

Weightmans

Commercial Dispute Resolution

Business to Business Debt Recovery Services

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Table of Contents

1.0 About us	3
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2.0 Business to Business Debt Recovery	4
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3.0 How we can help you	5
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4.0 Key Contacts	9
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1.0 About Us

- Weightmans is a national top 45 law firm with an annual turnover of circa £100 million.
- Weightmans employs over 1,300 staff nationally, with over 190 partners.
- In the latest editions of the legal directories (Chambers & Partners and Legal 500), the firm achieved 112 specialisms rankings and 226 individual rankings.
- We strive to attract, maintain and invest in the best people. Our awards to the right are testament to our commitment to our staff.
- Weightmans are the first firm nationally to offer Level 4 Higher Apprenticeships in Legal Services.
- We operate from seven offices in seven locations; Birmingham, Glasgow, Leeds, Leicester, Liverpool, London and Manchester.



**The Lawyer:
Business Leadership
Awards**
Excellence in
Training/Talent
Management

British Legal Awards
Education & Training
initiative of the year

**National
Apprenticeship
Awards**
Newcomer large
employer of the Year

**Britain's Top
Employer**
Awarded national
top employer and
top legal employer

**Managing
Partners Forum
Awards**
Recognised for the
most innovative
approach to
Performance
Management

**FT Innovative
Lawyers Top 50
Award**
For re-engineering
of client's legal
services

2.0 Business to Business (B2B) Debt Recovery

Our debt recovery service

Weightmans has a strong market reputation for debt recovery. We handle business to business debt, as well as acting for debt purchasers, banks, other financial institutions and the Motor Insurers Bureau.

Every business has cash flow issues and experiences debt challenges. We have a range of transparent fixed fee structures, and consistently delivering maximum net returns for a wide range of clients. We can help **your** business with **your** cash flow.

We have an experienced and dedicated team led by Mark Burch. Our team of solicitors, paralegals and administrators is underpinned by excellence in technological solutions. Every day, we manage and track matter progress so that we can pro-actively drive results and report effectively to our clients.

Our quality standards are underwritten by high levels of auditing, supervision, training and coaching. We believe that the quality of our people is the key to our success; that success can be measured by the fact that we have collected in excess of £200 million for our clients over the last decade.

Don't just take our word for it; we are recognised as debt recovery experts by legal directories.

Weightmans LLP 'delivers an excellent level of service' and is commended for its ability to 'keep clients up-to-date'.

Legal 500 2017

3.0 How we can help you

Our services

We pride ourselves on being professional, innovative, tenacious and commercially minded problem solvers. We adapt our services to meet clients particular requirements and we are highly effective in all aspects of debt recovery, including:

- Working with clients' credit control teams to reduce their average debtor days.
- Effective pre-litigation processes to encourage early payment including letters before action.
- Use of the County Court Bulk Issue Centre.
- Enforcement of judgments.
- Statutory demands.
- Bankruptcy petitions.
- Winding up petitions.
- Defended actions.
- Creditor services.

3.0 How we can help you

Working with Clients' Credit Control Teams to reduce their average debtor days

We have experience of working with our business clients to dovetail into their credit control requirements. We can give advice on streamlining telephone and letter cycles to speed up the collection process. We can also give advice on credit policies as well as looking to tighten up trading terms and conditions to bolster your collection prospects. We can give advice on any contractual documentation which you issue or which your customers are asking you to accept as part of your contract with them.

Effective Pre-Litigation Processes to Encourage Early Payment, including Letters Before Action

We can supply a standard or bespoke letter before action that we send to your overdue customers at an agreed fixed price. Our fixed charge for sending the letter before action will also include providing you with confirmation that the letter has been sent and dealing with all contact received from your debtors, whether by letter, telephone or electronically and processing any payment received.

Use of the County Court Bulk Issue Centre

As bulk issuers of debt recovery claims, we use the Northampton County Court Bulk Issue Centre which means that we get the benefit of reduced court fees and the guarantee of next day issue and service of the Claim Forms.

