



Unbundled Fixed Price Costs Consultancy & Costs Management

Your Firm | Your Reputation | Your Decisions | Your Money | Our Expertise



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Introduction

The year is 2016. For the purposes of this document we do not need to set out the grizzly details of the mammoth and historic changes that have impacted upon the legal profession in recent times, nor do we need to dwell on the changes that are on the horizon.

Propus Law was founded with the simple aim of bringing to the market 27 years' worth of expertise within the costs arena that is second to none, ensuring that law firms and their clients receive the best possible advice. We are well placed to provide same¹. You may already have indirectly benefited from that expertise.

We will not bore you with the generic marketing soundbites, that are regularly heard from our competitors, regarding how critical costs maximisation is from the receiving party perspective, regarding how critical ensuring that costs are reasonable and proportionate is from the paying party perspective, regarding how critical accurate budgeting is and regarding how critical cash flow is. Why would anyone think otherwise?

You, and only you, are best placed to know your own business, its strengths, its weaknesses, where improvements can be made, how your current service providers are performing and whether they are acting in your best interests.

The provision of legal services is moving ever more towards services being “*unbundled*”. This is coupled with the demand of ever increasingly sophisticated clients for costs transparency and costs certainty. As a purchaser of services, your firm should be no less demanding.

It is with all the above in mind that we have developed a fully transparent Costs Consultancy & Costs Management offering that is designed to enable you to choose the level of input you require from your costs specialist, which does not demand of you a level of commitment to utilising services that you might not deem necessary for your firm and which does not tie you in to some form of exclusive relationship², and all with a fully transparent and fully fixed pricing structure.

We sincerely hope that you will find something within the following pages that will be attractive to you. Our contact details appear on page 14.

¹ **a. Court of Appeal** - Lead fee earner on behalf of the Claimant in the significant case of *Blankley v Central Manchester and Manchester Children's University Hospitals NHS Trust* [2015] EWCA Civ 18; [2015] WLR (D) 31 regarding the impact of variable mental incapacity of clients upon retainers [http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Civ/2015/18.html&query=\(Blankley\)](http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Civ/2015/18.html&query=(Blankley))

b. Court of Appeal - Advising fee earner on behalf of the Claimant in the significant case of (Denton) - *Utilise TDS v Davies & Ors* [2014] EWHC 834 (Ch); [2014] EWCA Civ 906 regarding issues surrounding relief from sanctions i.e. *Mitchell* revisited <http://www.bailii.org/ew/cases/EWCA/Civ/2014/906.html>

² N.B. Access to the Costs Award Accelerator Scheme does require that Bills of Costs for Detailed Assessment are prepared by us.



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Fixed Price List



Nature of Work	Daily Rate	All Fixed Cost Cases	Up to £24,999.99	Between £25,000.00 and £49,999.99	Between £50,000.00 and £74,999.99	Between £75,000.00 and £99,999.99	Between £100,000.00 and £124,999.99	Between £125,000.00 and £149,999.99	Between £150,000.00 and £174,999.99	Between £175,000.00 and £199,999.99	Over £200,000.00
Costs Consultancy [1]	£ 950.00										
Fixed Costs Claims		£ 250.00									
Costs Budget in Form H [2]			£ 400.00	£ 900.00	£ 1,600.00	£ 2,400.00	£ 3,200.00	£ 4,000.00	£ 4,800.00	£ 5,600.00	£ 6,000.00
Bill of Costs for Detailed Assessment (Where Budget prepared by us) [3]			£ 750.00	£ 1,700.00	£ 2,900.00	£ 4,100.00	£ 5,300.00	£ 6,500.00	£ 7,700.00	£ 8,900.00	£ 9,500.00
Bill of Costs for Detailed Assessment (Where Budget not prepared by us) [3]			£ 1,500.00	£ 2,250.00	£ 3,750.00	£ 5,250.00	£ 6,750.00	£ 8,250.00	£ 9,750.00	£ 11,250.00	£ 12,750.00
Points of Dispute [4]			£ 250.00	£ 450.00	£ 650.00	£ 850.00	£ 1,050.00	£ 1,250.00	£ 1,450.00	£ 1,650.00	£ 1,850.00
Replies to Points of Dispute [4]			£ 500.00	£ 900.00	£ 1,300.00	£ 1,700.00	£ 2,100.00	£ 2,500.00	£ 2,900.00	£ 3,300.00	£ 3,700.00
Negotiations			£ 250.00	£ 250.00	£ 250.00	£ 250.00	£ 500.00	£ 500.00	£ 500.00	£ 500.00	£ 500.00
Setting Down			£ 250.00	£ 250.00	£ 250.00	£ 250.00	£ 250.00	£ 250.00	£ 250.00	£ 250.00	£ 250.00
Post Provisional Assessment procedures			£ 250.00	£ 250.00	£ 250.00						

[1] Per person – Based upon 10 hours per day or part thereof thereafter - Exclusive of reasonable travel and accommodation costs as necessary

[2] Based upon Total Incurred Costs level

[3] Based upon Base Profit Costs as Claimed

[4] Based upon Total Costs as Claimed by receiving party

* All prices exclude VAT at the prevailing rate



Unbundled Fixed Price Costs Consultancy & Costs Management

Fixed Pricing

What's included?



