

Weightmans

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Debt Recovery Services

Methodology and Fee Structure

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Methodology and Fee Structure

Stage 1: Pre Litigation

We will send an initial letter before claim and spend up to two hours negotiating with the debtor at the pre litigation stage for a fixed fee of £100 plus VAT*. In the case of multiple debtors, an additional fixed fee of £100 plus VAT will be charged for each additional letter before claim sent.

*Based on a bespoke letter before claim being required for clients who instruct us on less than ten new debt recovery files each month. For clients who instruct us on more than ten new debt recovery files each month, the fixed fee will be £50 plus VAT for each letter before claim issued.

Stage 2: Issue of proceedings and entry of judgment

For undefended litigation, we will only charge you fixed fees and disbursements as set out in the table below, for each debtor to a claim. VAT will be applied to our charges at the standard rate. All of these fees and disbursements are recoverable from the debtor as part of the Judgment.

Value of claim	Court fee to Issue Claim	Our fee	Default Judgment Costs
Does not exceed £300	£35	£50	£22
£300-500	£50	£50	£22
£500-1,000	£70	£70	£22
£1,000-1,500	£80	£80	£22
£1,500-3,000	£115	£80	£22
£3,000-5,000	£205	£80	£22
£5,000-10,000	£455	£100	£30
£10,000-100,000	5% of the value of the claim	£100	£30

Stage 3: Enforcement

For uncontested enforcement applications we will charge you fixed fees and disbursements as set out in the table below. VAT will be applied to our charges at the standard rate.

Type of enforcement	Court fee and disbursements	Weightmans' fee
Attachment of earnings	£110	£350
Charging Order	£133	£350
Writ of Control	£71*	£300
Order to attend Court for questioning	£165**	£300
Third party debt order	£221	£450

*In the event that High Court Enforcement Officers are unable to make a recovery then an abortive fee of £75 plus VAT will become due.

**A debtor can request payment of their reasonable travel expenses in attending the hearing which will be charged to you, if requested.

Attachment of earnings

A court order under which the debtor must pay off the debt in instalments out of employment income.

Charging Order

A court order whereby judgment is secured on an interest the debtor has in an asset, usually property.

Writ of Control

A High Court order for the seizure of the debtor's assets.

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The above Court fees reflect the new Civil fees which will come into force as of 30 September 2021. Any applications lodged on or before 29 September 2021 will attract a lower Court fee.

Defended cases

If a claim is disputed at the pre-litigation stage or is defended following the issue of proceedings (by the filing of a Defence, Part Admission or Application to set judgment aside) Weightmans will prepare an initial report providing you with a brief summary of the nature of the dispute and an initial cost estimate to deal with the case based on the hourly rates below:

Fee earner level	Hourly rate (excluding VAT)
Partner	£320
Principal Associate	£275
Associate	£260
Solicitor	£210
Trainee	£170
Paralegal	£170

Insolvency

Statutory demand

We will prepare and serve (via a process server) a statutory demand and deal with the debtor or third party thereafter on a fixed fee basis of £300 plus VAT plus the process server's fee of £85 plus VAT. If a statutory demand debt is substantially disputed or significant non-standard work is required then the matter will be transferred to the hourly rates quoted above, although, as detailed above, an initial summary and recommendation with cost estimate will be supplied before the work is carried out.

Winding up petitions

We will issue a winding up petition and deal with the case to the first hearing for the fixed cost and disbursement below. In most cases we would expect to recover these costs from the debtor:

Fee description	Fee (excluding VAT)
Fixed fee	£575
Court issue fee	£1,880
Process server's fee	£85
London Gazette fee	£115

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Bankruptcy petitions

We will issue a bankruptcy petition and deal with the case to the first hearing for the fixed cost and disbursement below. In most cases we would expect to recover these costs from the debtor:

Fee description	Fee (excluding VAT)
Fixed fee	£575
Court issue fee	£1,292
Process server's fee	£85
London Gazette fee	£115

The above Court fees reflect the new Civil fees which will come into force as of 30 September 2021. Any insolvency action commenced before 29 September 2021 will attract a lower Court fee.

Key contacts



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