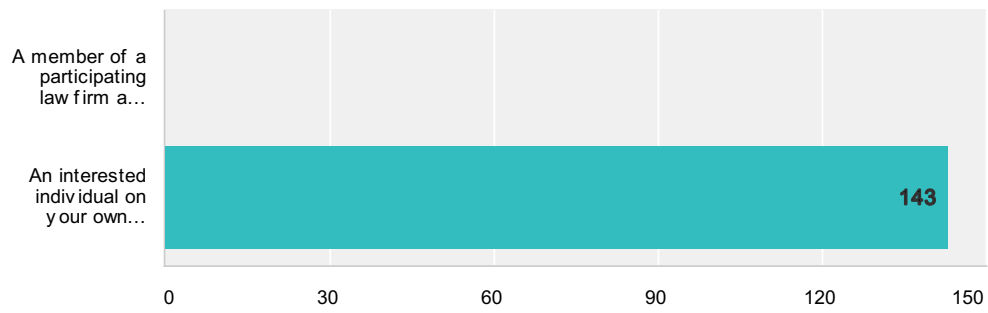


### Q1 Are you doing this survey as (please tick)

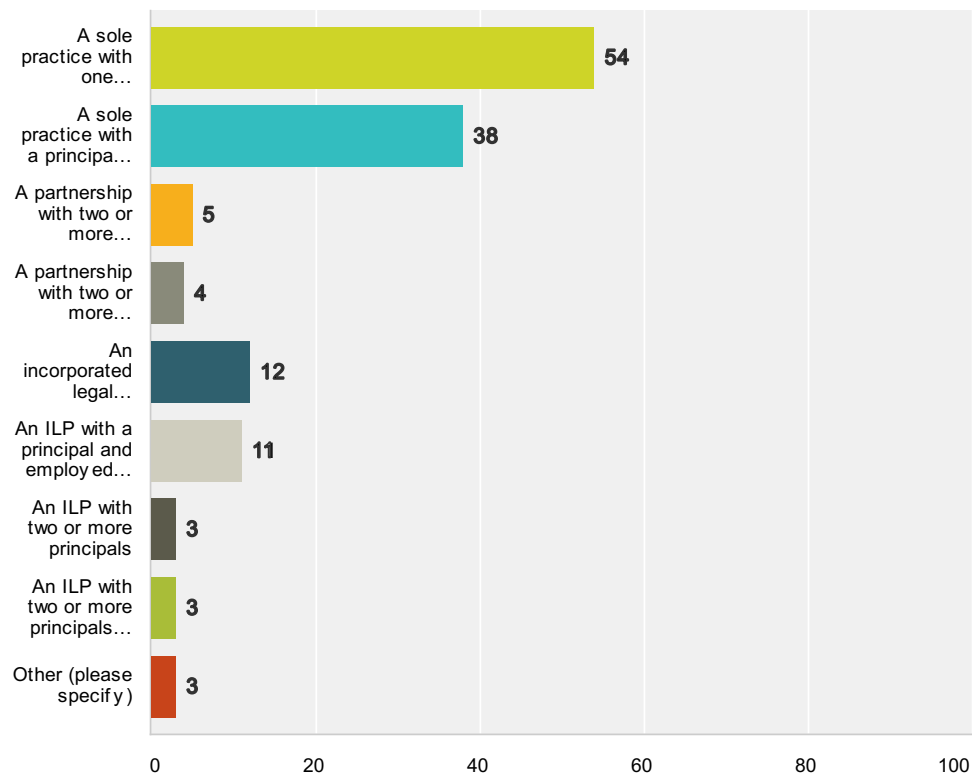
Answered: 143 Skipped: 0



Answer Choices	Responses	
<b>A member of a participating law firm at your firm's request?</b>	<b>0%</b>	0
<b>An interested individual on your own initiative?</b>	<b>100%</b>	143
Total		143

