

Resolution Specialist Accreditation

Complex Financial Remedy (Complex Low Income & Assets) Portfolio

Competence Unit - Lawyers

This portfolio unit focusses on the specialist knowledge, understanding and application in practice to provide advice and representation to clients where complex lower income is a feature of their case.

Competency code	Knowledge and Understanding Candidates must know and understand:
SACLI01	The Resolution Code of Practice and of other relevant protocols (e.g. The Law Society Family Law Protocol, The Remote Access Family Court and any associated protocols), the SRA Competence Statement and over-arching Standards Framework, Family and Civil Procedure Rules, Resolution's Guides to Good Practice and Precedents.
SACLI02	Criteria required to resolve financial claims where assets are less extensive or where there may be debt and redundancy.
SACLI03	Relevant law and procedures in relation to the resolution of financial remedy cases and in particular s.25 Matrimonial Causes Act.
SACLI04	Financial eligibility in relation to Legal Aid <ul style="list-style-type: none"> • Especially in relation to s.10 Children and Families Act 2014 • The statutory charge
SACLI05	The range of family dispute resolution processes that may assist the client, including the potential for narrowing issues, exploring options, and - where appropriate - for family arbitration.
SACLI06	State benefits including state pensions and tax credits.
SACLI07	Mortgages, repossession proceedings.
SACLI08	Tenancies including types of and transfers.
SACLI09	Insurance, range of life policies, savings, endowment and term assurance.
SACLI10	Tax liability including Income Tax, Capital Gains Tax, and Inheritance Tax.
SACLI11	The role and function of the Child Maintenance Service and the range of options available to clients in arranging child support/maintenance
SACLI12	The range of advice and support services that may assist the client in relation to: <ul style="list-style-type: none"> • Debt/bankruptcy/IVO • Housing and tenancy, including housing associations and part ownership property • Money management • Pensions • State benefits
SACLI13	Procedure in relation to enforcement of any order/s.

Competency code	Performance Candidates must be able to:
SACLI14	Demonstrate appropriate application of the Resolution Code of Practice and any/all other relevant practice protocols in all cases.
SACLI15	Identify and explain the law and likely procedures in relation to financial remedy in the particular client circumstances.
SACLI16	Identify and explain the various stages of proceedings and required hearings to the client (including the requirements of s.10 Children and Families Act 2014).
SACLI17	Assess and explain the required disclosure in relation to client finances.

SACLI18	Explain Legal Aid where/if appropriate, eligibility and how to apply.
SACLI19	Explain s.25 needs in relation to financial remedy.
SACLI20	Explain the range of family dispute resolution processes that may assist the client, including the potential for narrowing issues, exploring options, and - where appropriate - for family arbitration.
SACLI21	Identify, assess and explain the type and nature of mortgage/s held, in relation to part-ownership property, threat of repossession and procedures, future mortgage ability.
SACLI22	Assess with, and explain to, clients the different types of tenancies, tenancy transfer.
SACLI23	Identify, assess with and explain available state benefit, pension entitlement (obtaining state pension forecast) and tax credits.
SACLI24	Explain the effect of family separation or divorce in relation to insurances.
SACLI25	Identify, assess with, and explain the role and function of the Child Maintenance Service and the range of options available to clients in arranging child support/maintenance.
SACLI26	Assess and consider referral to other services of advice and support – financial advisers, debt advisers, housing/mortgage/repossession/tenancies etc., debt and bankruptcy, welfare benefits advisers.
SACLI27	Identify and assess client pensions including obtaining relevant CEV, State pension forecast.
SACLI28	Explain costs including providing a costs estimate and the ways in which costs may be met (inc. MCA 1973, s.22ZA/B).

Guidance Notes to Unit:

Candidates should be aware that not all competencies will feature in case studies but must be prepared and able to answer all that are listed in the unit. Assessment is adjusted to match competencies tested.