



**A City Lawfirm LLP**  
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## **What I ask a Solicitor before instructing them**

### **Will they start charging me from the moment I speak with someone?**

You should not be charged for any time on your matter until you have agreed the costs first and signed a client care letter. Some firms, like ours, offer free consultations, you should ask for a complimentary chat with a solicitor where possible.

### **What is a Client Care letter, should I have one?**

Everyone who instructs a solicitor should receive an engagement letter and terms and conditions, which set out the contract between them and the firm, you should not be charged until you have signed this letter. The letter should set out amongst other things:

- ❖ What they are going to do;
- ❖ Hourly rates and how charges are calculated;
- ❖ Cost estimates for your matters;
- ❖ Who your lawyer will be; and
- ❖ What you are liable for

### **How much will it cost?**

This depends very much on your matter, but costs should always be agreed before instructing the solicitor and set out in your client care letter. A firm can agree fixed or capped fees or if the matter is going to be on-going or over a period of months you will be given hourly rates and an estimate.

Estimates can be varied if things arise that were not originally anticipated or the matter becomes more complicated, but you should be given these revised estimates as soon as possible and must be agreed with you before incurred.

### **When will I have to pay?**

You can be billed at the end of a matter, at key stages or on an interim/monthly basis depending on the type of matter and its length. You can ask your solicitor to bill you when your legal costs reach a certain level, if preferred, so that you can keep abreast of costs. You should request specific payment terms before instruction.

### **How long should I expect to wait before someone calls me back?**

This will vary from firm to firm, but will be set out in their terms and conditions as their anticipated performance targets.

As a potential new client we would expect you to receive a response as soon as possible and certainly within a maximum of 1-2 hours. For existing clients you should receive a response from your fee earner or a substitute within 24 hours and be kept up to date with the progress of your matter on a regular basis.

### **Why are they asking me for my identification?**

Proceeds of Crime Act 2002, Terrorism Act 2000 and Money Laundering Regulations 2007, as amended, requires all solicitors to check you or your company's identity and comply with the procedures laid down in the above Acts. Money laundering is the process of preventing criminals benefiting from the proceeds of crime.

Solicitors should check your identification documents before accepting any funds from you or carry out a regulated credit check on you, with your permission. They cannot accept cash over £500 or payments from third parties without carrying out checks on that party.

### **Does my solicitor have to be local?**

No, solicitors can now communicate easily by email, fax, post and telephone so it is not necessary to meet with you. This enables you to instruct any solicitor anywhere in the appropriate jurisdiction. We have a number of clients from abroad and we are able to handle matters remotely efficiently.

### **Do I have to use the solicitor my employer, company or insurer tells me to?**

No, you have the right to choose who you want. Do not be pressured into using solicitors on recommended lists or panels if you prefer to instruct someone else with more experience, local knowledge or just because you trust them. You have 'freedom of choice'.

### **How do I know the firm are right for me?**

Check out their website and areas of law practiced or the solicitors profiles to see who has the capability and experience you need. Look at their testimonials and see what their client's have to say.

### **What if I disagree with the Bill**

There are strict rules about this and these should be written on the invoices you receive. Essentially you have one month in which to raise your issues with the firm, in matters that do not involve court proceedings, and if there is no agreement they must apply for what is known as a remuneration certificate. This is an independent assessment and costs can go up or down.

### **Who do I complain to if I have a problem?**

The firm's terms of business will set this out, but you should first raise your issues with the fee earner handling your matter. If there is no resolution then you should write to the Complaints Partner named in the terms setting out clearly your issues. They should investigate the matter and report back to you within a reasonable period. If you are still unhappy you can report the matter to the Legal Complaints Service LSC who will review the matter independently

### **Do I have the right to get my file back?**

Yes, but your solicitor can hold the papers until you have satisfied your invoices or any issues about the bills have been resolved. This is known as holding a 'lien' on the papers.

*These terms may vary from firm to firm or case to case, but are suggested as best practice where possible. This is not intended to be taken as specific legal advice only general guidance.*

*Our firm follows all of these best practices and hope to achieve 100% satisfaction. If you feel we are not achieving these aims please write to our partner Karen Holden.*