### Q3 What best describes the law firm where you work?

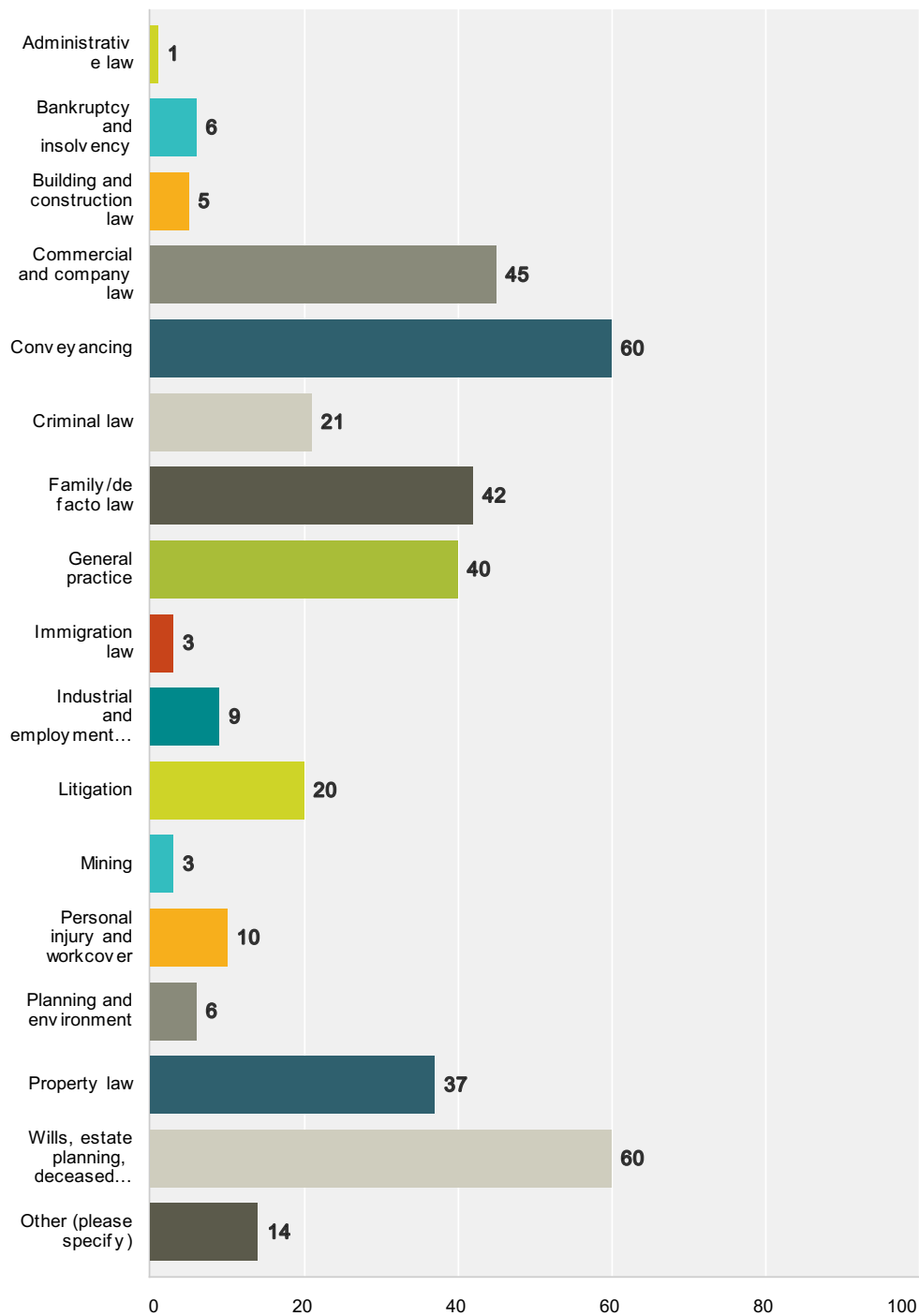
Answered: 133 Skipped: 10



Answer Choices	Responses	
<b>A sole practice with one practising certificate holder</b>	<b>40.60%</b>	54
<b>A sole practice with a principal and employed solicitors</b>	<b>28.57%</b>	38
<b>A partnership with two or more principals</b>	<b>3.76%</b>	5
<b>A partnership with two or more principals and employed solicitors</b>	<b>3.01%</b>	4
<b>An incorporated legal practice (ILP) with one practising certificate holder</b>	<b>9.02%</b>	12
<b>An ILP with a principal and employed solicitors</b>	<b>8.27%</b>	11
<b>An ILP with two or more principals</b>	<b>2.26%</b>	3
<b>An ILP with two or more principals and employed solicitors</b>	<b>2.26%</b>	3
<b>Other (please specify)</b>	<b>2.26%</b>	3
Total	133	

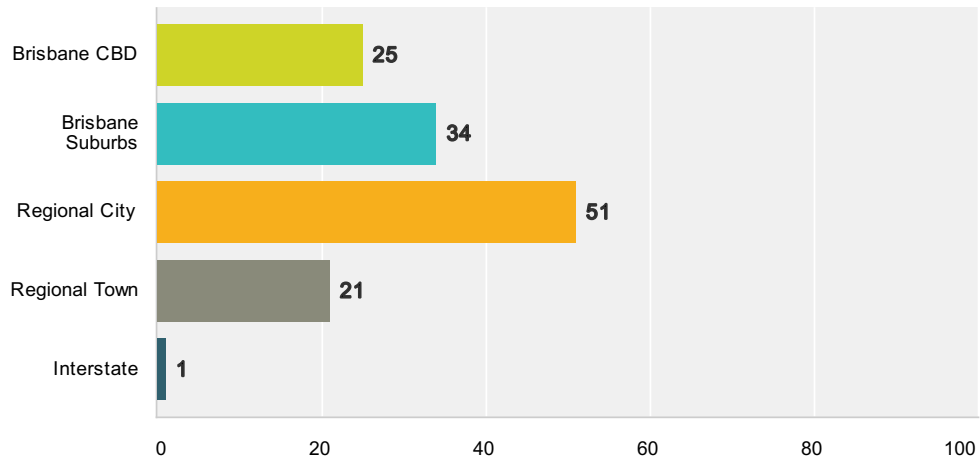
## Q4 What are the main areas of practice for your firm? (Select up to 3)

Answered: 132 Skipped: 11



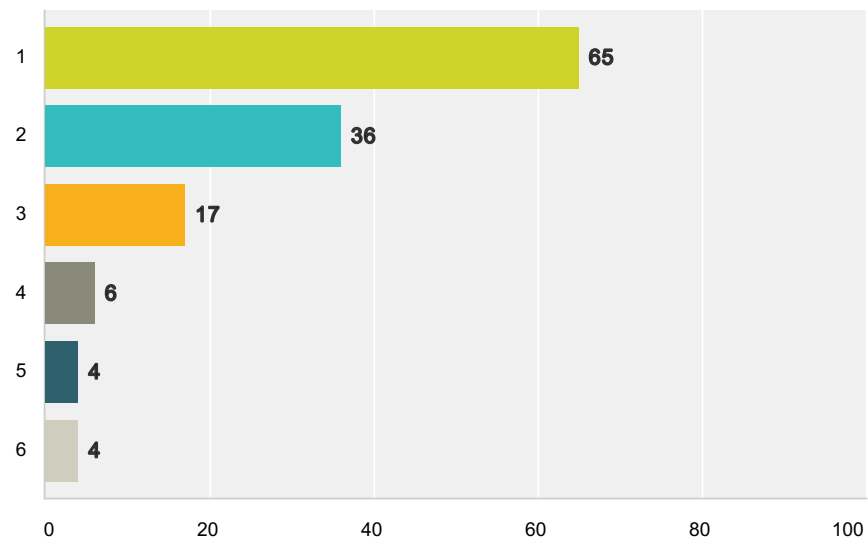
### Q5 Where is your office located?

Answered: 132 Skipped: 11



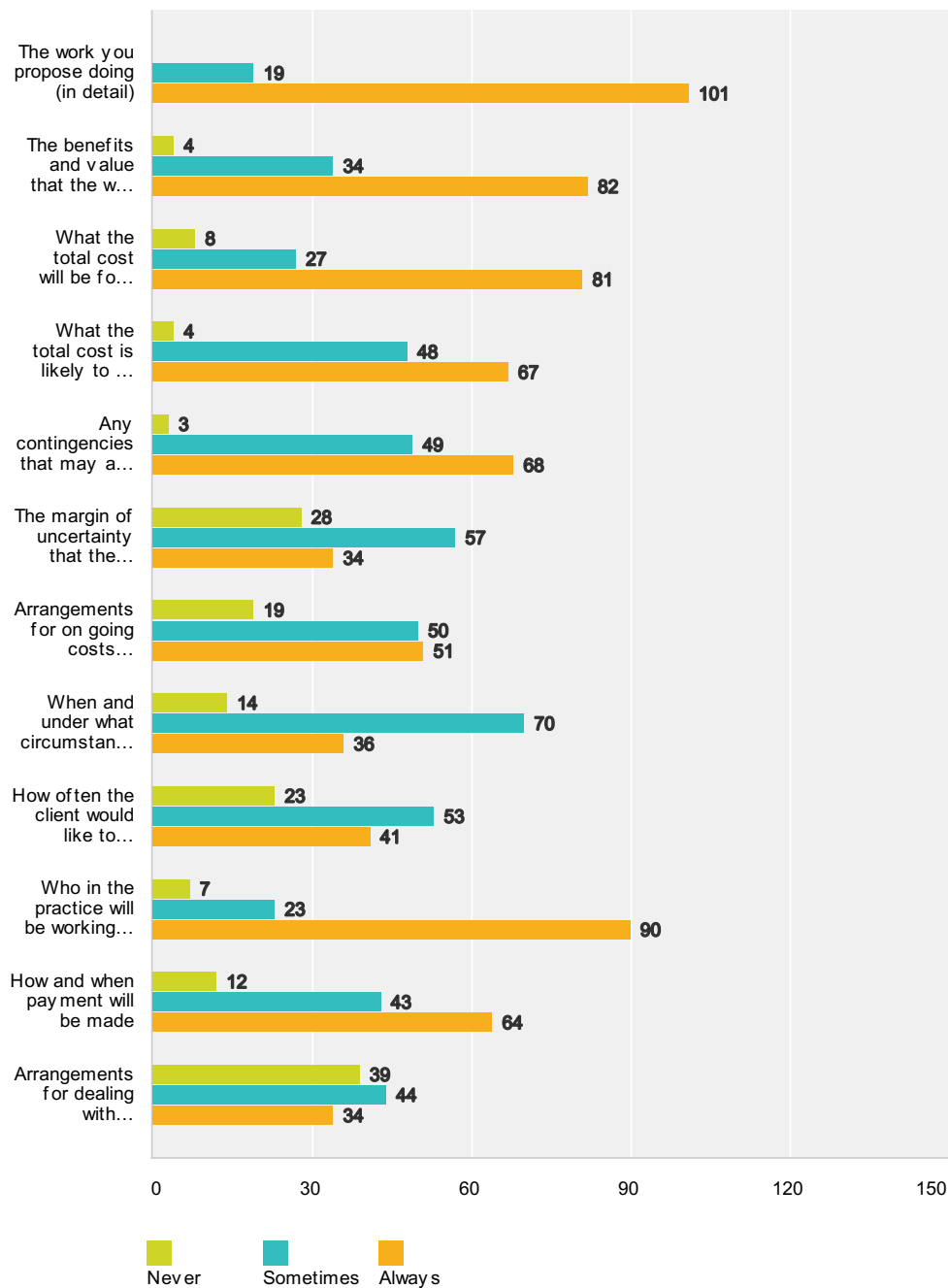
### Q6 How many practising certificate holders are there in your firm?

