

SCHEDULE OF COSTS PRECEDENTS

- A: Model form of bill of costs (receiving party's solicitor and counsel on CFA terms)
- B: Model form of bill of costs (detailed assessment of additional liability only)
- C: Model form of bill of costs (payable by Defendant and the LSC)
- D: Model form of bill of costs (alternative form, single column for amounts claimed, separate parts for costs payable by the LSC only)
- E: Legal Aid/ LSC Schedule of Costs
- F: Certificates for inclusion in bill of costs
- G: Points of Dispute
- H: Estimate of costs served on other parties
- J: Solicitors Act 1974: Part 8 claim form under Part III of the Act
- K: Solicitors Act 1974: order for delivery of bill
- L: Solicitors Act 1974: order for detailed assessment (client)
- M: Solicitors Act 1974: order for detailed assessment (solicitors)
- P: Solicitors Act 1974: breakdown of costs

SCHEDULE OF COSTS PRECEDENTS
PRECEDENT A

IN THE HIGH COURT OF JUSTICE

2000 - B - 9999

QUEEN'S BENCH DIVISION

BRIGHTON DISTRICT REGISTRY

BETWEEN

AB

Claimant

- and -

CD

Defendant

**CLAIMANT'S BILL OF COSTS TO BE ASSESSED PURSUANT
TO THE ORDER DATED 26th JULY 2000**

V.A.T. No. 33 4404 90

In these proceedings the claimant sought compensation for personal injuries and other losses suffered in a road accident which occurred on Friday 1st January 1999 near the junction between Bolingbroke Lane and Regency Road, Brighton, East Sussex. The claimant had been travelling as a front seat passenger in a car driven by the defendant. The claimant suffered severe injuries when, because of the defendant's negligence, the car left the road and collided with a brick wall.

The defendant was later convicted of various offences arising out of the accident including careless driving and driving under the influence of drink or drugs.

In the civil action the defendant alleged that immediately before the car journey began the claimant had known that the defendant was under the influence of alcohol and therefore consented to the risk of injury or was contributorily negligent as to it. It was also alleged that, immediately before the accident occurred, the claimant wrongfully took control of the steering wheel so causing the accident to occur.

The claimant first instructed solicitors, E F & Co, in this matter in July 2000. The claim form was issued in October 2000 and in February 2001 the proceedings were listed for a two day trial commencing 25th July 2001. At the trial the defendant was found liable but the compensation was reduced by 25% to take account of contributory negligence by the claimant. The claimant was awarded a total of £78,256.83 plus £1,207.16 interest plus costs.

The claimant instructed E F & Co under a conditional fee agreement dated 8th July 2000 which specifies the following base fees and success fees.

Partner - £180 per hour plus VAT

Assistant Solicitor - £140 per hour plus VAT

Other fee earners - £85 per hour plus VAT

Success fees exclusive of disbursement funding costs: 40%

Success fee in respect of disbursement funding costs: 7.5% (not claimed in this bill)

Except where the contrary is stated the proceedings were conducted on behalf of the claimant by an assistant solicitor, admitted November 1999.

E F & Co instructed Counsel (Miss GH, called 1992) under a conditional fee agreement dated 5th June 2001 which specifies a success fee of 75% and base fees, payable in various circumstances, of which the following are relevant

Fees for interim hearing whose estimated duration is up to 2 hours: £600

Brief for trial whose estimated duration is 2 days: £2,000

Fee for second and subsequent days: £650 per day

| Item No. | Description of work done | V.A.T. | Disburse-ments | Profit Costs |
|----------|--|--------|----------------|--------------|
| | 8th July 2000 - EF & Co instructed 22nd July 2000 - AEI with Eastbird Legal Protection Ltd | | | |
| 1 | Premium for policy | - | £ 120.00 | |
| | 7th October 2000 - Claim issued | | | |
| 2 | Issue fee | - | £ 400.00 | |
| | 21st October 2000 - Particulars of claim served | | | |
| | 25th November 2000 - Time for service of defence extended by agreement to 14th January 2001 | | | |
| 3 | Fee on allocation | - | £ 80.00 | |
| | 20th January 2001 - case allocated to multi-track | | | |
| | 9th February 2001 - Case management conference at which costs were awarded to the claimant and the base costs were summarily assessed at £400 (paid on 24th February 2001) | | | - |
| | 23rd February 2001 - Claimant's list of documents | | | |
| | 12th April 2001 - Payment into court of £25,126.33 | | | |
| | 13th April 2001 - Filing pre-trial checklist | | | |
| 4 | Fee on listing | - | £ 400.00 | |
| | 28th June 2001 - Pre trial review: costs in case | | | |
| | Engaged 1.5 hours | | | |
| | Travel and waiting 2.00 hours | | | |
| 5 | Total solicitor's base fee for attending | | | £ 490.00 |
| 6 | Counsel's base fee for pre trial review (Miss GH) | | £ 600.00 | |
| | 25th July 2001 - Attending first day of trial: adjourned part heard | | | |
| | Engaged in Court 5.00 hours | | | |
| | Engaged in conference 0.75 hours | | | |
| | Travel and waiting 1.5 hours | | | |
| 7 | Total solicitor's base fee for attending | | | £ 1,015.00 |
| 8 | Counsel's base fee for trial (Miss GH) | | £ 2,000.00 | |
| 9 | Fee of expert witness (Dr. IJ) | - | £ 850.00 | |
| 10 | Expenses of witnesses of fact | - | £ 84.00 | |
| | 26th July 2001 - Attending second day of trial when judgment was given for the claimant in the sum of £78,256.53 plus £1207.16 interest plus costs | | | |
| | Engaged in Court 3.00 hours | | | |
| | Engaged in conference 1.5 hours | | | |
| | Travel and waiting 1.5 hours | | | |
| 11 | Total solicitor's base fee for attending | | | £ 840.00 |
| 12 | Counsel's base fee for second day (Miss GH) | | £ 650.00 | |
| | To Summary | £ - | £ 5,184.00 | £ 2,345.00 |

| Item No. | Description of work done | V.A.T. | Disbursements | Profit Costs |
|----------|--|--------|---------------|--------------|
| 13 | Claimant 8th July 2000 - First instructions: 0.75 hours by Partner: base fee | | | £ 135.00 |
| 14 | Other timed attendances in person and by telephone - See Schedule 1 Total base fee for Schedule 1 - 7.5 hours | | | £ 1,050.00 |
| 15 | Routine letters out and telephone calls - 29 (17 + 12) total base fee | | | £ 406.00 |
| | Witnesses of Fact Timed attendances in person, by letter out and by telephone - See Schedule 2 | | | |
| 16 | Total base fee for Schedule 2 - 5.2 hours | | | £ 728.00 |
| 17 | Routine letters out, e mails and telephone calls - 8 (4 + 2 + 2) total base fee | | | £ 112.00 |
| 18 | Paid travelling on 9th October 2000 | £ 4.02 | £ 22.96 | |
| | Medical expert (Dr. IJ) 11th September 2000 - long letter out 0.33 hours: base fee | | | £ 46.20 |
| 20 | 30th January 2001 - long letter out 0.25 hours base fee | | | £ 35.00 |
| 21 | 23rd May 2001 - telephone call 0.2 hours base fee | | | £ 28.00 |
| 22 | Routine letters out and telephone calls - 10 (6 + 4) total base fee | | | £ 140.00 |
| 23 | Dr. IJ's fee for report | - | £ 350.00 | |
| | Defendant and his solicitor 8th July 2000 - timed letter sent 0.5 hours: base fee | | | £ 70.00 |
| 25 | 19th February 2001 - telephone call 0.25 hours: base fee | | | £ 35.00 |
| 26 | Routine letters out and telephone calls - 24 (18 + 6) total base fee | | | £ 336.00 |
| | Communications with the court Routine letters out and telephone calls - 9 (8 + 1) total base fee | | | £ 126.00 |
| 28 | Communications with Counsel Routine letters out, e mails and telephone calls - 19 (4 + 7 + 8) total base fee | | | £ 266.00 |
| | Work done on documents Timed attendances - See Schedule 3 Total base fees for Schedule 3 - 0.75 hours at £180, 44.5 hours at £140, 12 hours at £85 | | | £7,385.00 |
| 30 | Work done on negotiations 23rd March 2001 - meeting at offices of Solicitors for the Defendant Engaged - 1.5 hours £210.00 Travel and waiting - 1.25 hours £175.00 Total base fee for meeting | | | £ 385.00 |
| 31 | Other work done Preparing and checking bill Engaged: Solicitor - 1 hour £140.00 Engaged: Costs Draftsman - 4 hours £340.00 Total base fee on other work done | | | £ 480.00 |
| | To Summary | £ 4.02 | £ 372.96 | £11,763.20 |

