

LITIGATION

Any case, once in the hands of the Court, can become incredibly expensive. Small Claims, usually under £10,000 or faulty product claims are not usually conducted with legal help as no costs orders will be made. Parties are normally expected to bear their own costs.

More complex cases, once in the hands of the Court, will have Directions ordered by the Court which MUST be followed. You cannot agree to "miss" a step.

NOTE: legal fees range from £250 - £650 per hour. Easy to see how costs can rack up.

Likely litigation steps are:

PRE-ACTION	Pre-Action Protocols must be followed to avoid costs penalties. MUST consider ADR. Could cost between £1,500 and £5,000. Cases CAN go straight to settlement - RECOMMENDED
STATEMENTS OF CASE	Biggest outlay as rules require upfront "cards on table" of ALL things. Could cost between £2,500 and £7,500 depending on complexity)
CASE MANAGEMENT CONFERENCE	BIG step. Could cost around £3,000 - £7,000)
DISCLOSURE	ALL documents in the matter must be listed, whether they help your case or not. Could easily cost £2,000 to £5,000) INSPECTION follows where copies of documents have to be given to the other side.
WITNESS STATEMENTS	dependent on number of witnesses ,around £2,000 - £3,000
EXPERT REPORTS	depends on complexity but easily 2000 upwards
PRE-TRIAL REVIEW	£2,500 - £5,000
TRIAL PREPARATION	£5,000 to £7,500)
TRIAL	£10,000 - £15,000 PLUS £2,500 daily refresher fees if longer than a day
SETTLEMENT -	Negotiations, including Part 36 Offers, drafting settlement, this step can happen at any stage, but obviously as the costs get higher it becomes less attractive to settle. Cases may never leave negotiations and go to Court. Even then costs can reach eye-watering figures e.g £40,000+

SIMPLE CLAIMS which BECOME DEFENDED	£10,000-£25,000
COMPLEX contract claim	£40,000 - £75,000
BOUNDARY DISPUTES	UPWARDS FROM £75,000
AND	you could be ordered to pay the other side's costs potentially DOUBLING your costs liability.

NOTE:

Litigation is complex and we've attempted to throw a spotlight on a massively complex world to show some of the perils of litigation. We're not suggesting that litigation is bad. We're saying its expensive. We havent included VAT or the vast array of other things that lurk to remove your money from your pocket. There is an alternative ...

MEDIATION

All civil cases can be referred to Mediation. The Court WANTS parties to go to ADR which includes mediation to reduce court backlogs and ultimately to create some sanity.

Costs: 50% of the Mediator fee for the day £500 - £1,250, for low to midsize claims
Legal rep cost (advised but not compulsory) around £1,500 - £3,000
SAY £5,000 all in if you choose to have legal reps.

BIG DIFFERENCE! for further advice please call 07880342375
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MEDIATION



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