Answered: 132 Skipped: 11



## Q7 In a typical matter, at the first interview, do you (or does somebody in your firm) talk with the client about

Answered: 120 Skipped: 23



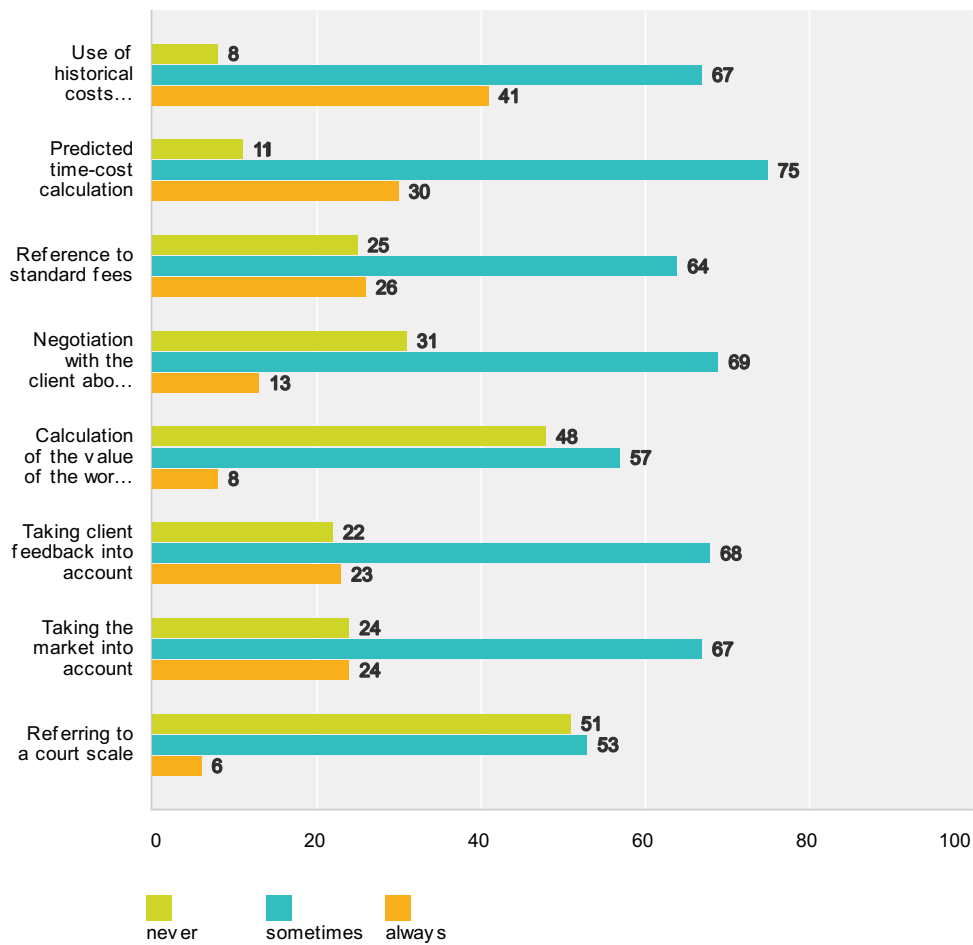
	Never	Sometimes	Always	Total
The work you propose doing (in detail)	0% 0	15.83% 19	84.17% 101	120
The benefits and value that the work you propose doing will deliver to the client	3.33% 4	28.33% 34	68.33% 82	120
What the total cost will be for the client (if fixed fee)	6.90% 8	23.28% 27	69.83% 81	116
What the total cost is likely to be for the client (if not fixed fee)	3.36% 4	40.34% 48	56.30% 67	119
Any contingencies that may add to or subtract from the final bill	2.50% 3	40.83% 49	56.67% 68	120
The margin of uncertainty that the client can tolerate with regard to the final bill	23.53% 28	47.90% 57	28.57% 34	119

# Billing Practices Check for Smaller Law Firms 2013

Arrangements for on going costs disclosure	15.83% 19	41.67% 50	42.50% 51	120
When and under what circumstances you provide costs updates	11.67% 14	58.33% 70	30% 36	120
How often the client would like to receive bills	19.66% 23	45.30% 53	35.04% 41	117
Who in the practice will be working on the matter and their charge out rates if applicable	5.83% 7	19.17% 23	75% 90	120
How and when payment will be made	10.08% 12	36.13% 43	53.78% 64	119
Arrangements for dealing with complaints	33.33% 39	37.61% 44	29.06% 34	117

