

Introduction – Litigation

Litigation cases often involve disputes between either private individuals or businesses. The fees payable will depend very much on the type of litigation claim we are instructed to deal with, however, the information set out below covers specific areas of litigation practice, which we hope is helpful in giving an understanding in terms of the way we charge and the fees that will be incurred in relation to the work that we do.

Please also note that our hourly rate ranges between £200.00 per hour and £250.00 per hour. We have due regard for the guide line rate issued by the County Courts and endeavour to remain within the same, but depending on the case or the matter, the hourly charge can be higher and the rate that we charge will also be determined by the seniority of the lawyer that deals with your case.

When assessing costs we may take in to account other matters which can include the amount of the claim that is in dispute. We set out below the areas of work and a guideline and indication of the likely sort of costs that could be incurred.

Please note that in all litigation cases, either in the High Court or the County Court, Court fees have to be paid and therefore such fees that are payable will be in addition to the indicated figures as set out below.

Debt Recovery Claims

Description of work	Fee arrange hourly rate	What is involved/description of services
Initial consultation	Fixed fee £150.00 plus VAT	This is a first consultation whereby we consider the amount of the debt payable and also consider any evidence in correspondence in relation to the debt being disputed. We will also have regard to the amount of the debt that is being pursued and also advice around the ability of the debtor to meet or pay any County Court Judgement that may be secured for you.

Letter before action	Approximately £200.00	This is drafting and preparing a detailed letter of claim setting out the basis of the same. A letter of claim is required to be issued before most legal proceedings can be instigated. In addition the letter of claim will have attached to it all the relevant documentary evidence setting out the evidence in support of the debt claimed.
Response from the Court	Calculated on the hourly rate approximately 1 to 2 hours	Dealing with matters in respect of entering a default judgement against the debtor or dealing with a defence and then further consultation with you in respect of bringing the matter to a final hearing. Much will depend on the value of the claim and if the debt is less than £10,000.00, then it will be dealt with as a small claim in the Small Claims Court and we will advise you in relation to the costs in relation to this. If we enter judgement, we will then advise you on taking any necessary enforcement action to try to recover the debt by instructing a County Court Bailiff or the Sheriff's Officers.
Contested claims	Between 3 - 4 hours' worth of work	This would be dealing with claims that are fully contested whereby we have to prepare for a final hearing. This is limited to the Small Claims Court and in relation to debt claims that are substantially in higher value, please see general litigation below.

Employment Disputes

Please note that we act both for employers and employees in respect of various matters relating to employment disputes.

In relation to Settlement Agreements where an employer and employee have agreed terms of settlement regarding termination of someone's job, our advice to employees for Settlement Agreements varies between £250.00 & £650.00 depending on the complexity of the Settlement Agreement - normally it is the employer that pays the cost of such advice. If we are instructed by an employer to draft a Settlement Agreement, then our fees tend to range between £650.00 & £1,250.00 plus VAT.

All other employment cases may well be subject to employment tribunal proceedings and accordingly the matters set out below will apply. This is for both employers and employees, and details in respect of our fees in relation to this are as follows:-

Description of work	Fee arrange hourly rate	What is involved/description of services
Initial Consultation	£150.00 - £250.00 plus VAT	This would cover all time spent reviewing documents and a consultation with you of up to 1 hour to try to understand the nature of the dispute and type of claim. If the claim is in relation to discrimination issues then further time may be required.
Drafting proceedings in the tribunal	£500.00 - £750.00 plus VAT	This is drafting appropriate documents in relation to employment tribunal proceedings in terms of making a claim, which includes completion of an ET1 Form and also liaising with ACAS in relation to procuring the relevant Conciliation Certificates and issuing proceedings out of the tribunal. If you are the Respondent then the drafting of documents will be centred on taking instructions, undertaking further investigations and putting in place a suitable defence.

Preparation for hearing and dealing with negotiations	£2,000.00 - £6,000.00 plus VAT	This involves substantial legal work often requiring negotiation and consideration of relevant matters in respect of the claim, which also includes attending a case management hearing before the tribunal and securing appropriate directions to trial. As an employer you become responsible for preparing trial bundles, which we will can prepare on your behalf. There will also be preparation work that will need to be done in respect of all witness statements and other relevant documentation, which can then be presented as a final bundle to the tribunal. This will also include liaising with Barristers in relation to attendance at the final hearing and also dealing with any other evidential issues that may arise including calling witnesses.
Tribunal hearing	£3,000.00 plus VAT plus Counsel's fees, if appropriate – Counsel's fees vary between £5,000.00 - £7,000.00 plus VAT)	This relates to attending an employment tribunal on your behalf, based on a one day fully contested tribunal hearing and may involve Counsel (a Barrister) attending the hearing. Counsel's fees will have to be negotiated and agreed with you in advance. This will depend on the complexity of the case and also the seniority of the Barrister.

