

Our Service and Experience in Dealing with Debt Recovery

Debt Recovery is an area of experience of Martin Tolhurst. We have 1 specialist fee earner, supported by a trainee solicitor and support staff dealing with Debt Recovery who would be happy to act on your behalf. For individual fee earner's biographies, please see the individual links below.

Quality and Rated by Our Clients

Our Debt Recovery fee earner is a specialist who is experienced in dealing with both simple and complex matters. In 2017/18 over 30 clients completed surveys/reviews for the service that they had received from us on litigation cases. 90% of our clients in those surveys confirmed that they would use us again or recommend us.

Who will deal with your matter in an Employment case

Your case will be dealt with by a named contact at the firm, and this will be one of the Debt Recovery specialist fee earners employed by Martin Tolhurst. These fee earners names appear below- by clicking on their biography, you can see their experience and information about them. They will deal with your transaction from the time the file is opened, until the proceedings are issued and agreement is reached or a final hearing is concluded.

Typical Timescales for an Employment case.

As a guide (but your individual case may take more or less than this time):

- Our initial instructions and sending out of a letter before action will take approximately 3 to 4 weeks from receipt of full instructions on the dispute.
- The letter before action would usually provide a period of 14 days to respond to the matter but this period can be extended if there is a request for certain documents or negotiation is likely.
- If the matter does not settle at this stage, in most cases employment tribunal proceedings would have to be issued within 3 months of the date of the dismissal.
- From the proceedings being issued to a final hearing can vary but one would expect a final hearing to take place within 6 to 10 months from the issue of tribunal proceedings.

The estimates above are an average for guidance purposes only and the proceedings you are involved with could take a longer or shorter period than this based on the factors listed below. We will of course be able to give a more accurate timescale once we have more information and as the matter progresses.

Key Stages for an Employment case

The fees set out below cover all of the work in relation to the following key stages of a claim

1. Meeting with you to discuss the dispute, review any paperwork and advise you on the merits of your position and the likely compensation (this is likely to be revisited throughout the matter and subject to change)
2. Entering into pre-claim alternative dispute resolution to explore whether a settlement is reached (if instructed to do so).

3. Preparing claim or response to a claim made by someone else
4. Reviewing and advising on the claim or response from the other party
5. Exploring settlement and negotiating settlement throughout the process
6. Preparing for and attending any preliminary hearing
7. Exchanging documents with the other party and agreeing a bundle of documents for any hearings
8. Taking witness statements, drafting statements and agreeing their content with witnesses
9. Preparing bundles of documents
10. Reviewing and advising on the other party's witness statements
11. Agreeing a schedule of issues, case summary and chronology with the other party
12. Preparing and attending the final hearing (where instructed to do so) including instructions to counsel.

The stages set out above are an indication and if some of the stages above are not required, the fee will be reduced. You may wish to handle the claim yourself and only have our advice in relation to some of the stages. This can also be arranged on your individual needs.

Our Price Estimate

We charge on the basis of the anticipated amount of time spent by our fee earner to deal with stages of the Employment matter. Charges are by an hourly rate and are subject to VAT. Our hourly charges are £150-£250 per hour. For example a litigation partner will charge £250 per hour for work carried out by him but on the same case a trainee solicitor may carry out other work which is charged at £150 per hour.

In addition to our charges clients will also incur payments to others – usually third parties and these can be as follows:

- Fees for the involvement by way of advice, conference or attendance at hearings of a suitably experienced barrister ("counsel")
- Fees for the involvement of any mediator at a mediation session between the parties
- Any fees of an expert instructed to prepare an expert report in support of your case
- Any fees for searching of records to ascertain the whereabouts and financial solvency of any proposed opponent, for instance 192.com, Land Registry or private investigators.
- Any travel fares associated with attendance at hearings or meetings away from our office

This is an indication of the disbursements thought likely to be incurred on a typical dispute but please note this is not an exhaustive list of the disbursements.

Counsel's fees are usually estimated at between £2,000 to £3,000 per day (depending on the experience of the advocate) for attending and preparing for a Tribunal Hearing. Experts reports costs will also vary – for example a brief medical report may cost £500 but a more detailed medical extensive report from a specialist consultant may cost £2500.

Examples of typical Employment fees charged are shown below to give an idea as to our fees and the likely overall charges including all disbursements. Once we have the necessary information on the dispute from you we can provide you with an individual written likely estimate.

For bringing or defending claims for unfair or wrongful dismissal

Simple Case - £5,000 to £6,000 plus VAT

Medium Complexity case – £8,000.00 to £10,000 plus VAT

High Complexity Case - £14,000 to £20,000 plus VAT

Factors that could make a case more complex

- A counterclaim is required to be made or made by your opponent
- The matter is allocated to a track not initially considered to be appropriate, for instance if an allegation of fraud is made
- Opponents to the claim cannot be quickly and easily located;
- It is necessary for this firm to visit a property or site referable to the dispute;
- More than one expert is required to report on your particular dispute;
- One or more mediation or round table settlement meetings are needed to be attended;
- If any unexpected or urgent applications are made or required to be defended within the proceedings;
- Hearings being taken out of the list due to the lack of judicial availability shortly before any listed hearing.

What Work is not included in Fee Estimate.

Costs assessment. If the matter proceeds to agreement or final hearing and a costs order is made against you or in your favour, provisional or detailed assessment of those costs might be necessary if the liability for costs cannot be agreed. A separate fee will chargeable for the work on this aspect and a separate estimate can be provided for this.

Implementation or Enforcement of any order. If the matter proceeds to agreement or final hearing and an order for payment of a sum of money in damages is required, a separate charge will apply. A separate fee will chargeable for the work on this aspect and a separate estimate can be provided for this.

Our People

The biographies of the individual specialist Debt Recovery fee earners are shown – please click upon the name of the person allocated to your matter, or who you believe will be allocated to your matter to see their biography, including their expertise and experience.

[Ken Amakye](#)

Regulated, Accredited and Insured for Peace of Mind.

As solicitors, we are regulated by the Solicitors Regulation Authority, and observe the SRA Code of Conduct 2011. We have an accreditation from the Law Society- for their quality management standard, Lexcel, in 2010 and have been reassessed annually since that date to retain the mark that only 1000 firms in the England Wales have been awarded. We are

insured with an industry-leading insurer, Inter Hannover, who comprehensively insure us for claims up to £10 million. We operate an established complaints procedure.

Our Terms of Business and Terms and Conditions

All of the above information is designed to give you a fair and reasonable assessment of the likely costs. An individual quotation will be given to you at the outset of your case and this may be adjusted according to the circumstances of the estate. All of the above information is given by way of guidance and is not binding in terms of the individual case or quotation. If you have any queries about the price or service that may be provided on your transaction, please do not hesitate to contact the following Dispute Resolution Department partner:

Giles Dobson gdobson@martintolhurst.co.uk 01634 729641

For a copy of our Terms of Business or privacy policy please do not hesitate to contact us. If you require an individual price estimate for your residential conveyancing transaction, please contact us further so that we may provide this to you on an individual basis. All of the above prices are subject to the rate of VAT that is charged, which is currently 20%. All of the above prices and VAT are subject to change at short notice.