## Q8 How does your firm estimate what the costs will be for a client?

Answered: 119 Skipped: 24

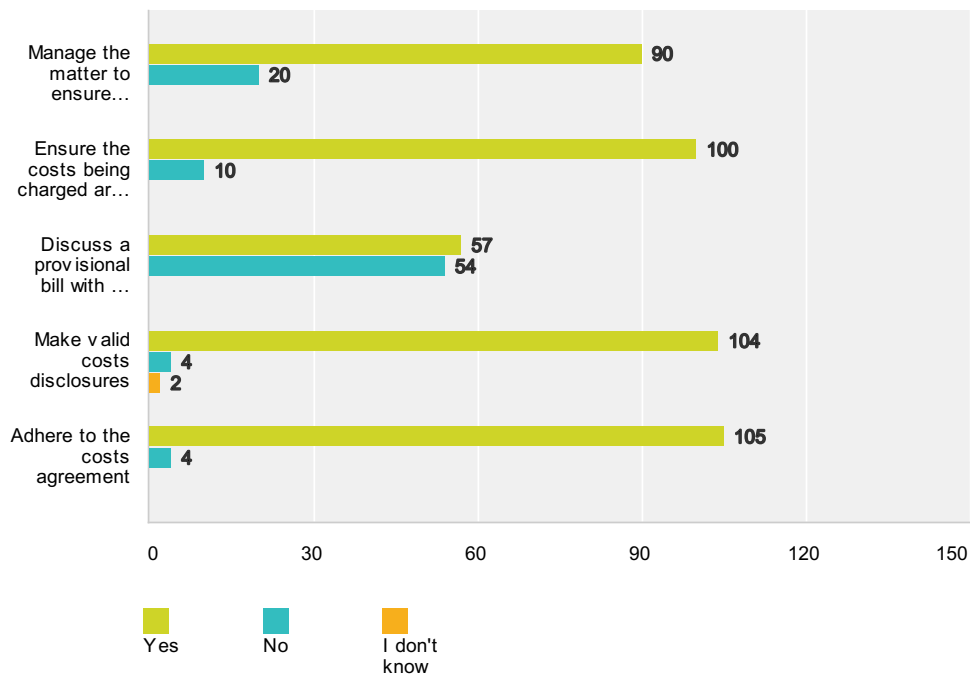


	never	sometimes	always	Total
Use of historical costs information	6.90% 8	57.76% 67	35.34% 41	116
Predicted time-cost calculation	9.48% 11	64.66% 75	25.86% 30	116
Reference to standard fees	21.74% 25	55.65% 64	22.61% 26	115
Negotiation with the client about the value of the work and the cost	27.43% 31	61.06% 69	11.50% 13	113
Calculation of the value of the work to the client	42.48% 48	50.44% 57	7.08% 8	113
Taking client feedback into account	19.47% 22	60.18% 68	20.35% 23	113
Taking the market into account	20.87% 24	58.26% 67	20.87% 24	115
Referring to a court scale	46.36% 51	48.18% 53	5.45% 6	110



### Q9 Does your firm have a policy or procedure in place to

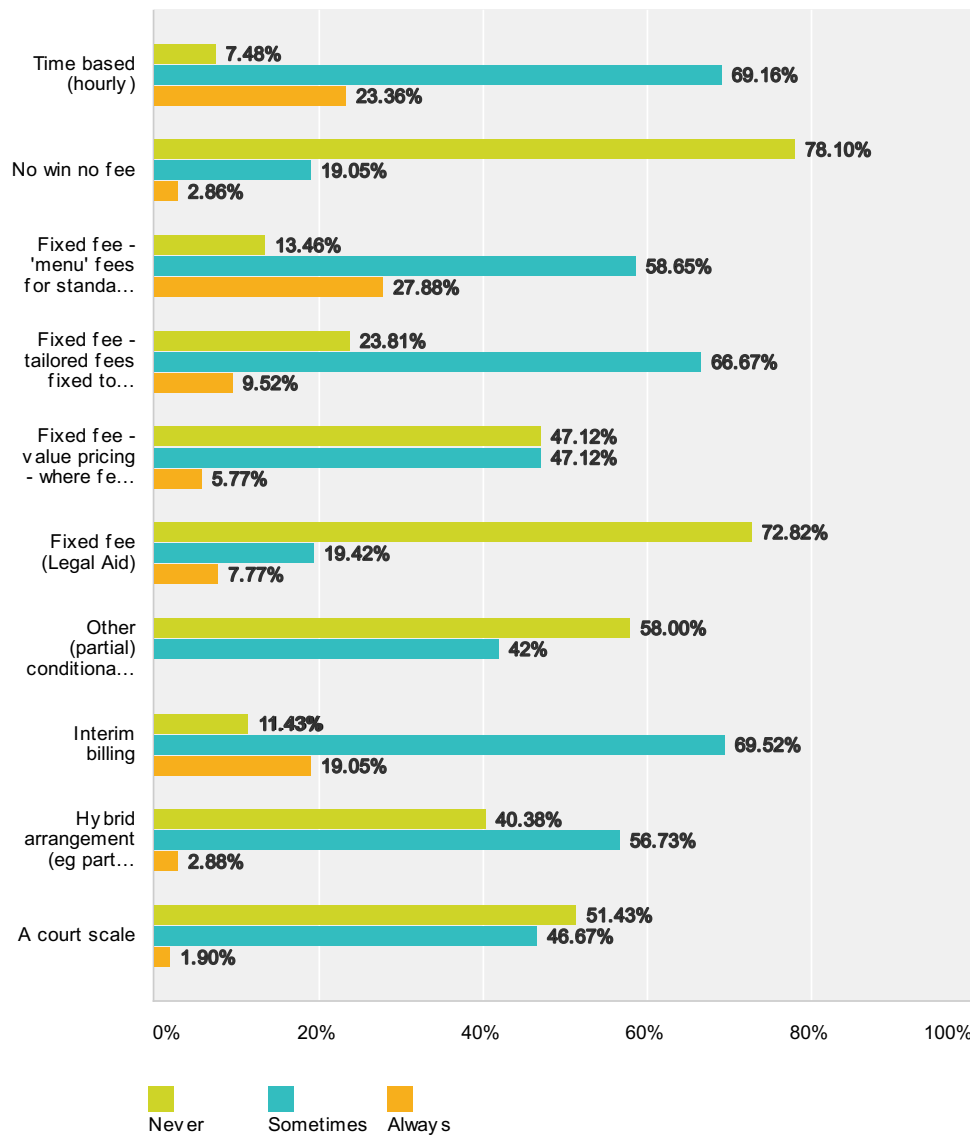
Answered: 111 Skipped: 32



	Yes	No	I don't know	Total
Manage the matter to ensure consistency with the original estimate(s)	81.82% 90	18.18% 20	0% 0	110
Ensure the costs being charged are consistent with the practice's own internal costs/billing policies	90.91% 100	9.09% 10	0% 0	110
Discuss a provisional bill with the client	51.35% 57	48.65% 54	0% 0	111
Make valid costs disclosures	94.55% 104	3.64% 4	1.82% 2	110
Adhere to the costs agreement	96.33% 105	3.67% 4	0% 0	109