| Item No. | Description of work done | V.A.T. | Disburse-ments | Profit Costs |
|----------|---|------------|----------------|--------------|
| 32 | Success fee on solicitor's base fee on interim orders which were summarily assessed (40% of £400) plus VAT at 17.5% | £ 28.00 | | £ 160.00 |
| 33 | VAT on solicitor's other base fees (17.5% of £14,108.20) | £ 2,468.94 | | |
| 34 | Success fee on solicitor's other base fees (40% of £14,108.20) plus VAT at 17.5% | £ 987.58 | | £ 5,643.28 |
| 35 | VAT on Counsel's base fees (17.5% of £3,250)' | £ 568.75 | | |
| 36 | Success fee on Counsel's base fee (75% of £3,250) plus VAT at 17.5%' | £ 426.57 | £ 2,437.50 | |
| | To Summary | £ 4,479.84 | £ 2,437.50 | £ 5,803.28 |
| | SUMMARY | | | |
| | Page 3 £ | - | £ 5,184.00 | £ 2,345.00 |
| | Page 4 £ | 4.02 | £ 372.96 | £ 11,763.20 |
| | Page 5 £ | 4,479.84 | £2,437.50 | £ 5,803.28 |
| | Totals: | £ 4,483.86 | £ 7,994.46 | £ 19,911.48 |
| | Grand total: | | | £ 32,389.80 |

SCHEDULE OF COSTS PRECEDENTS
PRECEDENT B

IN THE HIGH COURT OF JUSTICE

2000 - B - 9999

QUEEN'S BENCH DIVISION

BRIGHTON DISTRICT REGISTRY

BETWEEN

AB

Claimant

- and -

CD

Defendant

**CLAIMANT'S BILL OF COSTS TO BE ASSESSED PURSUANT
TO THE ORDER DATED 26th JULY 2001**

V.A.T. No. 33 4404 90

In these proceedings the claimant sought compensation for personal injuries and other losses suffered in a road accident which occurred on Friday 1st January 1999 near the junction between Bolingbroke Lane and Regency Road, Brighton, East Sussex. The claimant had been travelling as a front seat passenger in a car driven by the defendant. The claimant suffered severe injuries when, because of the defendant's negligence, the car left the road and collided with a brick wall.

The defendant was later convicted of various offences arising out of the accident including careless driving and driving under the influence of drink or drugs.

In the civil action the defendant alleged that immediately before the car journey began the claimant had known that the defendant was under the influence of alcohol and therefore consented to the risk of injury or was contributorily negligent as to it. It was also alleged that, immediately before the accident occurred, the claimant wrongfully took control of the steering wheel so causing the accident to occur.

The claimant first instructed solicitors, E F & Co, in this matter in July 2000. The claim form was issued in October 1999 and in February 2000 the proceedings were listed for a two day trial commencing 25th July 2001. At the trial the defendant was found liable but the compensation was reduced by 25% to take account of contributory negligence by the claimant. The claimant was awarded a total of £78,256.83 plus £1,207.16 interest plus costs, and the base costs were summarily assessed

The claimant instructed E F & Co under a conditional fee agreement dated 8th July 2000 which specifies the following base fees and success fees.

Partner - £180 per hour plus VAT

Assistant Solicitor - £140 per hour plus VAT

Other fee earners - £85 per hour plus VAT

Success fees exclusive of disbursement funding costs: 40%

Success fee in respect of disbursement funding costs: 7.5% (not claimed in this bill)

Except where the contrary is stated the proceedings were conducted on behalf of the claimant by an assistant solicitor, admitted November 1999.

E F & Co instructed Counsel (Miss GH, called 1992) under a conditional fee agreement dated 5th June 2001 which specifies a success fee of 75% and base fees, payable in various circumstances, of which the following are relevant.

Fees for interim hearing whose estimated duration is up to 2 hours: £600

Brief for trial whose estimated duration is 2 days: £2,000

Fee for second and subsequent days: £650 per day

| Item No. | Description of work done | V.A.T. | Disbursements | Profit Costs |
|----------|--|------------|---------------|--------------|
| | 8th July 2000 - EF & Co instructed | | | |
| | 22nd July 2000 - AEI with Eastbird Legal Protection Ltd | | | |
| 1 | Premium for policy | - | £ 120.00 | |
| | 9th February 2001 - Case management conference at which costs were awarded to the Claimant and the base costs were summarily assessed at £400 | | | - |
| 2 | Success fee on costs of case management conference (40% of £400) plus VAT | £ 28.00 | | £ 160.00 |
| | 28th June 2001 - Pre trial review: costs in the case (base costs included base costs at trial) | | | |
| | 25th July 2001 - First day of trial | | | |
| | 26th July 2001 - Second day of trial at which judgment was given for the claimant as follows: Compensation: £78,256.83 Interest thereon: £1,207.16 Base costs to trial Solicitor's fees: £12,500.00 plus £2187.50 VAT thereon Counsel's fees: £3,200.00 plus £560.00 VAT thereon Other disbursements: £2,300.00 plus £4.02 VAT thereon | | | - |
| 3 | Success fee on solicitor's base costs awarded at trial (40% of £12,500) plus VAT | £ 875.00 | | £5,000.00 |
| 4 | Success fee on Counsel's base costs awarded at trial (75% of £3,200) plus VAT | £ 420.00 | £2,400.00 | |
| | Other work done Preparing and checking bill | | | |
| | Engaged: Solicitor - 0.25 hours | £ 35.00 | | |
| | Engaged: Costs draftsman - 1.75 hours | £ 148.75 | | |
| 5 | Total base fee for other work done plus VAT | £ 32.16 | | £ 183.75 |
| 6 | Success fee for other work done (40% of £183.75) plus VAT | £ 12.87 | | £ 73.50 |
| | Totals: | £ 1,368.03 | £ 2,520.00 | £ 5,417.25 |
| | Profit Costs | | | £ 5,417.25 |
| | Disbursements | | | £ 2,520.00 |
| | VAT | | £ | 1,368.03 |
| | Grand total: | | | £9,305.28 |

SCHEDULE OF COSTS PRECEDENTS
PRECEDENT C

IN THE HIGH COURT OF JUSTICE

1999 - B - 9999

QUEEN'S BENCH DIVISION

BRIGHTON DISTRICT REGISTRY

BETWEEN

AB

Claimant

~ and ~

CD

Defendant

**CLAIMANT'S BILL OF COSTS TO BE ASSESSED PURSUANT TO THE ORDER DATED
26th JULY 2000 AND IN ACCORDANCE WITH
REGULATION 107A OF THE CIVIL LEGAL AID (GENERAL) REGULATIONS 1989**

Legal Aid Certificate No. 01. 01. 99. 32552X issued on 9th September 1999.

V.A.T. No. 33 4404 90

In these proceedings the claimant sought compensation for personal injuries and other losses suffered in a road accident which occurred on Friday 1st January 1999 near the junction between Bolingbroke Lane and Regency Road, Brighton, East Sussex. The claimant had been travelling as a front seat passenger in a car driven by the defendant. The claimant suffered severe injuries when, because of the defendant's negligence, the car left the road and collided with a brick wall.

The defendant was later convicted of various offences arising out of the accident including careless driving and driving under the influence of drink or drugs.

In the civil action the defendant alleged that immediately before the car journey began the claimant had known that the defendant was under the influence of alcohol and therefore consented to the risk of injury or was contributorily negligent as to it. It was also alleged that, immediately before the accident occurred, the claimant wrongfully took control of the steering wheel so causing the accident to occur.

