



# Small Claims Scheme

On your side

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# SA Law's fixed fee Small Claims Scheme makes low value disputes commercially viable



When low value disputes arise, it is not always cost effective to instruct solicitors to deal with them.

Cases worth £10,000 or less are ordinarily allocated to the small claims track. The small claims track restricts recoverable costs to very limited fixed sums, even if you are successful.

Our fixed fee Small Claims Scheme makes it cost-effective and commercially viable to instruct specialist advisors to deal with low value disputes, leaving you free to focus on running your business.



# How the scheme works

Our Small Claims Scheme covers cases worth up to £10,000 (excluding Personal Injury claims) and is made up of the following stages:

## STAGE ONE

### Initial Review & Claim Management

When a claim arises, we will carry out a full review and advise you on your prospects of success, and suggest a strategy for resolving the dispute. This will allow you to make an informed decision on whether to proceed or not.

The cost of the initial review is £450 plus VAT.

## STAGE TWO

### Pre-Action Correspondence / Early Settlement

Should you decide to proceed, we will prepare either a letter before claim or a letter of response to a claim, depending on whether you are a claimant or defendant. We will also explore any suitable possible settlement options.

## STAGE THREE

### Commencing or Defending Proceedings

If you are a claimant, we will prepare the court documents. If you are a defendant, we will prepare your defence and any counterclaim you may have. We will also conduct the case on your behalf (and subject to your instructions) through to its final hearing.

## STAGE FOUR

### Settlement and/or Mediation

The court offers a Small Claims Mediation Scheme. Under this, a court appointed mediator will assist you to settle the matter before the claim progresses further. This is usually done by way of a one-hour telephone mediation. If you are offered a mediation under this Scheme, we will help you prepare for the mediation and identify your likely goals. We can also arrange to represent you for a further fixed fee.

## STAGE FIVE

### Preparation for Final Hearing

If the case cannot be settled, we will prepare a witness statement to support your case and produce a documentary evidence bundle should it be required. If your case needs more than one witness statement, you can purchase "add-ons" at a fixed price for any additional statements.

## STAGE SIX

### Trial

We will either help you to prepare for trial if you want to represent yourself or arrange for an advocate to represent you.

The cost of an advocate is not included as part of our Small Claims Scheme, but we can often arrange advocates that will represent you for a fixed fee.

## STAGE SEVEN

### Enforcement

Once judgment is obtained, the majority of claims will be paid without the need to take enforcement action. However, if the judgment is not paid then you may need to enforce the judgment.

Enforcement action is not included in the Small Claims Scheme but will be charged for in accordance with the SA Law Debt Recovery Scheme.



# How the scheme works

The charge for the Stage 1 review cost is £450 plus VAT. Should you decide to proceed, the charges for Stages 2 - 6 are shown in the table below. These fees are excluding VAT and disbursements.

Claim value	SA Law fee (excluding VAT and disbursements)
£0 - £3,000	<b>£1,500</b>
£3,001 - £5,000	<b>£2,000</b>
£5,001 - £7,500	<b>£2,500</b>
£7,501 - £10,000	<b>£3,000</b>

## It's good to bear in mind:

- Disbursements include court fees and advocate fees for representation at trial.
- Additional disbursements, such as tracing services, may be necessary depending on the circumstances of the case.
- Enforcement proceedings are not included in the fixed fee quote and will be charged for in accordance with the SA Law Debt Recovery Scheme.
- SA Law reserve the right to remove your case from our Small Claims Scheme and agree fees with you for the case if:
  - the case is allocated or reallocated to the Fast Track or Multi Track; or
  - we do not consider it appropriate for your claim, in which case we will provide a written explanation for our decision.

## Contact us

For further information about our Small Claims Scheme, or to discuss a particular matter or situation in more detail, please contact Navdeep Shihn or Helen Young.



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