

## LEGAL ADVICE

### FIXED FEE ADVICE

Early expert advice saves money in the long run

We are able to provide fixed fee advice in all of our main areas of practice, giving you access to solicitors with nationally recognised expertise in their areas of practice at an affordable and predictable price



After an initial discussion we will quote you a fixed fee. You can then decide whether to proceed.

### LEGAL AID

The Legal Help scheme enables us to provide free initial advice in some cases.



You need to be on a relatively low income

The issue also needs to fall within one of the areas of law covered by the Legal Help scheme.

We will let you know whether you can obtain free initial advice under the Legal Help scheme when you make contact with us.

### LEGAL EXPENSES INSURANCE

Many insurance policies include cover for legal expenses. Each policy will list the types of legal work it will cover. It may cover both initial advice and representation in court proceedings.



What is often not understood is that insurers must allow you to instruct a solicitor of your choice.



This enables you to select a specialist solicitor who you are satisfied has the right experience for your case.

## LEGAL REPRESENTATION

### WITH LEGAL AID

#### SCOPE

We will advise you whether your case falls within the scope of the legal aid scheme.

The rules setting out which cases fall within the scope of the legal aid scheme are complicated. When you make an initial enquiry we will advise you whether your case falls within the scope of the legal aid scheme.

The work we can do under the legal aid scheme includes judicial review cases, claims for damages against public bodies, inquests, and housing cases.

#### FINANCIAL ELIGIBILITY

To secure legal aid your income and capital must be below the Legal Aid Agency's thresholds.

We will advise you about this when you contact us. There are special rules for inquests and committal applications, so that in some circumstances legal aid is available whatever your financial means. We will advise you about this where relevant.



### WITHOUT LEGAL AID

#### 1. PAYING YOUR LEGAL COSTS



##### No win no fee

Where we assess that your case has a very good prospect of success we may agree to enter into a no-win no fee agreement with you. The way this works is that if your case fails you do not have to pay us and if your case succeeds your opponent will pay us.



##### Discounted fee

Where the outcome of your case is less predictable, we may agree to work on a discounted fee basis. If your case fails, you only have to pay us at a discounted rate. If your case succeeds you will be liable for our full fees, however most of these fees will be recovered from your opponent. In this way we share with you the risk of bringing the case.



##### Crowdfunding

Crowdfunding is a way of using the internet to generate funding for your case, both for your own legal costs and/or to guard against the risk of paying your opponent's costs if you lose. It works best in cases with a wider public interest that other people care enough about to pledge money towards. We have been an early pioneer in this form of funding. In appropriate cases we can provide you with advice and contacts to successfully crowd-fund your case.



#### 2. MEETING YOUR OPPONENT'S COSTS

Unless you have legal aid, the general rule in court proceedings in England and Wales is that if you lose your case you will be ordered to pay your opponent's legal costs. The main ways of avoiding or reducing this risk are set out below.

##### Protective costs orders



Also known as costs capping orders, these are orders made at beginning of the case which cap the amount you will have to pay to your opponent at the end of the case if you lose.

In most environmental cases, there are automatic caps of £5,000 for claims brought by individuals and £10,000 in other cases. In other litigation, there will usually need to be a public interest element to the case to secure a protective costs order; in such cases the level of the cap will depend on your resources.

##### Personal injury claims

Those bringing personal injury cases are not normally required to pay their opponent's legal costs if they lose. We will advise you about whether this will apply to your case.