Costs Consultancy

- Liaison with Management Team as necessary
- Pre-merger/acquisition risk auditing and reporting
- Liaison with and working in conjunction with Risk, Compliance and Finance specialists (Internal or External)
- Post-merger/acquisition integration and reporting
- Departmental WIP analysis and reports
- Internal firm wide costs protocol implementation, monitoring and development
- Head of Department strategic costs training
- New business generation and development of Costs Agency work within the In House Costs Department
- Implementation and development of financial reporting tools
- Financial reporting and monitoring
- Fee Earning Departments and In-House Costs Department training and development
- Strategic planning to assess and address changes in the law/funding regimes
- Group Action funding arrangement preparation, supervision and implementation
- Post Jackson funding arrangement preparation, supervision and implementation
- Post Jackson Budget planning and implementation



- Costs Department supervision
- Costs Department staff appraisal
- KPI planning
- Firm wide costs training, guidance and monitoring
- Firm wide compliance monitoring, assistance and training

Fixed Cost Claims (Paying and Receiving Parties)

- Liaison with conducting fee earner as required
- Assessment of case type
- Identification of applicable fixed costs regime
- Consideration as to possible escape of claim for fixed costs regime
- Calculations with regard to fixed costs
- Submissions of Fixed Costs Calculations to third party/Consideration of Fixed Costs claim received
- Securing agreement to Fixed Costs claim



Costs Budgets in Form H (Paying and Receiving Parties)

- Liaison with conducting fee earner as required
- Full analysis of costs incurred to date
- Full analysis of anticipated future costs
- Consideration and assessment of reasonable assumptions at a specific case level
- Production of a Costs Budget in Form H
- Production of documentation in support of the Costs Budget
- Pre first CMC/CCMC updating as necessary
- Production of Budget Discussion Report
- Revisions of Budget based upon changes within the litigation amounting to significant developments

Bills of Costs for Detailed Assessment (Paying and Receiving Parties)

- Liaison with conducting fee earner as required
- Resolution of any and all funding and/or fee note issues prior to the preparation of the Bill of Costs
- Production of a Bill of Costs that is sufficiently rigorously prepared and detailed to withstand the provisional and/or oral assessment processes
- Provision of copies of all supporting fee notes and invoices



- Provision of copies of all Orders affecting the costs claimed
- Provision of copies of all other Authorities for Costs
- Provision of a copy of any ATE Insurance Certificate and Policy
- Production of S32.5(1)(c) and/or S32.5(1)(d) Statements as necessary
- Production of Precedent Q as necessary
- Production of completed and case specific Precedent F Certifications
- Production of a case assessment and quantum bracket
- Preparation of Part 8 Costs Only Claim Form and supporting documentation as required
- Production of Notice of Commencement
- Service of Notice of Commencement and supporting documentation



Points of Dispute (Paying Parties)

- Liaison with conducting fee earner as required
- Analysis of the costs as claimed as against entitlement to costs
- Review of Orders made and any prior Costs Case Management/Budgeting decisions
- Review of supporting documentation in terms of content and completeness
- Review of funding mechanisms claimed to have been in place
- Preparation of Points of Dispute together with appendices as necessary
- Calderbank and/or Part 36 Offer advice and recommendations
- Settlement bracket recommendations
- Service of Points of Dispute

Replies to Points of Dispute (Receiving Parties)

- Liaison with conducting fee earner as required
- Analysis of Points of Dispute and impact assessment
- Consideration as to concession levels (if any)
- Preparation of Replies to Points of Dispute with appendices as necessary



- Calderbank and/or Part 36 Offer advice and recommendations
- Service of Replies to Points of Dispute

Negotiations (Paying and Receiving Parties)

- Liaison with conducting fee earner as required
- Communication with third party representatives to either point of settlement or there being no prospects of reasonable settlement
- Pre-setting down sanity check

Setting Down (Receiving Parties)

- Liaison with conducting fee earner as required
- Preparation of appropriate Request for Detailed Assessment
- Preparation of Index to Bundle of Documents as necessary
- Preparation of Chronology as necessary
- Preparation of Statement of Costs as necessary
- Preparation of draft proposed Directions as necessary



Post Provisional Assessment Procedures (Paying and Receiving Parties)

- Liaison with conducting fee earner as required
- Analysis of provisional decisions and acceptance/rejection recommendations thereon
- Calculations with regard to provisional allowances
- Liaising with third party to agree provisional amounts allowed
- Liaising with third party to agree additional costs/interest entitlements



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