The claimant first instructed solicitors, E F & Co, in this matter in July 1999. The claim form was issued in October 1999 and in February 2000 the proceedings were listed for a two day trial commencing 25th July 2000. At the trial the defendant was found liable but the compensation was reduced by 25% to take account of contributory negligence by the claimant. The claimant was awarded a total of £78,256.83 plus £1,207.16 interest plus costs.

The proceedings were conducted on behalf of the claimant by an assistant solicitor, admitted November 1998. The bill is divided into two parts.

Part 1 Costs payable by the defendant to the date of grant of legal aid

This covers the period from 8th July 1999 to 8th September 1999. In this part the solicitor's time is charged at £140 per hour (including travel and waiting time) and letters out and telephone calls at £14.00 each.

Part 2 Costs payable by the defendant and L.S.C. from the date of grant of legal aid

This part covers the period from 9th September 1999 to the present time, the client having the benefit of a legal aid certificate covering these proceedings. In this part, solicitor's time in respect of costs payable by the defendant has been charged as in Part 1 plus costs draftsman's and trainee's time charged at £85 per hour. Solicitor's time in respect of costs payable by the LSC only are charged at the prescribed hourly rates plus enhancement of 50%.

Preparation: £74

Attending counsel in conference or at court: £36.40

Travelling and waiting: £32.70

Routine letters out: £7.40

Routine telephone calls: £4.10

| | Description of work done | Payable by L.S.C. only | | | Payable by Defendant | | |
|----------|--|------------------------|---------------|--------------|----------------------|---------------|--------------|
| Item No. | | V.A.T. | Disbursements | Profit Costs | V.A.T. | Disbursements | Profit Costs |
| | Part 1: COSTS TO DATE OF GRANT OF LEGAL AID. | | | | | | |
| 1 | Claimant 8th July 1999 - First Instructions - 0.75 hours | | | | | | £ 105.00 |
| 2 | Routine Letters out - 3 | | | | | | £ 42.00 |
| 3 | Witnesses of Fact Routine Letters out - 2 | | | | | | £ 28.00 |
| 4 | The Defendant 8th July 1999 - Timed letter sent - 0.5 hours | | | | | | £ 70.00 |
| 5 | VAT on total profit costs (17.5% of £245) | | | | £ 42.88 | | |
| | To Summary | | | | £ 42.88 | £ - | £ 245.00 |
| | Part 2: COSTS FROM DATE OF GRANT OF LEGAL AID | | | | | | |
| 6 | 7th October 1999 - Claim issued Issue fee | | | | - | £ 400.00 | |
| 7 | 21st October 1999 - Particulars of claim served 25th November 1999 - Time for service of defence extended by agreement to 14th January 2000 17th January 2000 - Filing allocation questionnaire Fee on allocation | | | | - | £ 80.00 | |
| 8 | 20th January 2000 - Case allocated to multi track 9th February 2000 - Case management conference Engaged 0.75 hours £105.00 Travel and waiting 2.00 hours £280.00 Total solicitor's fee for attending | | | | | | £ 385.00 |
| 9 | 23rd February 2000 - Claimant's list of documents 12th April 2000 - Payment into court of £25,126.33 13th April 2000 - Filing pre-trial checklist Fee on listing | | | | - | £ 400.00 | |
| 10 | 28th June 2000 - Pre-trial review Engaged 1.5 hours £210.00 Travel and waiting 2.00 hours £280.00 Total solicitor's fee for attending | | | | | | £ 490.00 |
| 11 | Counsel's brief fee for attending pre-trial review (Miss GH) | | | | £ 105.00 | £ 600.00 | |
| | To Summary | £ - | £ - | £ - | £ 105.00 | £ 1,480.00 | £ 875.00 |

| Item No. | Description of work done | Payable by L.S.C. only | | | Payable by Defendant | | |
|----------|--|------------------------|-----------------|---------|----------------------|-----------------|------------|
| | | V.A.T. ments | Disburse- Costs | Profit | V.A.T. ments | Disburse- Costs | Profit |
| 12 | 25th July 2000 - Attending first day of trial: adjourned part heard Engaged in court 5.00 hours £700.00 Engaged in conference 0.75 hours £105.00 Travel and waiting 1.5 hours £210.00 Total solicitor's fee for attending | | | | | | £ 1,015.00 |
| 13 | Counsel's brief fee for trial (Miss GH) | | | | £ 350.00 | £ 2,000.00 | |
| 14 | Fee of expert witness (Dr IJ) | | | | - | £ 850.00 | |
| 15 | Expenses of witnesses of fact | | | | - | £ 84.00 | |
| 16 | 26th July 2000 - Attending second day of trial when judgment was given for the claimant in the sum of £78,256.83 plus £1,207.16 interest plus costs Engaged in court 3.00 hours £420.00 Engaged in conference 1.5 hours £210.00 Travel and waiting 1.5 hours £210.00 Total solicitor's fee for attending | | | | | | £ 840.00 |
| 17 | Counsel's fee for second day (Miss GH) | | | | £ 113.75 | £ 650.00 | |
| 18 | Claimant ~ (1) Payable by Defendant Timed attendances in person and by telephone - see Schedule 1 Total fees for Schedule 1 - 7.50 hours | | | | | | £ 1,050.00 |
| 19 | Routine letters out and telephone calls - 26 (14 + 12) | | | | | | £ 364.00 |
| 20 | Claimant ~ (2) Payable by LSC only 11th September 1999 - telephone call Engaged 0.25 hours £18.50 Enhancement 50% £9.25 Total solicitor's fee | | £ 27.75 | | | | |
| 21 | 10th April 2000 - telephone call Engaged 0.1 hours £4.10 Enhancement 50% £2.05 Total solicitor's fee | | £ 6.15 | | | | |
| 22 | Witnesses of fact Timed attendances in person, by letter out and by telephone - see Schedule 2 Total fees for Schedule 2 - 5.2 hours | | £ | | | | 728.00 |
| 23 | Routine letters out (including e mails) and telephone calls - 6 (4 + 2) | | | | | | £ 84.00 |
| 24 | Paid travelling on 9th October 1999 | | | | £ 4.02 | £ 22.96 | |
| | To Summary | £ - | £ - | £ 33.90 | £ 467.77 | £ 3,606.96 | £ 4,081.00 |

| Item No. | Description of work done | Payable by L.S.C. only | | | Payable by Defendant | | |
|----------|--|------------------------|-----------------|---------|----------------------|-----------------|-----------|
| | | V.A.T. ments | Disburse- Costs | Profit | V.A.T. ments | Disburse- Costs | Profit |
| 25 | Medical expert (Dr IJ) 11th September 1999 - long letter out 0.33 hours | | | | | | £ 46.20 |
| 26 | 30th January 2000 - long letter out 0.25 hours | | | | | | £ 35.00 |
| 27 | 23rd May 2000 - telephone call 0.2 hrs | | | | | £ 28.00 | |
| 28 | Routine letters out and telephone calls - 10 (6 + 4) | | | | | | £ 140.00 |
| 29 | Dr IJ's fee for report | | | | - | £ 350.00 | |
| 30 | Solicitors for the defendant 19th February 2000 - telephone call 0.25 hours | | | | | | £ 35.00 |
| 31 | Routine letters out and telephone calls - 24 (18 + 6) | | | | | | £ 336.00 |
| 32 | Communications with the court Routine letters out and telephone calls - 9 (8 + 1) | | | | | | £ 126.00 |
| 33 | Communications with Counsel Routine letters out (including e mails) and telephone calls - 19 (11 + 8) | | | | | | £ 266.00 |
| 34 | Legal Aid Board and LSC ~ Payable by LSC only 2nd August 2000 - Report on case Engaged 0.5 hours £37.00 Enhancement 50% £18.50 Total solicitor's fee | | | £ 55.50 | | | |
| 35 | Routine letters out and telephone calls Letters out - 2 £14.80 Telephones call - 4 £16.40 Total solicitor's fee | | | £ 31.20 | | | |
| 36 | Work done on documents Timed attendances - see Schedule 3 Total fees for Schedule 3 - 45.25 hours at £140 + 12 hours at £85 | | | | | | £7,355.00 |
| 37 | Work done on negotiations 23rd March 2000 - meeting at offices of solicitors for the Defendant Engaged - 1.5 hours £210.00 Travel and waiting 1.25 hours £175.00 Total solicitor's fee for meeting | | | | | | £ 385.00 |
| 38 | Other work done ~ (1) Payable by Defendant Preparing and checking bill Engaged: Solicitor - 1 hour £140.00 Engaged: Costs Draftsman - 4 hours £340.00 Total on other work done (1) | | | | | | £ 480.00 |
| | To Summary | £ - | £ - | £ 86.70 | £ - | £ 350.00 | £9,232.20 |

