



Pricing information – debt recovery for businesses

We offer an individually tailored service to meet the needs of our clients on a case by case basis. We do not operate debt collection work on a bulk basis and, as such, do not offer our services in return for an agreed percentage of the value of the debt (like some firms do).

Our charges are calculated with reference to the time spent on the matter unless a fixed fee is otherwise agreed.

The principal fee earners responsible for debt collection work are Mr Jeff Williams and Mr Matthew Paterson. Both Mr Williams and Mr Paterson are Solicitors and Partners with considerable experience in debt collection work for businesses. The hourly rate applicable for work undertaken by either Mr Williams or Mr Paterson is £290.00 per hour + VAT.

At times, Miss Clare Dyer may undertake debt collection work subject to the supervision of Mr Williams. Miss Dyer is a paralegal and is training to be a Solicitor. The hourly rate applicable for work undertaken by Miss Dyer is £210.00 per hour + VAT.

The stages of the matter and the likely timescales for each stage and the corresponding cost will depend upon each individual case. In all cases, we will discuss and consider with you the options available to you. This will include having regard to the latest version of the Pre-Action Protocol for Debt claims, whether it might be appropriate to serve a Statutory Demand or to commence Court Proceedings.

The time that it takes from taking your initial instructions to the final resolution of your matter largely depends upon the stance of the debtor and your future instructions. Similarly, the costs that will be incurred from taking your initial instructions to the final resolution of your matter largely depend upon the stance of the debtor and your future instructions.

We shall provide you with details of the likely key stages of the matter together with as best a time estimate and as best a cost estimate as we can, specific to your case. As a guide, though;

·Where an unpaid invoice is not disputed and Court Proceedings are not necessary, we will take your instructions, draft a compliant Letter before Action (having regard to any applicable Protocol), and correspond with the debtor and with you, until the matter is resolved. A typical timescale for this stage of work is between 1 – 4 months. The cost of this stage typically ranges from £660.00 + VAT - £1,925.00 + VAT.

If it becomes necessary to issue Court Proceedings then, in addition to the above stage, we shall review documentation, undertake searches if appropriate, draft a Claim Form and Particulars of Claim to be issued by the Court, and assuming that the debtor does not respond to the Claim, shall apply to the Court for Judgment to be entered in default. This stage of work typically adds a further 3 – 4 months to the time a matter takes to be resolved and a further £600. 00 + VAT - £855.00 + VAT to the cost.

- If an unpaid invoice is disputed then it is likely that Court Proceedings will be required in order to determine whether the debt is due or not. It is common for a debtor to allege that the goods or services, the subject of the debt, were not of satisfactory quality or that there is some other reason why the debt is not due. The debtor may also bring a Counterclaim. In such circumstances, we shall carefully consider and discuss with you any Defence and/or Counterclaim received. We shall explore with you the possibility of reaching a settlement either by negotiation or, perhaps, by Mediation. In the absence of any settlement, we shall go about preparing your matter for Trial. This will include the collating and exchanging with your opponent, of key documentation relevant to the dispute. It will include preparing witness statements and might include obtaining expert evidence.

CHIPPENHAM
01249 444300

FROME
01373 485485

MALMESBURY
01666 822671

SWINDON
01793 522688

TROWBRIDGE
01225 755621

WARMINSTER
01985 217464



There are likely to be interim Court Hearings requiring our attendance, either by telephone or in person. We shall prepare your matter for Trial including, where appropriate, instructing a Barrister to represent you at the Final Hearing. This stage of work typically adds a further 9 – 12 months to the time a matter takes to be resolved and a further £11,000.00 + VAT - £45,000.00 + VAT to the cost, depending upon the complexity of the matter and the number of witnesses to give evidence, amongst other things.

- In some circumstances, it might also be necessary to bring enforcement action of any Judgement before the debt is recovered. There are various methods of enforcement available. We shall be very happy to provide you with advice and estimates as to time and cost, specific to your matter, at the time.
- In some instances, it might be appropriate to serve a Statutory Demand upon a debtor. Our costs for taking your instructions, drafting the Statutory Demand, and arranging for the same to be personally served, typically range from £550.00 - £825.00 + VAT.

Disbursements

Disbursements are costs related to your matter that are payable to third parties, such as Court fees. We handle the payment of the disbursements on your behalf to ensure a smoother process.

- A tracing agent's fees are likely to range from £60.00 + VAT to £165.00 + VAT depending upon the number and nature of enquiries/ searches made.
- A process server's fees are likely to range from £110.00 + VAT to £250.00 + VAT depending upon the location of the process server and the time taken to serve the debtor with the Statutory Demand.
- A Court fee is payable upon issuing Court proceedings. The amount will depend upon the value of the debt being recovered;

(i) A debt of no more than £500.00 will incur a fee of £50.00

(ii) A debt of more than £500.00 but not more than £1,000.00 will incur a fee of £70.00

(iii) A debt of more than £1,000.00 but not more than £1,500.00 will incur a fee of £80.00

(iv) A debt of more than £1,500.00 but not more than £3,000.00 will incur a fee of £115.00

(v) A debt of more than £3,000.00 but not more than £5,000.00 will incur a fee of £205.00

(vi) A debt of more than £5,000.00 but less than £10,000.00 will incur a fee £455.00

(vii) A debt between £10,001.00 and £100,000.00 will incur a fee of 5% of the value of the debt.

- In addition, if it becomes necessary to bring enforcement proceedings, this will attract a further Court fee, the amount of which will depend upon the nature of the enforcement steps taken.
- A barrister's fee for a Final Hearing will depend upon the experience and seniority of the barrister concerned, and, perhaps also, the value of the debt. A barrister's fees for attending a 1 day Trial with a debt value of £10,000 may typically range from £1,750.00 + VAT - £2,500.00 + VAT. A barrister's fees for attending a 2 day Trial with a debt value of £50,000.00 may typically range from £7,500.00 + VAT - £12,500.00 + VAT.

Please note that the above figures (other than the Court fee payable upon issuing Court Proceedings) and time estimates provided are purely intended as a guide. Specific estimates for your matter will be provided at the commencement and during the course of your matter.

October 2022

CHIPPENHAM
01249 444300

FROME
01373 485485

MALMESBURY
01666 822671

SWINDON
01793 522688

TROWBRIDGE
01225 755621

WARMINSTER
01985 217464

enquiries@fmsolicitors.co.uk

www.fmsolicitors.co.uk