions and identify legal issues.
- Prepare application for legal aid.
- Report to LSA on situation.
- Forward final account.

- Fully completed Mental Health application (Form 7) which includes a brief summary of the situation.
- Report by provider.
- Final account (Form 10).

4

hrs @ GHR

Repeat
within 4
months

2½

hrs @ GHR

Repeat
within 18
months

3

hrs @ GHR

On receipt of application Agency staff to:

- match application with previous CTO files
- ensure appropriate "discount" is recorded in application
- refer to commentary on granting aid for Mental Health proceedings

Agency staff may approve grants at the specified maximum guideline rate (as discounted for repeat instructions if applicable). If more than the maximum guideline rate is requested the file may be referred to a specialist adviser for recommendation.

Step 5: Defended CTO application following a section 16 review

- Take instructions and identify legal issues.
- Report to LSA providing update on situation and advising why CTO application is being defended.
- Forward final account.

- Letter from provider providing update on situation and request for extension.
- Statement advising why the application is defended and the grounds for defence. See commentary on granting aid for Mental Health proceedings.
- Final account (Form 10).

7

hrs @ GHR

Repeat within 4 months

4½

hrs @ GHR

Repeat within 18 months

5½

hrs @ GHR

- On receipt of letter Agency staff to:
- match application with previous CTO files
 - ensure appropriate "discount" is recorded in application
 - refer to commentary on granting aid for Mental Health proceedings
 - confirm previous grants for s.16 reviews

Agency staff may approve grants at the specified maximum guideline rate (as discounted for repeat instructions if applicable). If more than the maximum guideline rate is requested the file may be referred to a specialist adviser for recommendation.

Step 6: Defended CTO application where there has been no section 16 review

- Take initial instructions and identify legal issues
- prepare application for legal aid.
- Report to LSA on situation and advise why CTO application is being defended.
- Forward final account.

- Fully completed Mental Health application (Form 7) which includes a brief summary of the situation.
- Statement advising why the application is defended and the grounds for defence. See commentary on granting aid for Mental Health proceedings.
- Final account (Form 10).

6

hrs @ GHR

Repeat within 4 months

4

hrs @ GHR

Repeat within 18 months

4½

hrs @ GHR

- On receipt of application Agency staff to:
- match application with previous CTO files
 - ensure appropriate "discount" is recorded in application
 - refer to commentary on granting aid for Mental Health proceedings

Agency staff may approve grants at the specified maximum guideline rate (as discounted for repeat instructions if applicable). If more than the maximum guideline rate is requested the file may be referred to a specialist adviser for recommendation.

Mental Health

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STEPS FOR PROCEEDINGS UNDER THE MENTAL HEALTH (COMPULSORY ASSESSMENT AND TREATMENT) ACT 1992

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Step 7: Application to Review Tribunal – this application can only be requested as a Forum Category 1 matter

- Take instructions and identify legal issues.
- Prepare new application for legal aid.
- Report to LSA on outcome.
- Forward final account.

- Fully completed Mental Health application (Form 7).
- Report by provider summarising the situation.
- Final account (Form 10).

6

hrs @ GHR

Repeat
within 4

4

months
hrs @ GHR

Repeat

4½

within 18
months
hrs @ GHR

On receipt of application Agency staff to:

- match application with previous CTO files
- ensure appropriate “discount” is recorded in application
- refer to commentary on granting aid for Mental Health proceedings

Agency staff may approve grants at the specified maximum guideline rate (as discounted for repeat instructions if applicable). If more than the maximum guideline rate is requested the file may be referred to a specialist adviser for recommendation

Step 8: Appeal from Review Tribunal

- Take instructions and identify legal issues.
- Prepare new application for legal aid.
- Report to LSA on outcome.
- Forward final account.

- Fully completed Mental Health application (Form 7).
- Report by provider summarising the situation.
- Final account (Form 10).

3

hrs @ GHR

On receipt of application Agency staff to:

- match application with previous CTO files
- ensure appropriate “discount” is recorded in application
- refer to commentary on granting aid for Mental Health proceedings

Agency staff may approve a grant of 3 hours. If more than 3 hours is requested the file may be referred to a specialist adviser for recommendation.

<i>Action by Listed Provider</i>	<i>Documentation Required from Listed Provider</i>	<i>Maximum Guideline Rate</i>	<i>Staff Actions/Notes</i>
TRAVEL COSTS		Reimbursement determined by LSA policy for Special Disbursements. (Refer to manual).	For travel to visit more than one aided person, travel costs may only be claimed once. Claims are permitted for one matter or proceeding only and should not be pro-rated across each aided person.
INDEPENDENT PSYCHIATRIC REPORT		At cost to a maximum determined by Regional Managers for each location.	Application must be made in writing and must give a clear estimate of the cost of the report and the issues to be addressed in the report. Refer to commentary on granting aid for Mental Health proceedings for additional information.

Mental Health