| Item No. | Description of work done | Payable by L.S.C. only | | | Payable by Defendant | | |
|----------|--|------------------------|-----------------|------------|----------------------|-----------------|-------------|
| | | V.A.T. ments | Disburse- Costs | Profit | V.A.T. ments | Disburse- Costs | Profit |
| 39 | Other work done ~ (2) Payable by LSC only Preparing and checking bill Engaged: Solicitor - no claim Engaged: Costs Draftsman - 1 hour £74.00 Total on other work done (2) | | | £ 74.00 | | | |
| 40 | VAT on total profit costs payable by Defendant (17.5% of £14,176.20) | | | £ 2,480.84 | | | |
| 41 | VAT on total profit costs payable by LSC only (17.5% of £205.60) | £ 35.98 | | | | | |
| | To summary | £ 35.98 | £ - | £ 74.00 | £ 2,480.84 | £ - | £ - |
| | SUMMARY | | | | | | |
| | Part 1 - Pre Legal Aid | | | | | | |
| | Page 3 | £ - | £ - | £ - | £ 42.88 | £ - | £ 245.00 |
| | Part 2 - Costs since grant of legal aid | £ | | | | | |
| | Page 3 | £ - | £ - | £ - | £ 105.00 | £ 1,480.00 | £ 875.00 |
| | Page 4 | £ - | £ - | £ 33.90 | £ 467.77 | £ 3,606.96 | £ 4,081.00 |
| | Page 5 | £ - | £ - | £ 86.70 | £ - | £ 350.00 | £ 9,232.20 |
| | Page 6 | £ 35.98 | £ - | £ 74.00 | £ 2,480.84 | £ - | £ - |
| | Totals | £ 35.98 | £ - | £ 194.60 | £ 3,096.49 | £ 5,436.96 | £ 14,433.20 |
| | Grand totals | | | | | | |
| | Costs payable by Defendant | | | | | | £22,966.65 |
| | Costs payable by LSC only | | | | | | £ 230.58 |
| | Grand total: | | | | | | £23,197.23 |

SCHEDULE OF COSTS PRECEDENTS
PRECEDENT D

IN THE HIGH COURT OF JUSTICE

1999 - B - 9999

QUEEN'S BENCH DIVISION

BRIGHTON DISTRICT REGISTRY

BETWEEN

AB

Claimant

~ and ~

CD

Defendant

**CLAIMANT'S BILL OF COSTS TO BE ASSESSED PURSUANT TO THE ORDER DATED
26th JULY 2000 AND IN ACCORDANCE WITH
REGULATION 107A OF THE CIVIL LEGAL AID (GENERAL) REGULATIONS 1989**

Legal Aid Certificate No. 01. 01. 99. 32552X issued on 9th September 1999.

V.A.T. No. 33 4404 90

In these proceedings the claimant sought compensation for personal injuries and other losses suffered in a road accident which occurred on Friday 1st January 1999 near the junction between Bolingbroke Lane and Regency Road, Brighton, East Sussex. The claimant had been travelling as a front seat passenger in a car driven by the defendant. The claimant suffered severe injuries when, because of the defendant's negligence, the car left the road and collided with a brick wall.

The defendant was later convicted of various offences arising out of the accident including careless driving and driving under the influence of drink or drugs.

In the civil action the defendant alleged that immediately before the car journey began the claimant had known that the defendant was under the influence of alcohol and therefore consented to the risk of injury or was contributorily negligent as to it. It was also alleged that, immediately before the accident occurred, the claimant wrongfully took control of the steering wheel so causing the accident to occur.

The claimant first instructed solicitors, E F & Co, in this matter in July 1999. The claim form was issued in October 1999 and in February 2000 the proceedings were listed for a two day trial commencing 25th July 2000. At the trial the defendant was found liable but the compensation was reduced by 25% to take account of contributory negligence by the claimant. The claimant was awarded a total of £78,256.83 plus £1,207.16 interest plus costs.

The proceedings were conducted on behalf of the claimant by an assistant solicitor, admitted November 1998. The bill is divided into three parts.

Part 1 Costs payable by the defendant to the date of grant of legal aid

This covers the period from 8th July 1999 to 8th September 1999. In this part the solicitor's time is charged at £140 per hour (including travel and waiting time) and letters out and telephone calls at £14.00 each.

Part 2 Costs payable by the defendant from the date of grant of legal aid

This part covers the period from 9th September 1999 to the present time, the client having the benefit of a legal aid certificate covering these proceedings. In this part, solicitor's time in respect of costs payable by the defendant has been charged as in Part 1 plus costs draftsman's and trainee's time charged at £85 per hour.

Part 3 Costs payable by the LSC only

This part covers the same period as Part 2. In this part solicitor's time in respect of costs payable by the LSC only are charged at the prescribed hourly rates plus enhancement of 50%.

Preparation: £74

Attending counsel in conference or at court: £36.40

Travelling and waiting: £32.70

Routine letters out: £7.40

Routine telephone calls: £4.10

| Item No. | Item | Amount claimed | VAT | Amount allowed | VAT |
|----------|---|----------------|----------|----------------|-----|
| | Part 1: COSTS PAYABLE BY THE DEFENDANT | | | | |
| | Claimant | | | | |
| 1 | 8th July 1999 - First Instructions - 0.75 hours | £ 105.00 | £ 18.38 | | |
| 2 | Routine Letters out - 3 | £ 42.00 | £ 7.35 | | |
| | Witnesses of Fact | | | | |
| 3 | Routine Letters out - 2 | £ 28.00 | £ 4.90 | | |
| | The Defendant | | | | |
| 4 | 8th July 1999 - Timed letter sent - 0.5 hours | £ 70.00 | £ 12.25 | | |
| | To Summary | £ 245.00 | £ 42.88 | | |
| | Part 2: COSTS PAYABLE BY THE DEFENDANT | | | | |
| | 7th October 1999 - Claim issued | | | | |
| 5 | Issue fee | £ 400.00 | - | | |
| | 21st October 1999 - Particulars of claim served | | | | |
| | 25th November 1999 - Time for service of defence extended by agreement to 14th January 2000 | | | | |
| | 17th January 2000 - Filing allocation questionnaire | | | | |
| 6 | Fee on allocation | £ 80.00 | - | | |
| | 20th January 2000 - Case allocated to multi track | | | | |
| | 9th February 2000 - Case management conference | | | | |
| | Engaged 0.75 hours | £105.00 | | | |
| | Travel and waiting 2.00 hours | £280.00 | | | |
| 7 | Total solicitor's fee for attending | £ 385.00 | £ 67.38 | | |
| | 23rd February 2000 - Claimant's list of documents | | | | |
| | 12th April 2000 - Payment into court of £25,126.33 | | | | |
| | 13th April 2000 - Filing pre-trial checklist | | | | |
| 8 | Fee on listing | £ 400.00 | - | | |
| | 28th June 2000 - Pre-trial review | | | | |
| | Engaged 1.5 hours | £210.00 | | | |
| | Travel and waiting 2.00 hours | £280.00 | | | |
| 9 | Total solicitor's fee for attending | £ 490.00 | £ 85.75 | | |
| 10 | Counsel's brief fee for attending pre-trial review (Miss GH) | £ 600.00 | £ 105.00 | | |