## Q10 Does your firm use any of the following billing methods ?

Answered: 110 Skipped: 33



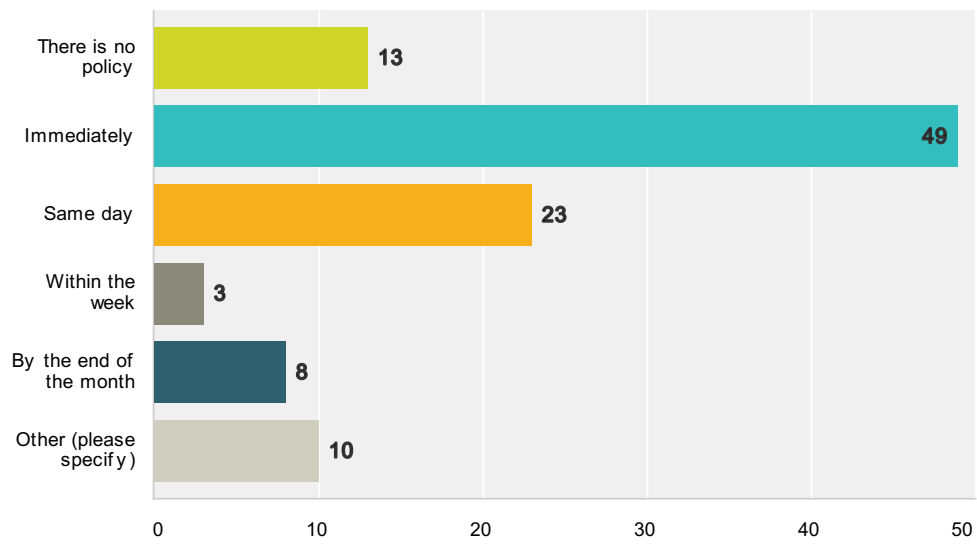
	Never	Sometimes	Always	Total
Time based (hourly)	7.48% 8	69.16% 74	23.36% 25	107
No win no fee	78.10% 82	19.05% 20	2.86% 3	105
Fixed fee - 'menu' fees for standard tasks and instructions (conveyance, wills, EPAs)	13.46% 14	58.65% 61	27.88% 29	104
Fixed fee - tailored fees fixed to specific client needs, following client interview, with reference to internal costs	23.81% 25	66.67% 70	9.52% 10	105
Fixed fee - value pricing - where fees are fixed with greater reference to agreed client value than to internal costs	47.12% 49	47.12% 49	5.77% 6	104
Fixed fee (Legal Aid)	72.82% 75	19.42% 20	7.77% 8	103
Other (partial) conditional fee arrangements	58.00% 58	42% 42	0% 0	100
Interim billing	11.43% 12	69.52% 73	19.05% 20	105
Hybrid arrangement (eg part fixed/part time-costing)	40.38% 42	56.73% 59	2.88% 3	104

## Billing Practices Check for Smaller Law Firms 2013

A court scale	51.43% 54	46.67% 49	1.90% 2	105
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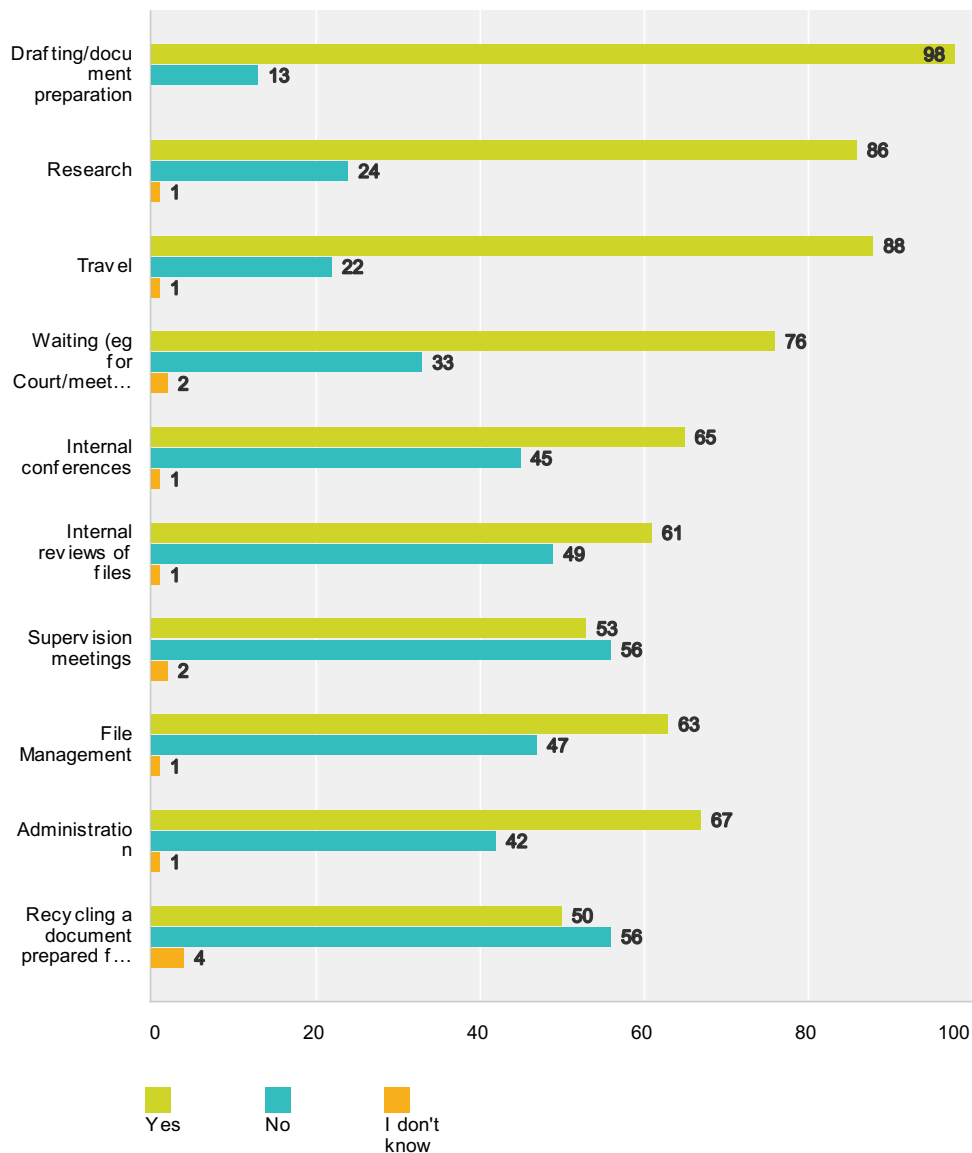
**Q11 Where time billing is utilised in relation to hours worked, what is your firm's policy/guideline as to when times should be entered onto a timesheet? (pick one only)**

Answered: 106 Skipped: 37



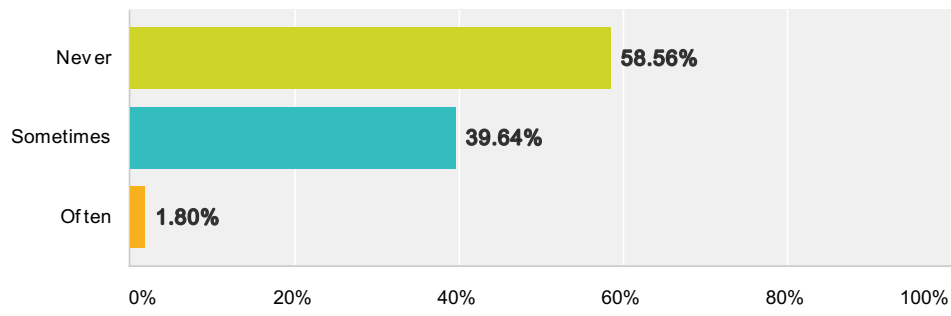
## Q12 Does your firm have billing policies and/or procedures in respect of when it is appropriate to bill for any of the following?

