

Consultation Paper

Proposed Practising Certificate Fee for Costs Lawyers (“PCF”) Proposed Fee for Regulation of Trainee Costs Lawyers (1 January 2013 to 31 December 2013)

Costs Lawyer Standards Board (“CLSB”)

1. Attachments

- (i) CLSB Budget for 2013: £132,806 including per head levy
- (ii) CLSB Accounts for year ended 31 December 2011: Reserves: £35k exc. share capital

2. Introduction

CLSB acts as Approved Regulator pursuant to the Legal Services Act 2007 under delegated authority of the ACL.

3. Proposed 2013 PCF

CLSB, acting as Approved Regulator, raises monies to fund its permitted purpose activities by way of the PCF. Through sound financial management CLSB is pleased to be able to provide that regulatory service at the same cost for 2013 as it charged for 2012:

£200.00	CLSB
£50.00	Legal Services Board & Legal Ombudsman levy
£250.00	Total required by CLSB for regulation

ACL will for 2013 invoice separately for ACL membership. Please note payment of the PCF does not afford membership of the ACL and further, that it is not a requirement that you are an ACL member to hold a practising certificate.

4. Benefits of holding a Practising Certificate issued by CLSB

The right to conduct all the following reserved legal activities:

- The exercise of a right of audience.
- The conduct of litigation.
- The administration of oaths.

Identifying you to courts, clients and fellow practitioners as:

- being a qualified legal professional; and
- being a regulated legal professional adhering to a code of conduct; and
- offering clients a complaints handling process; and
- reassuring clients that insurance cover is in place; and

- Identifying you as a practitioner who undertakes Continued Professional Development.

Your name also appears on the public domain register of the profession which will be issued by CLSB to all Costs Judges at the beginning of each year.

5. Mark of Regulation

CLSB aims to have in place a Mark of Regulation for Costs Lawyers with a current practising certificate to use under licence on their letterhead, business cards and compliment slips. This will identify them as being regulated legal professionals to courts and clients. CLSB will release more details on this via the Costs Lawyer Journal once intellectual property rights on the mark have been secured.

6. Regulation of Trainee Costs Lawyers

During 2012 CLSB will be consulting on the implementation of a Code of Conduct and Disciplinary Rules & Procedures to enable CLSB to regulate Trainee Costs Lawyers with effect from 1 January 2013. Following agreeable consultation and LSB approval it is proposed that Trainee Costs Lawyers will pay a fee of £100.00 for regulation by CLSB. A levy is not payable on a Trainee Costs Lawyer to the Legal Services Board or Legal Ombudsman.

7. Permitted purposes: Activities/objectives of CLSB for 2013

All activities in the budget of CLSB are for permitted purposes in its role as Approved Regulator under delegated authority. During 2013 these will include:

- Payment of LSB & LeO annual per head levy (approx. £50.00 per Costs Lawyer.)
- Setting and maintaining standards within the profession.
- Undertaking the regulation of Trainee Costs Lawyers.
- Ensuring statutory compliance.
- Managing risks within the profession.
- Gathering and analysis of statistical information within the profession.
- Responding to consultation processes.
- Working with outside bodies on studies e.g. education & training review.
- Approving and auditing training providers.
- Implementing a Mark of Regulation.
- Establishing feasibility of entity regulation.
- Increasing awareness on the difference between Costs Lawyers with a current practising certificate and Law Costs Draftsmen.
- Providing best possible service at lowest possible cost.

8. Questions

1. Do you agree with the proposed level of fee to be charged by CLSB for a 2013 practising certificate i.e. £250.00 including the mandatory per head levy payable?
2. Do you agree that in the event of regulation by CLSB a Trainee Costs Lawyer should pay a regulatory fee of £100?
3. Do you have any comments on the proposed permitted purposes activities/objectives of CLSB for 2013 and should anything else be included?

9. How to respond to this consultation paper

A summary of responses to the above questions will be submitted to the Legal Services Board when the CLSB files, following close of consultation, an application for the 2013 PCF to be approved.

Any responses (questions or submissions) should be sent by email or post **before close of business on Friday 7 September 2012** to the CLSB.

Email: enquiries@clsb.info

Post: Costs Lawyer Standards Board
Centurion House
129 Deansgate
Manchester
M3 3WR

Dated: Tuesday 7 August 2012