| Item No. | Item | Amount claimed | VAT | Amount allowed | VAT |
|----------|---|----------------|----------|----------------|-----|
| | 25th July 2000 - Attending first day of trial: adjourned part heard | | | | |
| | Engaged in court 5.00 hours | £700.00 | | | |
| | Engaged in conference 0.75 hours | £105.00 | | | |
| | Travel and waiting 1.5 hours | £210.00 | | | |
| 11 | Total solicitor's fee for attending | £ 1,015.00 | £ 177.63 | | |
| 12 | Counsel's brief fee for trial (Miss GH) | £ 2,000.00 | £ 350.00 | | |
| 13 | Fee of expert witness (Dr IJ) | £ 850.00 | | | |
| 14 | Expenses of witnesses of fact | £ 84.00 | | | |
| | 26th July 2000 - Attending second day of trial when judgment 'was given for the claimant in the sum of £78,256.83 plus' '£1,207.16 interest plus costs' | | | | |
| | Engaged in court 3.00 hours | £420.00 | | | |
| | Engaged in conference 1.5 hours | £210.00 | | | |
| | Travel and waiting 1.5 hours | £210.00 | | | |
| 15 | Total solicitor's fee for attending | £ 840.00 | £ 147.00 | | |
| 16 | Counsel's fee for second day (Miss GH) | £ 650.00 | £ 113.75 | | |
| | Claimant | | | | |
| | Timed attendances in person and by telephone - see Schedule 1 | | | | |
| 17 | Total fees for Schedule 1 - 7.50 hours | £ 1,050.00 | £ 183.75 | | |
| 18 | Routine letters out and telephone calls - 26 (14 + 12) | £ 364.00 | £ 63.70 | | |
| | Witnesses of fact | | | | |
| | 'Timed attendances in person, by letter out and by ' telephone - see Schedule 2 | | | | |
| 19 | Total fees for Schedule 2 - 5.2 hours | £ 728.00 | £ 127.40 | | |
| 20 | Routine letters out (including e mails) and telephone calls - 6 (4 + 2) | £ 84.00 | £ 14.70 | | |
| 21 | Paid travelling on 9th October 1999 | £ 22.96 | £ 4.02 | | |
| | Medical expert (Dr IJ) | | | | |
| 22 | 11th September 1999 - long letter out 0.33 hours | £ 46.20 | £ 8.09 | | |
| 23 | 30th January 2000 - long letter out 0.25 hours | £ 35.00 | £ 6.13 | | |
| 24 | 23rd May 2000 - telephone call 0.2 hours | £ 28.00 | £ 4.90 | | |
| 25 | Routine letters out and telephone calls - 10 (6 + 4) | £ 140.00 | £ 24.50 | | |
| 26 | Dr IJ's fee for report | £ 350.00 | 6 | | |
| | Solicitors for the defendant | | | | |
| 27 | 19th February 2000 - telephone call 0.25 hours | £ 35.00 | £ 6.13 | | |
| 28 | Routine letters out and telephone calls - 24 (18 + 6) | £ 336.00 | £ 58.80 | | |
| | Communications with the court | | | | |
| 29 | Routine letters out and telephone calls - 9 (8 + 1) | £ 126.00 | £ 22.05 | | |

| Item No. | Item | Amount claimed | VAT | Amount allowed | VAT |
|----------|---|----------------|-----------|----------------|-----|
| 30 | Communications with Counsel Routine letters out (including e mails) and telephone calls - 19 (11 + 8) | £ 266.00 | £ 46.55 | | |
| 31 | Work done on documents Timed attendances - see Schedule 3 Total fees for Schedule 3 - 45.25 hours at £140 + 12 hours at £85 | £7,355.00 | £1,287.13 | | |
| 32 | Work done on negotiations 23rd March 2000 - meeting at offices of solicitors for the Defendant Engaged - 1.5 hours £210.00 Travel and waiting - 1.25 hours £175.00 Total solicitor's fee for meeting | £ 385.00 | £ 67.38 | | |
| 33 | Other work done Preparing and checking bill Engaged: Solicitor - 1 hour £140.00 Engaged: Costs Draftsman 4 hours £340.00 Total on other work done | £ 480.00 | £ 84.00 | | |
| | To summary | £19,625.16 | £3,055.70 | | |
| | Part 3: COSTS PAYABLE BY LSC ONLY | | | | |
| 34 | Claimant 11th September 1999 - telephone call Engaged 0.25 hours £18.50 Enhancement 50% £9.25 Total solicitor's fee | £ 27.75 | £ 4.86 | | |
| 35 | 10th April 2000 - telephone call Engaged 0.1 hours £4.10 Enhancement 50% £2.05 Total solicitor's fee | £ 6.15 | £ 1.08 | | |
| 36 | Legal Aid Board and LSC 2nd August 2000 - Report on case Engaged 0.5 hours £37.00 Enhancement 50% £18.50 Total solicitor's fee | £ 55.50 | £ 9.71 | | |
| 37 | Routine letters out and telephone calls Letters out - 2 £14.80 Telephone calls - 4 £16.40 Total solicitor's fee | £ 31.20 | £ 5.46 | | |
| 38 | Other work done Preparing and checking bill Engaged: Solicitor - no claim Engaged: Costs Draftsman - 1 hours £74.00 Total on other work done | £ 74.00 | £ 12.95 | | |
| | To summary | £ 194.60 | £ 34.06 | | |

| Item No. | Item | Amount claimed | VAT | Amount allowed | VAT |
|----------|---------------------------------------|----------------|-----------|----------------|-----|
| | SUMMARY | | | | |
| | Costs payable by the Defendant | | | | |
| | Part 1 | £ 245.00 | £ 42.88 | | |
| | Part 2 | £19,625.16 | £3,055.70 | | |
| | Total costs payable by the Defendant | £19,870.16 | £3,098.58 | | |
| | Costs payable by LSC only | | | | |
| | Part 3 | £ 194.60 | £ 34.06 | | |
| | Grand Totals | | | | |
| | Costs payable by the Defendant | £19,870.16 | £3,098.58 | | |
| | Costs payable by LSC only | £ 194.60 | £ 34.06 | | |
| | Grand total | £20,064.76 | £3,132.63 | | |

**SCHEDULE OF COSTS PRECEDENTS
PRECEDENT E**

Legal Aid/LSC Schedule of Costs

IN THE HIGH COURT OF JUSTICE

1999 - B - 9999

QUEEN'S BENCH DIVISION

BRIGHTON DISTRICT REGISTRY

BETWEEN

AB

Claimant

~ and ~

CD

Defendant

CLAIMANT'S BILL OF COSTS: LEGAL AID/LSC SCHEDULE

| Item No. | Description of work done | V.A.T. | Disbursements | Profit Costs |
|----------|--|--|---------------|--------------|
| 6 | Issue fee | - | £ 400.00 | |
| 7 | Allocation fee | - | £ 80.00 | |
| 8 | Solicitor's fee for hearing Engaged 0.75 hours Enhancement thereon at 50% Travel and waiting 2.00 hours Total solicitor's fee for attending | £55.50 £27.75 £65.40 | | £ 148.65 |
| 9 | Fee on listing - | | £ 400.00 | |
| 10 | Solicitor's fee for hearing Engaged 1.5 hours Enhancement thereon at 50% Travel and waiting 2.00 hours Total solicitor's fee for attending | £111.00 £55.50 £65.40 | | £ 231.90 |
| 11 | Counsel's fee | £ 105.00 | £ 600.00 | |
| 12 | Solicitor's fee for trial Engaged in court 5.00 hours Engaged in conference 0.75 hours Enhancement thereon at 50% Travel and waiting 1.50 hours Total solicitor's fee for attending | £182.00 £27.30 £104.65 £49.05 | | £ 363.00 |
| 13 | Counsel's brief fee for trial | £ 350.00 | £ 2,000.00 | |
| 14 | Expert's fee for trial | - | £ 850.00 | |
| 15 | Witnesses' expenses | - | £ 84.00 | |
| | To summary | £ 455.00 | £ 4,414.00 | £ 743.55 |

