



FERGUSONS
SOLICITORS

“ABOUT YOUR
LEGAL COSTS”

Fergusons Solicitors
18/20 Belmore Street
Enniskillen
BT74 6AA

Telephone: 028 6632 2234
Fax: 028 6632 3088

www.fergusons-solicitors.co.uk

Most people do not consult solicitors lightly. When solicitors are consulted it is usually because some unwelcome event has befallen the client or because he or she has decided to invest in business or property requiring investment and financing well beyond his or her normal daily remit.

Apart from the particular issues and circumstances involved in each client's case a competent firm of solicitors will seek to address from the beginning two of the most common factors inevitably involved in even the most straight forward case.

These issues are:

- (a) The length of time cases can take.
- (b) The cost of legal and associated services.

TIME:

Because legal issues invariably involve interaction between clients, lawyers and other agencies law cases inevitably take longer to resolve than the average client anticipates. In even the simplest case a file is unlikely to be open and closed in less than 3 months.

A complicated matter can take up to 5 years or more to resolve.

In the experience of Fergusons Solicitors files on average take between 6 and 18 months between opening and closing the file.

EXPENSE:

Legal services are not cheap and the consequences of legal action particularly contentious matters can be financially very severe. A good service to a client will involve making the client aware from the start of the case the Rely cost that will be involved in taking the case through to completion.

Bottom line legal costs will usually consist of the following:

1. The cost of the solicitors time and expertise.
2. The associated costs of advices from other experts such as valuers, accountants, architects, medical consultants etc.
3. Court costs, registration office costs, costs of obtaining searches and property certificates, police reports etc.
4. Miscellaneous costs such as travel, postage, photocopying etc.
5. VAT.

Fergusons Solicitors will try to advise clients of:

- (a) The length of time the transaction or matter is likely to take, and,
- (b) The amount of money that it is likely to involve for legal and associated services.

Fergusons will also seek to assist clients by putting in place the means to reduce the impact of the cost of legal services by spreading them over a period of time - ideally over the period that the legal transaction is likely to take. It is for this reason that this firm advises all clients that they should seriously consider commencing payments on a weekly/monthly/quarterly basis with a view to mitigating the impact of costs at the end of the transaction.

To this end there is attached to this document a bankers order form which Fergusons recommend the client should complete so that the periodical payments can commence at the start of the case.

The amount of the payments will depend upon what the client can afford at the time, the amount the case is likely to cost and the length of time the case is likely to take. Inevitably every case is different and some cases can take

an unexpected turn which may involve greater or lesser expense. The solicitor or legal executive taking instructions should be able to help as to what would be a sensible amount to pay on an instalment basis.

LEGAL AID:

Legal Aid is only available to a limited number of people and is means tested. Solicitors costs will not be met out of the Legal Aid fund until Legal Aid Certificate issues. This means that all work done up until the issue of the Legal Aid Certificate including the application itself is not legally assisted.

A Legal Aid application will require written proof of income whether from benefit payments or from pay slips and a declaration as to what savings the applicant may have to contribute towards the cost.

Legal Aid is often not completely free and involves contributions from the applicant themselves usually on an instalment basis. In some cases this may amount to more than the solicitors costs would have been without a Legal Aid application.

In most cases where a compensation award or settlement is likely to be achieved it will be a condition of the Legal Aid authorities that any monies paid by the Legal Aid Rind shall be deducted from any award or settlement achieved. This is known as a Statutory Charge.

By and large Legal Aid will not cover non-contentious cases i.e. cases involving property where there is no disputed issue.

In practice Legal Aid tends only to be available to people who are in receipt of state benefits - but being in receipt of state benefits on its own will not guarantee qualification for Legal Aid.