Answered: 111 Skipped: 32



### Q13 Does your firm bill for care and consideration?

Answered: 111 Skipped: 32



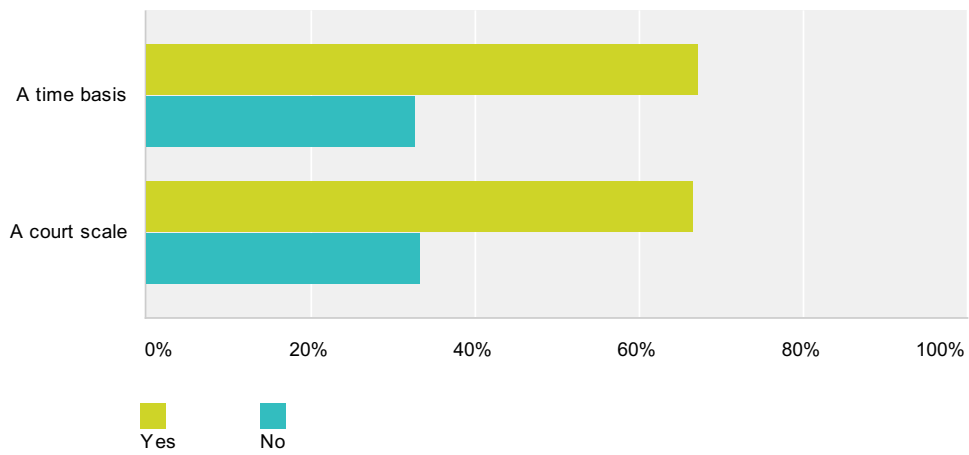
Answer Choices	Responses	
<b>Never</b>	<b>58.56%</b>	65
<b>Sometimes</b>	<b>39.64%</b>	44
<b>Often</b>	<b>1.80%</b>	2
<b>Total</b>		<b>111</b>

**Q14 Under what circumstances do you believe you are entitled to claim care and consideration?**

Answered: 65 Skipped: 78

**Q15 If you do bill for care and consideration, is it appropriate to charge care and consideration when the bill is drawn up on**

Answered: 61 Skipped: 82

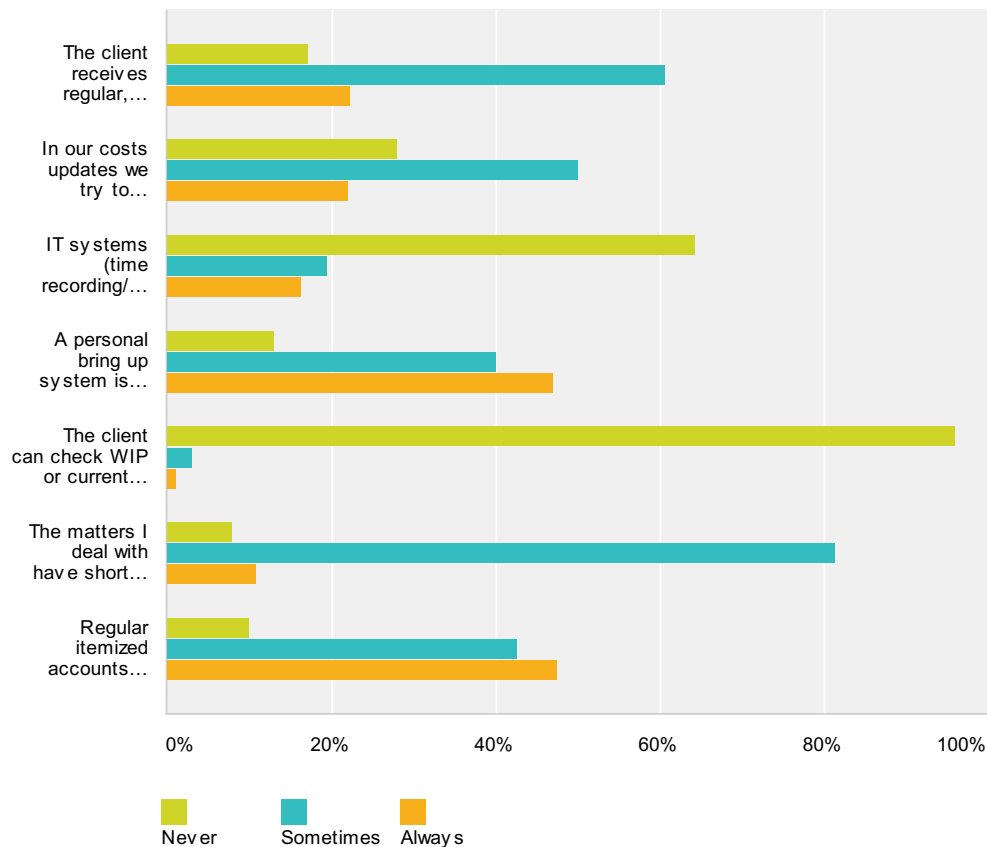


	Yes	No	Total
A time basis	67.24% 39	32.76% 19	58
A court scale	66.67% 36	33.33% 18	54