Our fixed charge to you for dealing with the claim forms is limited to the fixed recoverable solicitor's costs and court fees which are endorsed on the Claim Form. These court fees and costs are added to the debt along with statutory or contractual interest and whenever possible compensation in accordance with the Late Payment of Commercial Debt Act will be claimed on your behalf.

This service will cover:

- The issue of the Claim Form.
- Dealing with any response to the Claim Form including request for further information, part admissions and offers of payment for the full balance.
- Taking your instructions on dealing with the matter where a full Defence has been received.

3.0 How we can help you

Enforcement of Judgments

Obtaining judgment does not automatically result in payments of your debt, although it may cause problems for the debtor in obtaining credit.

We provide all of the methods of enforcement process and those listed below are undertaken on a fixed fee basis which reflects the fees and costs added to the judgment debt and potentially are recoverable from your debtor:

- Issuing a warrant to the County Court Bailiff where the judgment is for less than £600.
- Instructing a High Court Enforcement Officer where the judgment is for more than £600.
- An Attachment of Earnings Application.
- A Charging Order Application.

Statutory Demands

The threat of insolvency can be a very useful tool to assist in the collection of outstanding debts.

We will prepare and arrange service of the Statutory Demand at an agreed fixed price. Service will be by process server and the debtor will then have 21 days to respond to the Demand by submitting payment or proposals, otherwise bankruptcy or winding up proceedings can then be issued.

Bankruptcy Petitions

We will consider with you whether or not to issue a Bankruptcy Petition against an individual if there has been no response to the service of a Statutory Demand. We will deal with the case from issue of Petition, through service and to the first hearing at a fixed price. We will look to recover your costs and disbursements as well as your debt.

Bankruptcy is not appropriate if the debt can be genuinely disputed.

Winding Up Petitions

The issue of a Winding Up Petition may or may not follow the service of a Statutory Demand.

We will provide a fixed fee service to include issuing the Petition, arranging personal service, advertising the Petition and attending on the first hearing. We will look to recover your costs and disbursements as well as your debt.

Winding up is not appropriate if the debt can be genuinely disputed.

3.0 How we can help you

Defended Actions

Where a Defence to your claim is filed, we will review with you your options as well as the prospects of success and the cost effectiveness of your proceeding. If we can, we will keep your defended claim without our Debt Recovery team and deal with this on a fixed cost basis. Where we cannot, we will agree with you if we are to deal with the matter on an hourly rate basis. We will not do this until you have been given an estimate of the likely cost of the case proceeding.

Creditor Services

In the event that the service of a Bankruptcy or Winding Up Petition has not resulted in payment, the making of a Bankruptcy or Winding Up Order is not necessarily the end of the collection process.

We work alongside a close network of insolvency practitioners who have experience of maximising the recovery of assets and potential claims within an insolvency situation. In terms of our liaising with the insolvency practitioner and them conducting an early stage investigation on the prospects of recovery, this service is provided free of charge to our clients.

Added value

We do not believe that our service is restricted to debt recovery. We have a culture of constant improvement and dedication to client satisfaction and offer:

- Free training for client staff.
- Advice on credit policies and terms.
- Advice on contractual documentation.
- Extensive MI and reporting facilities.
- Seamless services from our insolvency team.

4.0 Key Contact

Mark Burch

Mark joined Weightmans in 2014 as Head of Commercial Recoveries. He has previously been an in-house lawyer at Barclays Bank, Head of Regional Debt Recovery for Eversheds and most recently worked within the debt team at Pannone.

Mark has experience of handling secured and unsecured public and private sector volume debt recovery, particularly complex defended actions and the use of insolvency procedures to assist in the collection of debt. He also has considerable experience of marketing, client care and management issues associated with volume debt collection within law firms.

In addition to his management role, Mark has brought with him a very loyal commercial client base which includes UK Fuels Group companies, Murray Metals Group companies and The Johnsons Group. Mark also acts for a number of debt collection agencies who are well known members of the Credit Services Association.

Mark has been recognised as a leader in the field of debt recovery and noted as such in both The Legal 500 and The Chambers UK Guide. He has provided clients with training on all aspects of the cost-effective use of the legal process in the credit/collections arena.



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