

The SRA's 2018 Transparency Rules require all regulated law firms, who publish as part of their usual business that they offer certain services, to supply information on the prices they charge. For pricing on other types of work, we can provide an estimate upon request.

### **Debt recovery for a business to business debt that is undisputed**

Foot Anstey's Commercial Litigation Team acts for businesses in all aspects of debt recovery, including claims for the recovery of disputed commercial debts and arising out of personal and corporate guarantees, and all aspects of enforcement. Our team has over 75 years of collective experience in delivering high quality work in business-related debt recovery.

We have 12 key members of the team who may work on your matter, including 2 partners. Mark Rhys-Jones, who is a Partner and leads our Dispute Resolution practice has overall responsibility for our work regardless of who works on your matter. Mark's details are at this [link](#) and other key team members' details can be found at this [link](#).

Debt recovery work can vary greatly in both quantum and complexity. Your instruction will be dealt with by people whose expertise is appropriate to the task in hand.

### **Our costs**

#### ***Our fees***

These fees apply where your claim is in relation to a single unpaid invoice which is not disputed and no negotiation or enforcement action is needed.

If the other party disputes the debt or wishes to negotiate at any point we will discuss any further work required and provide you with revised advice about costs.

<b>Debt value</b>	<b>Court fee (disbursement)</b>	<b>Our fee (plus VAT)</b>
£10,001 - £25,000	5% of the value of the claim	Between £1,500 & £2,000
£25,001 - £100,000	5% of the value of the claim	Between £1,750 & £2,500

Anyone wishing to proceed with a claim should note that:

- Unless part of a significant volume of instructions (in which case bespoke fee packages will apply) we do not usually offer debt recovery services for debt values of less than £10,000.
- The VAT element of our fee might not be reclaimable from your debtor.
- Interest and compensation may take the debt into a higher banding, with a higher cost.
- The costs quoted above are not for matters where post-judgment enforcement action is needed to collect your debt.

#### ***What our fees include***

Our fee includes:

- Taking your instructions and reviewing documentation
- Undertaking appropriate searches
- Sending a letter before action
- Receiving payment and sending onto you, or if the debt is not paid, drafting and issuing the court claim documents
- Where no acknowledgment of service or defence is received, applying to the Court to enter judgement in default
- When judgement in default is received, writing to the other side to request payment
- If payment is not received within 14 days, providing you with advice on next steps and likely costs.

### ***Disbursements***

Disbursements are costs related to your matter that are payable to third parties. Common examples include court fees (which are set out above) and Counsel's fees. Every claim that is issued in the Court will, at the minimum, attract a court fee. Although Counsel's advice could be sought about the merits of the claim we would not expect to use Counsel for debt recovery, based on the stages set out below.

### **What are the key stages of a claim and how long will it take?**

#### ***Key stages***

The fees set out above include all of the work in relation to the following key stages of a claim:

- *Assessing and advising on claim:* Taking your initial instructions, reviewing the papers and advising you on merits and prospects. This advice will be revisited throughout the matter and may change.
- *Preparing a letter before action:* Preparing and sending to the debtor a letter before action, setting out details of the debt which you claim and the legal basis on which it is due and owing.
- *Issuing your claim:* Drafting the documents necessary to commence court proceedings, including the claim form and particulars of claim, and sending those documents to the Court, so that the Court may issue and serve your claim on the debtor.
- *Requesting judgment in default:* Preparing a request for judgment in default and sending this to the court. When judgment is received, sending a copy to the debtor with a request for payment.
- *Advice on next steps:* If payment is not received as required, preparing advice to you on the next steps which may be taken to enforce judgment and the likely cost involved.

#### ***How long will a claim take?***

Matters usually take 3-14 weeks from receipt of instructions from you to receipt of payment from the debtor, depending on whether or not it is necessary to issue a claim, and the stage at which payment is made. This is on the basis that the other side pays promptly on receipt of judgement in default, or sooner. If enforcement action is needed, the debt is disputed or there is a negotiation with the debtor, the matter will take longer to resolve.

Each instruction will however need to be assessed on its own merits and various factors will impact the likely overall cost and the timeframe.