## Q16 What is typically done in your firm regarding costs updates?

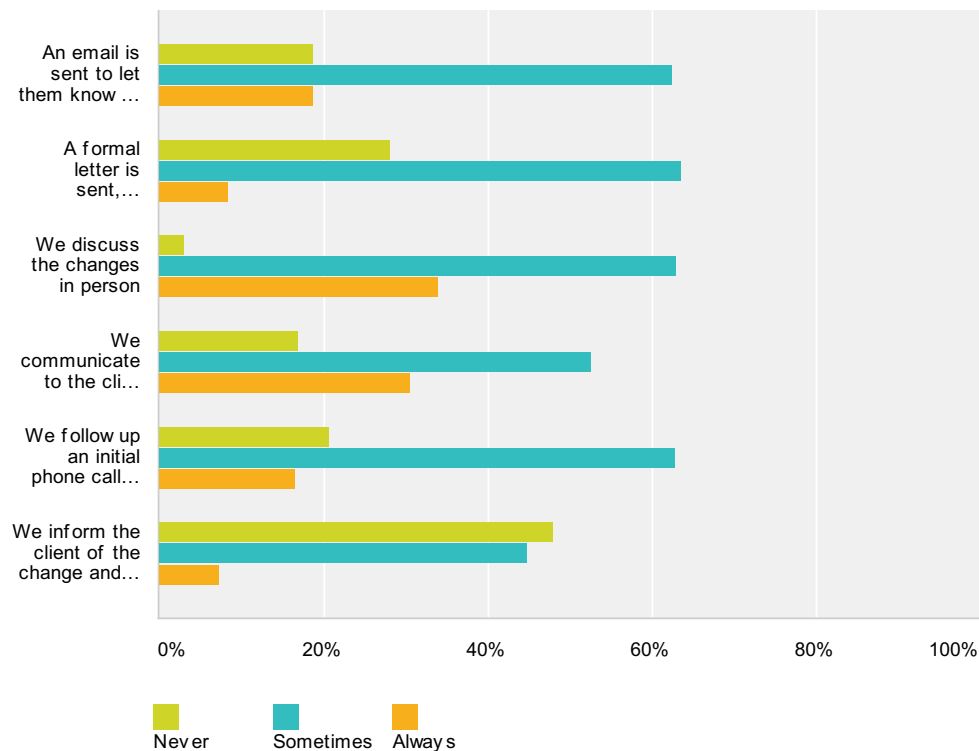
Answered: 105 Skipped: 38



	Never	Sometimes	Always	Total
The client receives regular, scheduled bills that include the charges to date, and estimated charges remaining	17.17% 17	60.61% 60	22.22% 22	99
In our costs updates we try to communicate the benefit of the work to the client, and value for money	28.00% 28	50% 50	22% 22	100
IT systems (time recording/accounts) to prompt when milestones are met in terms of accrued WIP	64.29% 63	19.39% 19	16.33% 16	98
A personal bring up system is used	13% 13	40% 40	47% 47	100
The client can check WIP or current costs on-line	95.96% 95	3.03% 3	1.01% 1	99
The matters I deal with have short time frames only	7.84% 8	81.37% 83	10.78% 11	102
Regular itemized accounts unless inappropriate eg for a routine conveyance	9.90% 10	42.57% 43	47.52% 48	101

### Q17 What is typically done in your firm if it seems a client's bill will be different to the original estimate for dealing with their matter?

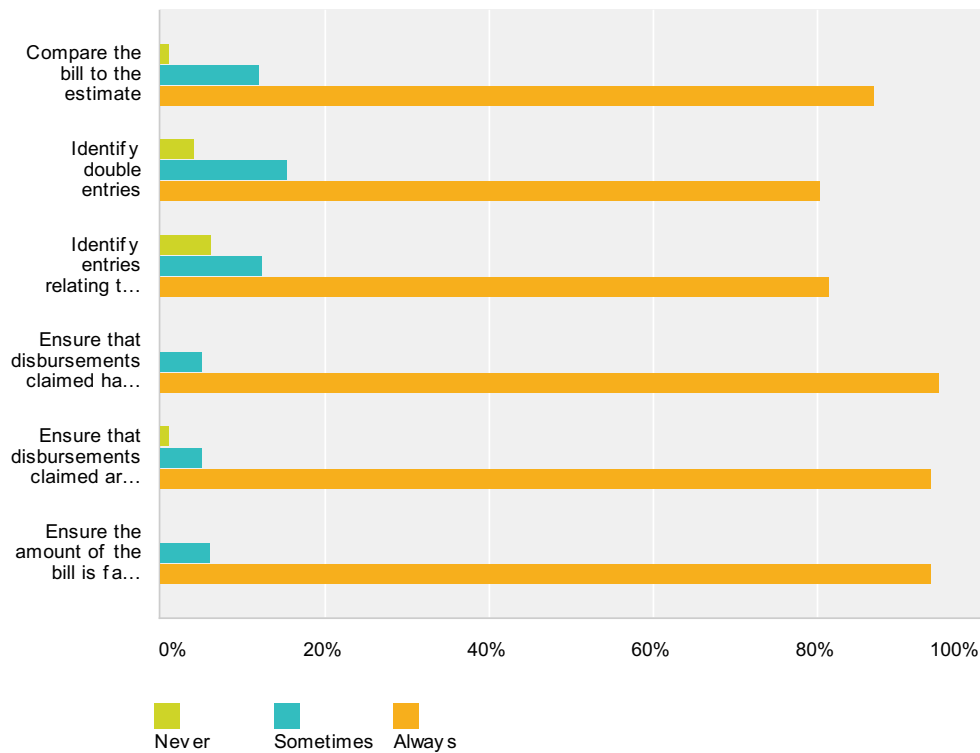
Answered: 102 Skipped: 41



	Never	Sometimes	Always	Total
<b>An email is sent to let them know of the changes, seeking their consent by reply email</b>	<b>18.75%</b> 18	<b>62.50%</b> 60	<b>18.75%</b> 18	96
<b>A formal letter is sent, requesting a response</b>	<b>28.13%</b> 27	<b>63.54%</b> 61	<b>8.33%</b> 8	96
<b>We discuss the changes in person</b>	<b>3%</b> 3	<b>63%</b> 63	<b>34%</b> 34	100
<b>We communicate to the client how the work benefits them, and the value for money that they receive</b>	<b>16.84%</b> 16	<b>52.63%</b> 50	<b>30.53%</b> 29	95
<b>We follow up an initial phone call with a letter that requires a response</b>	<b>20.62%</b> 20	<b>62.89%</b> 61	<b>16.49%</b> 16	97
<b>We inform the client of the change and assume they consent if they do not respond</b>	<b>47.92%</b> 46	<b>44.79%</b> 43	<b>7.29%</b> 7	96

### Q18 Does your firm review a client's bill before sending to

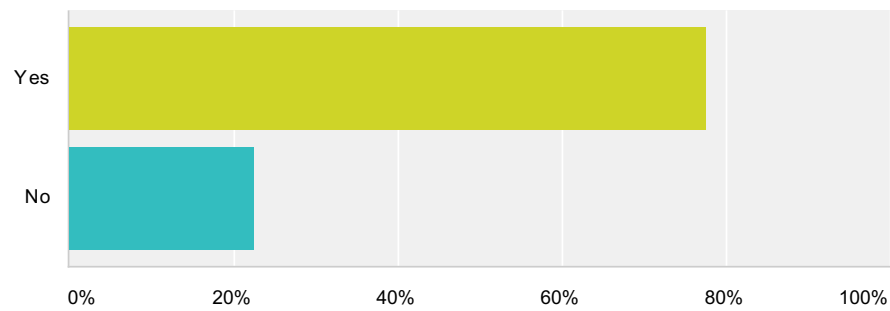
Answered: 101 Skipped: 42



	Never	Sometimes	Always	Total
Compare the bill to the estimate	1% 1	12% 12	87% 87	100
Identify double entries	4.12% 4	15.46% 15	80.41% 78	97
Identify entries relating to other matters (eg time misallocated to the wrong matter)	6.19% 6	12.37% 12	81.44% 79	97
Ensure that disbursements claimed have been reasonably incurred	0% 0	5.10% 5	94.90% 93	98
Ensure that disbursements claimed are reasonable in amount	1.01% 1	5.05% 5	93.94% 93	99
Ensure the amount of the bill is fair and reasonable and not excessive	0% 0	6.06% 6	93.94% 93	99

