

Fees and Policies

Brief Fees

In fast track personal injury cases standard rates will apply unless otherwise agreed. In multi-track, small claims and commercial and other privately paid cases, wherever possible, we will agree fees with you after delivery of the brief and prior to the hearing based upon the following criteria:

- i. Seniority/expertise of Counsel instructed;
- ii. Complexity of the case;
- iii. Value of the claim;
- iv. Preparation time;
- v. Length of hearing including conference on the hearing date;
- vi. Any expenses such as hotel or travel.

We are happy to work with you and produce costs budgets.

Conference Fees

You may wish to agree with us an hourly rate, a fixed fee or a capped fee for preparation time and length of conference in advance of the conference. The hourly rate will be based upon criteria (i), (ii) and (iii) above. Otherwise, fees for conferences will be assessed after the conference has taken place based upon criteria (i) to (vi) above.

Paperwork Fees

You may wish to agree with us an hourly rate for preparation time upon delivery of the papers. The hourly rate will be based upon criteria (i), (ii) and (iii) above. Otherwise, paperwork fees will be assessed after the work has been completed based upon criteria (i) to (vi) above, as applicable.

Conditional Fee Agreements

Members of Chambers are prepared in principle to undertake cases subject to Conditional Fee Agreements. The terms will be negotiated in each case.

Fee charging for briefs for hearings, conferences and paperwork in Conditional Fee Agreement cases is the same as for civil/commercial work as above.

The APIL-PIBA 9 form can be found on the PIBA website.

Fees in Family Cases

Fees charged for hearings, conferences and paperwork in Legally Funded cases will be in accordance with the Legal Services Commission's regulations for Counsel's fees. Where a non-standard fee publicly funded Graduated Fee is claimed, the basis for the claim will be set out in a case report. We will provide, on request, a likely fee level where a non-standard fee is going to be charged to enable you to obtain appropriate funding from the Legal Services Commission.

The level of fees in privately funded family cases in respect of briefs for hearings, conferences and paperwork will be based on the same criteria as for civil/commercial work above but may also include, where appropriate:

- i. seriousness of the allegations;
- ii. The importance of the matter to the lay client.

Fees in Criminal Cases

In prosecution cases we will adhere to the fee structure and provisions for arranging fees that are established with the Crown Prosecution Service or other prosecuting agencies. In respect of defence Legally Funded work, where Counsel is paid separately, we will deal direct with the appropriate authorities. In respect of defence privately funded work and legally funded work where Counsel is not paid separately, wherever possible, we will agree fees with you after delivery of the brief and prior to the hearing, based on the following criteria:

- i. Seniority/expertise of Instructed Counsel;
- ii. Complexity of the case;
- iii. Seriousness of the charge;
- iv. Preparation times;
- v. Length of hearing, including conference on the day of the hearing;
- vi. Any expenses such as hotel or travel.

In respect of defence privately funded work and Legally Aided work where Counsel is not paid separately as to conference fees, you may wish to agree with us the hourly rate, a fixed fee or a capped fee for preparation time or length of conference in advance of the conference. The hourly rate will be based upon criteria (i), (ii) and (iii) above. Otherwise the fee will be assessed based on criteria (i) to (vi) above. Similarly, any paperwork will be charged on the basis as for conferences.

Fee Notes

On completion of our work on a matter, all briefs, instructions or other material will be returned to you and with them an up-to-date fee note. Our fee notes record the services (hearing/conference/paperwork) for

which the charge is made together with the dates thereof. In addition, where appropriate, the fee note will note the value of the case, importance of the case to the client, preparation time, length of conference, length of hearing and any expenses (at cost) incurred. In the event of a brief fee not being agreed prior to the hearing, for example, where we are unable to make contact with the instructing solicitor, a proposed fee will be provided. If the suggested fee is not acceptable to you, we will ask you to make contact with us within 7 days to discuss a mutually acceptable fee.

Payment of Fees

Unless we have agreed to the contrary, we request our fees to be settled within the timescale prescribed within our contractual terms. For our part, we adhere to the Bar Council's Code of Practice in respect of progressing payment of our fees.

In non-legal aid cases, where there is no special agreement, Counsel's fees must be paid or challenged within 3 months of the delivery of the fee note at the conclusion of the case, whether or not the solicitor has been put in funds by the client or has taxed the costs.

Abated Fees for Multi Track and Fast Track Trials

Multi Track;

The Brief Fee will be deemed delivered 4 weeks prior to the Trial date;

- If the case settles, is discontinued or vacated/adjourned during that period then the trial fee will negotiated subject to the proximity to the trial date

Fast Track;

The Brief Fee will be deemed delivered 5 working days before the Trial date following which the following fees will be applicable;

- If the case settles, is discontinued or vacated/adjourned before 10am on the working day before the Trial date: 50% of the agreed Trial fee
- If the case settles, is discontinued or vacated/adjourned after 10am on the working day before the Trial date: 100% of the agreed Trial fee