

PRICING AND FEES FOR:

DEBT RECOVERY

This document sets out the pricing guidance for UK Debt Recovery matters. This document provides the information required by the SRA Transparency Rules in relation to the work associated with debt recovery work. We are committed to price transparency in all our work and for all instructions we will endeavour to provide estimates at the outset based on the specific circumstances of the matter.

WHY INSTRUCT WELLS BURCOMBE LLP?

Wells Burcombe LLP can help you with your civil litigation for clients who are privately funded. We strive to ensure our clients have expert assistance throughout their engagement with us.

Based in St Albans and West Drayton, our approach to clients is one of friendliness and efficiency. Our clients are made to feel welcome but also confident that their legal issues are dealt with in a manner that both expedient and competent. We strive to create the right impression by being as available and as approachable as possible. We can offer appointments outside normal working hours if needed and we work as efficiently as possible to deliver an excellent service to all our clients.

At Wells Burcombe LLP we are used to handling every issue promptly and professionally, to help put your mind at ease.

OUR FEES

The legal fees for our assistance with Debt Recovery matters vary based on the case. Our fees are usually calculated by reference to the time spent on the matter and reference to the hourly rate of the fee earner who is undertaking the work. For certain types of claim we can also discuss and consider fixed fees with you.

For a relatively straightforward claim for £100,000 or less that is allocated to the fast track, your legal costs might be in the region of £10,000 to £20,000 + VAT (currently at 20%) plus disbursements.

A complicated claim, which is allocated to the court's multi track, with expert and lay witnesses, listed for a 2-day trial, could cost between £30,000 and £75,000 + VAT and disbursements, depending on the nature of the case.

A claim that can be adjudicated via Alternate Dispute Resolution could cost between £5,000 and £10,000 + VAT and disbursements.

Once your claim has concluded, we can also assist you in enforcing your judgment, which we can frequently deal with on a fixed fee basis. Sometimes, debtors are difficult to trace, or adept at evading enforcement, which will naturally cause fees to rise.

However, we can assist with applications for measures such as a charging order, which is likely to cost around £1000 to £2,000 + VAT and disbursements, though we always provide an estimate based on the specifics of each case.

OUR HOURLY RATES

Partners and Senior Solicitors £250 plus VAT

Assistant Solicitors - £200 plus VAT

Trainee solicitor £120 plus VAT

Paralegal - £100 plus VAT

NB: Where hourly rates are changed, they will vary depending upon who is involved in carrying out the work.

DISBURSEMENTS

Disbursements are costs related to the claim that are payable to third parties, such as, counsel's fees, court fees, courier costs, travel costs, etc. and do not make up our legal fees. Disbursements will vary from matter to matter, some will attract VAT while other may not. We will keep you informed of these costs when they may arise.

It is difficult to offer exact costs and not all costs can be itemised from the outset. We will be able to provide these once more details about your case are known. As a guide however, if an expert is to be instructed, then their costs are likely to be in the region of £1,000 to £5,000 plus VAT; Counsel's fees will depend on the experience of counsel instructed and so can range between £750 - £3,500 plus VAT. Mediation can be between £200 to £300 per hour plus VAT. Details of court fees payable are set out in the following link, please click into the Civil and Family Court Fees (from August 2020) PDF under the heading Documents (please note these are subject to change from time to time).

<https://www.gov.uk/government/publications/fees-in-the-civil-and-family-courts-main-fees-ex50>

For a typical debt case we would expect to see some (or all) of the following disbursements:

- Court fees;
- Expert fees;
- Added value service fees (such as fees for expedited applications or a VIP service);

- Counsel's fees
- Mediation fees
- costs of travel to and from hearings or offsite meetings.
- ID checks; and
- photocopying.

In debt recovery matters, if a debtor accepts liability and hence there is no need to engage in court proceedings, the matter can be quite simple. Of course, if liability for the debt is contested, and the matter does proceed to Court, the process naturally becomes more complex and protracted, which therefore means additional costs will also be incurred, we will be able to update you throughout your case about your fees and disbursement costs when they arise. Since all cases are different, it is very difficult to tell at the outset whether a particular case will settle quickly or will involve protracted litigation.

HOW LONG WILL THE MATTER TAKE?

The time that it takes from taking initial instructions to finalise your claim will depend on the complexity of your case and the documents involved, the number of witnesses required and their availability for court and the time it will require for the court to hear the matter. If the matter goes to court, we cannot guarantee how long the process may then take. The case will of course be shorter if the claim is settled following the issuing of proceedings without the need for a trial.

Therefore, we give all clients an initial engagement letter detailing an estimate of costs, which is considered as accurate as it can be at that time, and of course if the case takes a different course which will involve further costs, we will keep you fully informed and advise you of this.

How long it will take to complete recovery of your debt depends on a few factors, such as if proceedings are issued or a settlement negotiated, the court's ability to list your case within a certain time and of course the way the debtor approaches the claim. A simple settlement of a claim where proceedings are not issued might take as little as 1-3 months to finalise. Fast track claims can take up to a year from the date of issue to the trial date. A more complicated claim allocated to the Court's multi-track (which is reserved for more complex cases and for claims for more than £25,000) can take as little as 2 or 3 months if settled or 2 years if contested to trial.

CLAIMS UNDER £10,000

For some "small claims" of under £10,000, proceedings can be issued online, and even if you win, your legal costs are usually not recoverable.

CLAIMS BETWEEN £10,000 and £25,000

Claims for between £10,000 and £25,000 are allocated to the fast track of the County Court. The trial is usually for no more than a day, and if you succeed you will normally only be entitled to recover fixed costs from your opponent, which will invariably be less than we as your solicitors will charge you for acting, and hence there will be a cost to you which cannot be recouped.

The fixed costs set by the Ministry of Justice are set out at the following link: -

<https://www.justice.gov.uk/courts/procedure-rules/civil/rules/part45-fixed-costs#rule45.38>

SMALL CLAIMS

In a straightforward claim or a small claim, as it may not be cost-effective for you to instruct us to recover the debt for you, we may advise you to deal with the matter yourself or with our occasional assistance, so you only pay for our advice as and when you need it. Where appropriate, we may offer you a fixed fee for undertaking a specific task on a case. Whether we consider it is appropriate to carry out the work on a fixed fee will depend on the facts and nature of each case, and the amount of work needed.

THE TEAM

Your matter will be handled by WB's Civil Litigation team. If you instruct us, we will provide you with the names of individual lawyers who will be acting on your matter, including who will be responsible for overall supervision.

For a more accurate quote or to discuss instructing us please contact Madeleine Di Matteo, Head of the Civil Litigation Team on 01895 449288 or via email madeleine.dimatteo@wellsburcombe.co.uk.