| Item No. | Description of work done | V.A.T. | Disbursements | Profit Costs |
|----------|--|----------|---------------|--------------|
| 16 | Solicitor's fee for trial (second day) Engaged in court 3.00 hours £109.20 Engaged in conference 1.50 hours £54.60 Enhancement thereon at 50% £81.90 Travel and waiting 1.50 hours £49.05 Total solicitor's fee for attending | | | £ 294.75 |
| 17 | Counsel's fee for second day of trial | £ 113.75 | £ 650.00 | |
| 18 | Timed attendances on Claimant (1) 7.5 hours £555.00 Enhancement thereon at 50% £277.50 | | | £ 832.50 |
| 19 | Routine communications with Claimant (1) Letters out - 14 £103.60 Telephone calls - 12 £49.20 | | | £ 152.80 |
| 22 | Timed attendances on and communications with witnesses of fact 5.2 hours £384.80 Enhancement thereon at 50% £192.40 | | | £ 577.20 |
| 23 | Routine communications with witnesses of fact Letters out - 4 £29.60 Telephone calls - 2 £8.20 | | | £ 37.80 |
| 24 | Paid travelling | 4.02 | 22.96 | |
| 25 | Timed attendance on medical expert 0.33 hours £24.42 Enhancement thereon at 50% £12.21 | | | £ 36.63 |
| 26 | Timed communications with medical expert 0.25 hours £18.50 Enhancement thereon at 50% £9.25 | | | £ 27.75 |
| 27 | Timed communications with medical expert 0.2 hours £14.80 Enhancement thereon at 50% £7.40 | | | £ 22.20 |
| 28 | Routine communications with medical expert Letters out - 6 £44.40 Telephone calls - 4 £16.40 | | | £ 60.80 |
| 29 | Expert's fee for report | - | £ 350.00 | |
| 30 | Timed communications with solicitors for Defendant 0.25 hours £18.50 Enhancement thereon at 50% £9.25 | | | £ 27.75 |
| 31 | Routine communications with solicitors for Defendant Letters out - 18 £133.20 Telephone calls - 6 £24.60 | | | £ 157.80 |
| 32 | Routine communications with the court Letters out - 8 £59.20 Telephone calls - 1 £4.10 | | | £ 63.30 |
| | To summary | £ 117.77 | £ 1,022.96 | £ 2,291.28 |
| | | | | |

| Item No. | Description of work done | V.A.T. | Disbursements | Profit Costs |
|----------|---|------------|---------------|--------------|
| 33 | Routine communications with Counsel Letters out - 11 £81.40 Telephone calls - 8 £32.80 | | | £ 114.20 |
| 36 | Work done on documents 57.25 hours £4,236.50 Enhancement thereon at 50% £2,118.25 | | | £6,354.75 |
| 37 | Work done on negotiations Engaged - 1.5 hours £111.00 Enhancement thereon at 50% £55.50 Travel and waiting - 1.25 hours £40.88 | | | £ 207.38 |
| 38 | Other work done (1) Preparing and checking bill | | | £ 370.00 |
| 40 | VAT on total profit costs set out above (17.5% of £10,216.86) | £ 1,787.95 | | |
| | To summary | £ 1,787.95 | £ - | £7,046.33 |
| | SUMMARY | | | |
| | Page 1 | £ 455.00 | £4,414.00 | £ 743.55 |
| | Page 2 | £ 117.77 | £ 1,022.96 | £2,291.28 |
| | Page 3 | £ 1,787.95 | £ - | £7,046.33 |
| | Totals: | £2,360.72 | £5,436.96 | £10,081.16 |
| | Grand total: | | | £17,878.84 |

SCHEDULE OF COSTS PRECEDENTS
PRECEDENT F

Certificates for inclusion in bill of costs

- Appropriate certificates under headings (1) and (2) are required in all cases. The appropriate certificate under (3) is required in all cases in which the receiving party is an assisted person or a LSC funded client. Certificates (4), (5) and (6) are optional. Certificate (6) may be included in the bill, or, if the dispute as to VAT recoverability arises after service of the bill, may be filed and served as a supplementary document amending the bill under paragraph 39.10 of this Practice Direction.
- All certificates must be signed by the receiving party or by his solicitor. Where the bill claims costs in respect of work done by more than one firm of solicitors, certificate (1), appropriately completed, should be signed on behalf of each firm.

(1) CERTIFICATE AS TO ACCURACY

I certify that this bill is both accurate and complete [and]

- ☐ *(where the receiving party was funded by legal aid/LSC)*
[in respect of Part(s) of the bill] all the work claimed was done pursuant to a certificate issued by the Legal Aid Board/ Legal Services Commission granted to [the assisted person] [the LSC funded client].
- ☐ *(where costs are claimed for work done by an employed solicitor)*
[in respect of Part(s) of the bill] the case was conducted by a solicitor who is an employee of the receiving party.
- ☐ *(other cases where costs are claimed for work done by a solicitor)*
[in respect of Part(s) of the bill] the costs claimed herein do not exceed the costs which the receiving party is required to pay me/my firm.

(2) CERTIFICATE AS TO INTEREST AND PAYMENTS

I certify that:

☐ No rulings have been made in this case which affects my/the receiving party's entitlement (if any) to interest on costs.

or

☐ The only rulings made in this case as to interest are as follows:
[give brief details as to the date of each ruling, the name of the Judge who made it and the text of the ruling]

and

☐ No payments have been made by any paying party on account of costs included in this bill of costs.

or

☐ The following payments have been made on account of costs included in this bill of costs:
[give brief details of the amounts, the dates of payment and the name of the person by or on whose behalf they were paid]

(3) CERTIFICATE AS TO INTEREST OF ASSISTED PERSON/ LSC FUNDED CLIENT PURSUANT TO REGULATION 119 OF THE CIVIL LEGAL AID (GENERAL) REGULATIONS 1989

I certify that the assisted person/ LSC funded client has no financial interest in the detailed assessment.

or

I certify that a copy of this bill has been sent to the assisted person/ LSC funded client pursuant to Regulation 119 of the Civil Legal Aid General Regulations 1989 with an explanation of his/her interest in the detailed assessment and the steps which can be taken to safeguard that interest in the assessment. He/she has/has not requested that the costs officer be informed of his/her interest and has/has not requested that notice of the detailed assessment hearing be sent to him/her.

(4) CONSENT TO THE SIGNING OF THE CERTIFICATE WITHIN 21 DAYS OF DETAILED ASSESSMENT PURSUANT TO REGULATION 112 AND 121 OF THE CIVIL LEGAL AID (GENERAL) REGULATIONS 1989

I certify that notice of the fees reduced or disallowed on detailed assessment has been given in writing to counsel on [date].

or

I certify that: there having been no reduction or disallowance of counsel's fees it is not necessary to give notice to counsel.

I/we consent to the final costs certificate being issued immediately.

(5) CERTIFICATE IN RESPECT OF DISBURSEMENTS NOT EXCEEDING £500

I hereby certify that all disbursements listed in this bill which individually do not exceed £500 (other than those relating to counsel's fees) have been duly discharged.

(6) CERTIFICATE AS TO RECOVERY OF VAT

With reference to the pending assessment of the [claimant's/defendant's] costs and disbursements herein which are payable by the [claimant/defendant] we the undersigned [solicitors to] [auditors of] the [claimant/defendant] hereby certify that the [claimant/defendant] on the basis of its last completed VAT return [would/would not be entitled to recover would/be entitled to recover only percent of the] Value Added Tax on such costs and disbursements, as input tax pursuant to Section 14 of the Value Added Tax Act 1983.

