



### **Affording quality – now you can have your cake and eat it**

Cost should never be a reason not to pursue or defend your rights, yet historically legal fees could significantly outweigh the value of the case making it unmeritorious to pursue.

Today there are a range of funding options to support the legal costs of dispute resolution – starting with free. However large or small, complex or simple your case is we will always explore these options with you, making the traditional hourly rate the choice of last resort.

### **Our commitment:**

Irrespective of which method below suits you and your case best we will always:

- Clearly discuss the funding options available
- Provide an initial fee estimate<sup>1</sup> updating this regularly throughout the case
- NEVER charge you for work done beyond any estimate or cap without agreeing this with you first
- Assess your case giving you a prospect of success rating and update this regularly
- Advise on the likely settlement parameters based upon your key objectives
- Set out a strategy to get to your desired outcome as quickly as possible

**Full Conditional Fee Arrangement (CFA):** Under this arrangement you pay nothing towards our fees. If we are successful our fees (and an uplift for us having shared in the risk) are usually recovered from your opponent, if you are not then we receive nothing and your opponents fees are paid out through an after the event (ATE) insurance policy. In effect we are assessing and underwriting your claim.

**Discounted Conditional Fee Arrangement:** A full CFA will not be possible in all cases due to the significant risk factors which will be highlighted during our assessment of your case. In this instance a discounted CFA may be appropriate. The concept is the same and we will share some of the risk but in exchange you pay a reduced hourly rate.

**Third Party Funding:** This type of funding is generally reserved for significant cases, as it involves a third party underwriting your risk for our fees (and potentially your opponents) in exchange for receiving a proportion of any damages you recover. The third party will make their own assessment of the case, to quantify their percentage level of recovery. Although the idea of giving up a proportion of your damages may seem less than desirable it is a useful product for cases that would otherwise not have been pursued because of the inhibitive cost of doing so.

### **Fixed fee:**

A significant number of defended matters will not be suitable for a CFA due to the fact that the prospect of success is more limited. Where this is the case and where the type of work is one which we can easily quantify at the outset then we will provide a fixed fee. Generally this suits repeat or volume work of a common nature.

### **Fixed stage fees:**

We measure and analyse our work through core stages of the dispute resolution process. For larger cases if we are unable to provide a fixed fee for the whole matter we may be able to provide fixed fees for the next stage of the process.

### **Hourly rates:**

We aim to deliver a quality service at a value based price. Our rates are reflective of the experience of each individual and competitive in our marketplace. Remember that one lawyer does not own a case from cradle to grave (unless this is your preferred option) as we look to align the experience of the lawyer to the task in hand. While a partner may have overall responsibility for a case and set the strategy they will probably end up working for only a limited proportion of the overall time. Our value is therefore not just reflected in the hourly rates but in the management of the case.

### **The future of litigation funding:**

We are working with select clients and funders to develop imaginative funding solutions in anticipation of the post Jackson litigation landscape.

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<sup>1</sup> Once we are in receipt of sufficient information about the issues to accurately assess the case