General Civil Litigation

'Civil Litigation' covers a whole manner of things, including debt disputes of substantial value, defamation claims, disputes and issues over inheritance and related claims, boundary disputes and other disputes which would also include professional negligence and other negligence related matters.

As we have indicated earlier we try to work with the guideline rate issued by the Court and the hourly rate that we apply for general civil litigation work varies between £200.00 per hour & £250.00 per hour. The hourly rate is determined by the seniority of the lawyer working on your case and the nature of the claim and its complexity. The table below is set out to give you some sort of indicative guideline in terms of the way we charge for our services.

Description of work	Fee arrange hourly rate	What is involved/description of services
Initial consultation	£200.00 - £350.00 plus VAT	Attending upon you, reviewing all the relevant documents and noting down the factual matters giving rise to the claim and also undertaking appropriate legal research in order to establish the legal basis of the claim to be advanced, and also deciding on whether input is required from a Barrister and which Court the claim is to be brought before.
Letter of claim	£2,000.00 - £3,000.00 plus VAT	This is in respect of delivering a detailed letter of claim as required under the 'Civil Procedure Rules'. The letter of claim is a detailed document setting out the factual basis and matters relating to the claim as to who, where, when, what, how and why. This also has attached to it all the relevant documentary evidence in relation to advancing a claim. We may on occasion refer the matter to Counsel to draft a letter of claim in the event of a particularly complex matter - if Barrister's fees are going to be charged then this will need to be agreed by you in advance.

Preparing and issuing legal proceedings	£450.00 - £600.00 plus VAT	<p>This is work involved in putting together a legal claim that is to be filed with the Court. This includes preparation of the claim form and the Particulars of Claim, together with any schedule of special damage that may need to be attached. If Counsel's fees are to be incurred then we will notify you of those in advance. This is to get the claim put together and filed and lodged with the Court. The claim is then served on the other side who will then be expected to respond.</p> <p>If we are acting for you as a Defendant in respect of legal proceedings issued against you, then this is work that we will do in relation to drafting the relevant defence and the initial consultation charges set out above will apply, and the document preparation work for drafting a defence set out above will also apply.</p>
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Allocation to track directions and preparations to trial	£4,000.00 - £8,000.00 plus VAT	This is work in respect of the directions that the Court will give to get the matter listed for trial. There is a lot of documentation that will need to be considered and detailed witness statements would need to be prepared. In addition to this we will also need to undertake appropriate work in respect of the disclosure of documents, so that relevant documents are disclosed and we will also review documents received from your opponent to ensure that all relevant documentary evidence has been provided. This work will also include briefing a Barrister to do the final hearing and preparation of the trial bundle, and related work in respect of preparing for trial. If the case is particularly complex and has substantial documentation or electronic documentation then we may need to involve the services of an external expert in relation to electronic data and this might increase your liability for costs, though we will notify you in advance in respect of any case that has substantial documentary evidence that needs to be dealt with.
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Trial	£6,500.00 plus VAT (assuming a day trial) Barrister's fees approximately £10,000.00 plus VAT	<p>This is all work relating to attending a hearing at Court. This is in relation to the final hearing often referred to as a trial. The trial could be before a District Judge or a Circuit Judge depending on the level of complexity and the nature of the case. The costs set out cover a 1 day trial in the County Court and if the trial is going to last for more than 1 day, then we will notify you accordingly.</p> <p>Under the Civil Procedure Rules we are required to prepare a cost budget for the Court and before the matter gets to trial a cost budget will be presented to you so that you are aware of the potential estimated costs of the case as a whole. We will also receive a cost budget from your opponent and that will also be disclosed to you so that you can see what the potential costs exposure might be in the event that your claim is unsuccessful.</p>
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Enforcement/recovery of costs	<p>Cost Lawyers £5,000.00 plus VAT</p> <p>Our charges £2,500.00 plus VAT</p>	<p>Often following the conclusion of a multi track case we will need to enter in to separate proceedings known as “costs proceedings” to recover the costs.</p> <p>Upon a successful conclusion of a trial a Costs Order is made against the losing party. The winning party then has to lodge with the Court a detailed bill of costs and we will require input from specialist costs lawyers to prepare the bill of costs and this is derived from our actual working file and the time records that we keep on our internal systems. The cost lawyer will assist us in preparing the bill of costs and lodging the same and will also assist us in respect of dealing with any point of dispute raised by the other side.</p> <p>If you are the unsuccessful party then you will be served with a bill of costs and in this respect we will then assist you in relation to raising of the relevant points of dispute and we may then engage the services of a costs lawyer to assist. The costs set out in this regard is approximately the same.</p> <p>Once all the relevant documents have been lodged with the Court, a costs assessment takes place and the Court determines how much costs should be paid.</p> <p>Please note that in the event that costs proceedings are concluded with an initial assessment and if that assessment is challenged by the party or the matter goes to a full contested hearing or even an appeal, then the costs relating to this part will need to be notified to you separately.</p>
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