SCHEDULE OF COSTS PRECEDENTS
PRECEDENT G

IN THE HIGH COURT OF JUSTICE

2000 B 9999

QUEEN'S BENCH DIVISION

BRIGHTON DISTRICT REGISTRY

B E T W E E N

AB

Claimant

- and -

CD

Defendant

POINTS OF DISPUTE SERVED BY THE DEFENDANT

| Item | Dispute | Claimant's Comments |
|---------------|---|---------------------|
| General point | Base rates claimed for the assistant solicitor and other fee earners are excessive. Reduce to £100 and £70 respectively plus VAT. Each item in which these rates are claimed should be recalculated at the reduced rates. | |
| (1) | The premium claimed is excessive. Reduce to £95. | |

| Item | Dispute | Claimant's Comments |
|------|--|---------------------|
| (14) | The claim for timed attendances on claimant (schedule 1) is excessive. Reduce to 4 hours ie. £400 at reduced rates. | |
| (29) | The total claim for work done on documents by the assistant solicitor is excessive. A reasonable allowance in respect of documents concerning court and counsel is 8 hours, for documents concerning witnesses and the expert witness, 6.5 hours, for work done on arithmetic, 2.25 hours and for other documents, 5.5 hours. Reduce to 22.25 hours ie. £2,225 at reduced rates (£3,380 in total). | |
| (31) | The time claimed is excessive. Reduce solicitors time to 0.5 hours ie. to £50 at reduced rates and reduce the costs draftsman's time to three hours ie. £210 (£260 in total). | |
| (32) | The success fee claimed is excessive. Reduce to 25% ie. £100 plus VAT of £17.50. | |
| (33) | The total base fees when recalculated on the basis of the above points amount to £7,788, upon which VAT is £1,362.90. | |
| (34) | The success fee claimed is excessive. Reduce to 25% of £7,788 ie £1,947.50 plus VAT of £340.73. | |
| (36) | The success fee claimed is excessive.Reduce to 50% ie £1,625 plus VAT of £284.38. | |

Served on [date] by [name] [solicitors for] the Defendant.

SCHEDULE OF COSTS PRECEDENTS
PRECEDENT H

IN THE HIGH COURT OF JUSTICE

2000 - B - 9999

QUEEN'S BENCH DIVISION

BRIGHTON DISTRICT REGISTRY

BETWEEN

AB

Claimant

and

CD

Defendant

ESTIMATE OF CLAIMANT'S COSTS DATED 12th APRIL 2001

The claimant instructed E F & Co under a conditional fee agreement dated 8th July 2000 in respect of which the following hourly rates are recoverable as base costs

Partner - £180 per hour plus VAT

Assistant Solicitor - £140 per hour plus VAT

Other fee earners - £85 per hour plus VAT

| Item No. | Description of work done | V.A.T. | Disbursements | Profit Costs |
|----------|--|--------|---------------|--------------|
| | PART 1: BASE COSTS ALREADY INCURRED | | | |
| | 8th July 2000 - EF & Co instructed | | | |
| | 7th October 2000 - Claim issued | | | |
| 1 | Issue fee | - | £ 400.00 | |
| | 21st October 2000 - Particulars of claim served | | | |
| | 25th November 2000 - Time for service of defence extended by agreement to 14th January 2001 | | | |
| 2 | Fee on allocation | - | £ 80.00 | |
| | 20th January 2001 - case allocated to multi-track | | | |
| | 9th February 2001 - Case management conference at which costs were awarded to the claimant and the base costs were summarily assessed at £400 (paid on 24th February 2001) | | | - |
| | 23rd February 2001 - Claimant's list of documents | | | |
| | ATTENDANCES, COMMUNICATIONS AND WORK DONE | | | |
| | Claimant | | | |
| 3 | 0.75 hours at £180 | | | £ 135.00 |
| 4 | 4.4 hours at £140 | | | £ 616.00 |
| | To Summary | £ - | £ 480.00 | £ 751.00 |

| Item No. | Description of work done | V.A.T. | Disbursements | Profit Costs |
|----------|--|----------|---------------|--------------|
| 5 | Witnesses of Fact 3.8 hours at £140 | | | £ 532.00 |
| 6 | Paid travelling on 9th October 2000 | £ 4.02 | £ 22.96 | |
| 7 | Medical expert (Dr. IJ) 1.5 hours at £140 | | | £ 210.00 |
| 8 | Dr. IJ's fee for report | | £ 350.00 | |
| 9 | Defendant and his solicitor 2.5 hours at £140 | | | £ 350.00 |
| 10 | Court (communications only) 0.4 hours at £140 | | | £ 56.00 |
| 11 | Documents 0.75 hours at £180 and 22.25 hours at £140 | | | £3,250.00 |
| 12 | Negotiations 2.75 hours at £140 | | | £ 385.00 |
| 13 | VAT on solicitor's base fees | £ 968.45 | | |
| | To Summary | £ 972.47 | £ 372.96 | £4,783.00 |
| | PART2: BASE COSTS TO BE INCURRED | | | |
| 14 | Fee on listing - | | £ 400.00 | |
| 15 | Attendance at pre-trial review 5 hours at £140 | | | £ 700.00 |
| 16 | Counsel's base fee for pre-trial review | | £ 750.00 | |
| 17 | Attendance at trial 20 hours at £140 | | | £2,800.00 |
| 18 | Counsel's base fee for trial including refresher | | £3,000.00 | |
| 19 | Fee of expert witness (Dr. IJ) | - | £ 1,000.00 | |
| 20 | Expenses of witnesses of fact | - | £ 150.00 | |
| | ATTENDANCES, COMMUNICATIONS AND WORK TO BE DONE | | | |
| 21 | Claimant 1 hour at £180 | | | £ 180.00 |
| 22 | 8 hours at £140 | | | £1,120.00 |
| 23 | Witnesses of fact 5 hours at £140 | | | £ 700.00 |
| 24 | Medical expert (Dr. IJ) 1 hour at £140 | | | £ 140.00 |
| 25 | Defendant and his solicitor 2 hours at £140 | | | £ 280.00 |
| | To Summary | £ - | £ 5,300.00 | £5,920.00 |

| Item No. | Description of work done | V.A.T. | Disbursements | Profit Costs |
|----------|--|------------|---------------|--------------|
| 26 | Court (communications only) 1 hour at £140 | | | £ 140.00 |
| 27 | Counsel (communications only) 3 hours at £140 | | | £ 420.00 |
| 28 | Documents 1 hour at £180, 25 hours at £140 and 15 hours at £85 | | | £4,995.00 |
| 29 | Negotiations 5 hours at £140 | | | £ 700.00 |
| 30 | Other work 5 hours at £140 | | | £ 700.00 |
| 31 | VAT on solicitor's base fees | £ 2,253.13 | | |
| | To Summary | £ 2,253.13 | £ - | £ 6,955.00 |
| | SUMMARY | | | |
| | Part 1 | | | |
| | Page 1 | £ - | £ 480.00 | £ 751.00 |
| | Page 2 | £ 972.47 | £ 372.96 | £4,783.00 |
| | Total base costs already incurred | £ 972.47 | £ 852.96 | £5,534.00 |
| | Part 2 | | | |
| | Page 2 | £ - | £ 5,300.00 | £5,920.00 |
| | Page 3 | £ 2,253.13 | £ - | £ 6,955.00 |
| | Total base costs to be incurred | £ 2,253.13 | £ 5,300.00 | £12,875.00 |
| | Total of base costs | £ 3,225.60 | £ 6,152.96 | £18,409.00 |
| | Grand total | | | £27,787.56 |

SCHEDULE OF COSTS PRECEDENTS
PRECEDENT J



IN THE HIGH COURT OF JUSTICE

Claim No.

SUPREME COURT COSTS OFFICE

IN THE MATTER OF [name of solicitor or solicitors' firm]

Claimant

Defendant(s)

SEAL

CLAIM FORM (CPR Part 8)

Details of claim (see also overleaf)

The following orders are applied for:

- () An order in standard form for the delivery of a bill of costs in [all cases and matters] [the following causes and matters] in which the Defendant has acted for the Claimant(s).
- () An order in standard form for the detailed assessment of the bill(s) dated [and] [bearing the invoice numbers delivered by the [claimant/Defendant] to the [Defendant/Claimant/person named]
- () An order dealing with the costs of this application

Defendant's name and address

£

Court fee
Solicitor's costs
Issue date

The court office at the Supreme Court Costs Office, Cliffords Inn, Fetter Lane, London EC4A 1DQ is open between 10.00 am and 4.30 pm, Monday to Friday.

When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number.

| | |
|-----------|--|
| Claim No. | |
|-----------|--|

Details of claim (continued)

Statement of Truth

*(I believe) (The Claimant believes) that the facts stated in these particulars of claim are true.

*I am duly authorised by the Claimant to sign this statement.

Full name

Name of Claimant's solicitor's firm

Signed position or office held

*(Claimant) (Litigation friend) (Claimant's solicitor) (if signing on behalf of firm or company)

*delete as appropriate

Claimant's or claimant's solicitor's address to which documents should be sent if different from overleaf. If you are prepared to accept service by DX, fax or e-mail, please add details.

