

# Fees Bulletin No 2. of 2018

## Subject

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### The Graduated Fee Scheme and the Digital Case System

1. The GFS Manual of Guidance, subject to a few amendments for BCM, was largely drafted in 2012 at the time of the implementation of Scheme C. Since then there have been a number of changes in the way we serve and store our evidence, most notably with the introduction of the Digital Case System.
2. Recently we have received a number of applications from advocates to have material counted towards the page count that has been uploaded to DCS, but does not meet the criteria of pages of evidence as set out in the Manual of Guidance.
3. The basic principle is that the method of service and storage of evidence does not change the way that we determine whether evidence can be added to the page count. It may, however, be necessary for us to update our interpretation of the strict wording of the Manual of Guidance.
4. The GFS Manual of Guidance determines what evidence can be added to the page count at paragraph 62:-  
  
“Only pages formally served in evidence and copied to all parties either as part of the sending bundle or subsequently served under a written notice of additional evidence (NAE) can be counted, subject to paragraphs 66-68.”
5. This rule still applies, albeit it was written at a time when most evidence was served in paper format. Essentially **only evidence formally served and uploaded in Sections I, J and K of the Digital Case System, either as part of the formal service of evidence or subsequently by issuance of a Notice of Additional Evidence can be counted subject to other provisions in paragraphs 66-68 and paragraph 74 of the GFS Manual of guidance.**
6. Material uploaded in sections G and H of the DCS does not count towards the page count or reasonable viewing time for remuneration purposes.

Court Business Unit  
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