SCHEDULE OF COST PRECEDENTS
PRECEDENT K
Solicitor's Act: order for delivery of bill

DATED the [DATE]

IN THE HIGH COURT OF JUSTICE

[Claim No]

[DIVISION]

[JUDGE TYPE][JUDGE NAME]

BETWEEN:

[CLAIMANT]

Claimant

- and -

[DEFENDANT]

Defendant

UPON THE APPLICATION OF THE [PARTY]

[the parties and their representatives who attended]

AND UPON HEARING

AND UPON READING the documents on the Court File

IT IS ORDERED THAT

- (1) The [PARTY] must within [NUMBER OF DAYS] deliver to the [PARTY], or to his solicitor, a bill of costs in all causes and matters in which he has been concerned for the [PARTY]
- (2) The [PARTY] must give credit in that bill for all money received by him from or on account of the [PARTY]

SCHEDULE OF COST PRECEDENTS
PRECEDENT L
Order on Client's Application
for Detailed Assessment
of Solicitor's Bill

DATED the [DATE]

IN THE HIGH COURT OF JUSTICE

[Claim No]

[DIVISION]

[JUDGE TYPE][JUDGE NAME]

BETWEEN:

[CLAIMANT]

Claimant

- and -

[DEFENDANT]

Defendant

UPON THE APPLICATION OF THE [PARTY]

[the parties and their representatives who attended]

AND UPON HEARING

AND UPON READING the documents on the Court File

IT IS ORDERED THAT

- (1) A detailed assessment must be made of the bill dated [] delivered to the claimant by the defendant.
- (2) On making the detailed assessment, the court must also assess the costs of these proceedings and certify what is due to or from either party in respect of the bill and the costs of these proceedings.
- (3) Until these proceedings are concluded the defendant must not commence or continue any proceedings against the claimant in respect of the bill mentioned above.
- (4) Upon payment by the claimant of any sum certified as due to the defendant in these proceedings the defendant must deliver to the claimant all the documentation in the defendant's possession or control which belong to the claimant.

SCHEDULE OF COSTS PRECEDENTS
PRECEDENT M
Order on Solicitor's Application
for Assessment Under the
Solicitor's Act 1974 Part III

Upon hearing ... upon reading ...

IT IS ORDERED THAT

- (1) A detailed assessment must be made of the bill dated [] delivered to the defendant by the claimant.
- (2) If the defendant attends the detailed assessment the court making that assessment must also assess the costs of these proceedings and certify what is due to or from either party in respect of the bill and the costs of these proceedings.
- (3) Until these proceedings are concluded the claimant must not commence or continue any proceedings against the defendant in respect of the bill mentioned above.
- (4) Upon payment by the defendant of any sum certified as due to the claimant in these proceedings the claimant must deliver to the defendant all the documentation in the claimant's possession or control which belong to the defendant.

SCHEDULE OF COSTS PRECEDENTS
PRECEDENT P

Solicitors Act: Breakdown of Costs

IN THE HIGH COURT OF JUSTICE

Claim Number

QUEEN'S BENCH DIVISION

SUPREME COURT COSTS OFFICE

BETWEEN

EF

Claimant

~ and ~

GH & Co

Defendants

**BREAKDOWN OF DEFENDANT'S BILL OF COSTS DATED 26TH FEBRUARY 1999
TO BE ASSESSED PURSUANT TO THE ORDER DATED 27TH APRIL 1999**

The claimant instructed the defendants in connection with a summons for careless or inconsiderate driving which had been served upon him. By letter dated 21st October 1998 the defendants wrote to the claimant setting out their terms of business including the hourly rates of the fee earners who would act on his instructions. On 23rd October 1998 the claimant dated and signed a copy of that letter and returned it to the defendants so indicating his acceptance of the terms set out.

The proceedings were of the highest importance to the claimant who feared losing his licence and who wished to defend any civil proceedings that might be taken against him as a result of the prosecution. The defendants entered into correspondence with the CPS and eventually obtained their witness statements and invited them to consent to an adjournment because of the absence overseas of an important witness for the claimant (Mr LM). Eventually the defendants successfully applied to the court for an adjournment, and also applied for and obtained a witness summons. At the trial the claimant was found guilty and was fined £300 and 4 points were endorsed on his driving licence.

Proceedings were conducted by an assistant solicitor admitted in 1990 whose time is charged at an agreed rate of £150 per hour with routine letters out and telephone calls at an agreed rate of £15 each. At the trial a trainee attended with counsel. The trainee's time is charged at an agreed rate of £75 per hour.

Cash account for client: EF

Received

From client on account generally:
22nd October 1998 1,500.00

From client on account generally:
12th February 1999 1,000.00
2,500.00

Balance due to client EF: £2,115.00

Paid

Refund to client:
26th February 1999 385.00

Balancing Item 2,115.00
2,500.00

| | Item | V.A.T. | Disburse-ments | Profit Costs |
|----|---|----------|----------------|--------------|
| | Attendances on Court and Counsel | | | |
| | 5th November 1998 - application made for an adjournment for the convenience of a witness | | | |
| | 13th November 1998 - contested hearing of the application | | | |
| | Engaged 10 minutes £ 25.00 | | | |
| | Travel and waiting 30 minutes £ 75.00 | | | |
| 1 | Total solicitor's fee for hearing | £ 17.50 | | £ 100.00 |
| | 17th November 1998 - conference with counsel | | | |
| | Engaged 45 minutes £ 112.50 | | | |
| | Travel and waiting 1 hour £ 150.00 | | | |
| 2 | Total solicitor's fee for conference | £ 45.94 | | £ 262.50 |
| 3 | Counsel's fee for conference (paid: Miss JK) | £ 13.13 | £ 75.00 | |
| | 15th February 1999 - Brief to counsel - 4 pages A4 | | | |
| | 23rd February 1999 - attending the trial | | | |
| | Trainee engaged in court 1 hour £ 75.00 | | | |
| | Engaged in conference 30 minutes £ 37.50 | | | |
| | Travel and waiting (apportioned) 45 minutes £ 56.25 | | | |
| 4 | Total trainee solicitor's fee for trial | £ 29.53 | | £ 168.75 |
| 5 | Counsel's brief fee (paid: Miss JK) | £ 17.50 | £ 100.00 | |
| | Claimant | | | |
| 6 | 21st October 1998 - first instructions 1 hour | £ 26.25 | | £ 150.00 |
| 7 | 16th November 1998 - finalising proof of evidence 45 minutes | £ 19.69 | | £ 112.50 |
| 8 | Routine letters out and telephone calls - 12 (9 + 3) | £ 31.50 | | £ 180.00 |
| | Witness (Mr LM) | | | |
| | Personal attendance by trainee solicitor | | | |
| | Engaged 45 minutes £ 56.25 | | | |
| | Travel and waiting 1 hour £ 75.00 | | | |
| 9 | Total trainee solicitor's fee for attendance | £ 22.97 | | £ 131.25 |
| 10 | Routine letters out - 6 | £ 15.75 | | £ 90.00 |
| | Other persons | | | |
| 11 | Routine letters out and telephone calls to the CPS - 8 (6 + 2) | £ 21.00 | | £ 120.00 |
| | Communications with the court | | | |
| 12 | Routine letters out - 6 | £ 15.75 | | £ 90.00 |
| | Communications with Counsel | | | |
| 13 | Routine letters out and telephone calls - 8 (4 + 4) | £ 21.00 | | £ 120.00 |
| | Work done on documents | | | |
| 14 | Instructions to counsel - 30 minutes | £ 13.13 | | £ 75.00 |
| 15 | Attendance note of conference - 15 minutes | £ 6.56 | | £ 37.50 |
| 16 | Brief to counsel - 30 minutes | £ 13.13 | | £ 75.00 |
| 17 | Attendance note of trial (trainee) - 45 minutes | £ 9.84 | | £ 56.25 |
| | | £ 340.17 | £ 175.00 | £ 1,768.75 |
| | Summary | | | |
| | Total costs claimed in breakdown £1,943.75 + £340.17 VAT. (Total costs billed £1899.00 + £315.00 VAT) | | | |