**Q19 Does your firm measure estimate accuracy? (eg by comparing initial estimates to the actual bill)**

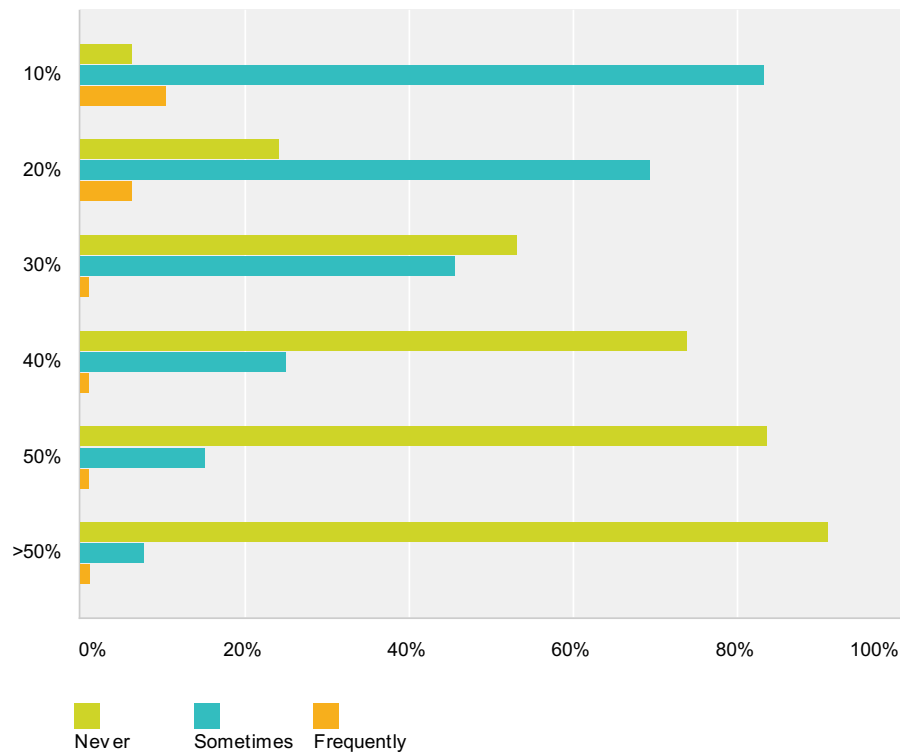
Answered: 98 Skipped: 45



Answer Choices	Responses	
<b>Yes</b>	<b>77.55%</b>	76
<b>No</b>	<b>22.45%</b>	22
Total		98

## Q20 How often does the final bill to the client exceed the estimate by

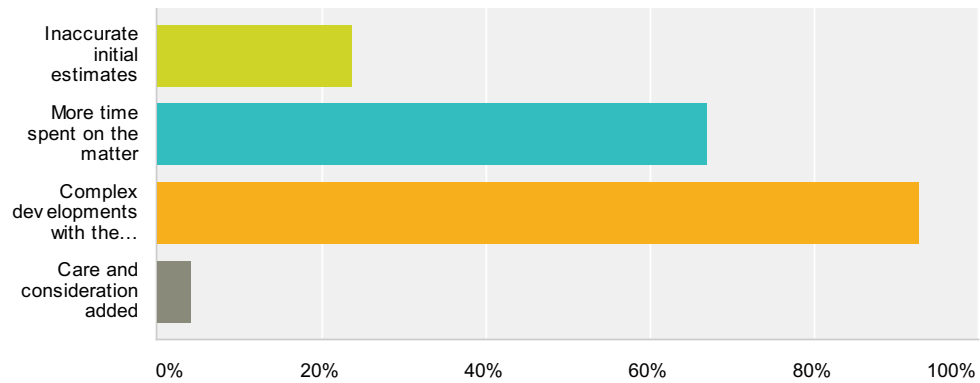
Answered: 97 Skipped: 46



	Never	Sometimes	Frequently	Total
10%	6.25% 6	83.33% 80	10.42% 10	96
20%	24.21% 23	69.47% 66	6.32% 6	95
30%	53.26% 49	45.65% 42	1.09% 1	92
40%	73.91% 68	25% 23	1.09% 1	92
50%	83.70% 77	15.22% 14	1.09% 1	92
>50%	91.11% 82	7.78% 7	1.11% 1	90

**Q21 What is the most common reason for the bill to exceed the estimate? (Tick all that apply and/or add any other reasons in the comment box)**

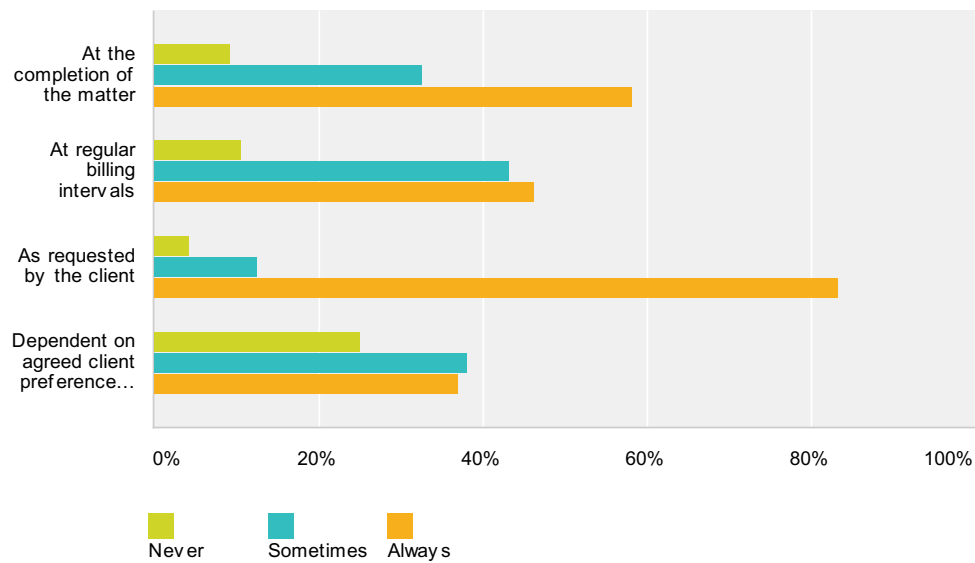
Answered: 97 Skipped: 46



Answer Choices	Responses	
Inaccurate initial estimates	23.71%	23
More time spent on the matter	67.01%	65
Complex developments with the matter	92.78%	90
Care and consideration added	4.12%	4
Total Respondents: 97		

**Q22 Does your firm provide clients with an itemised bill? ("itemised" in this question broadly means that the bill allows the client to readily see what services are being charged at what fees)**

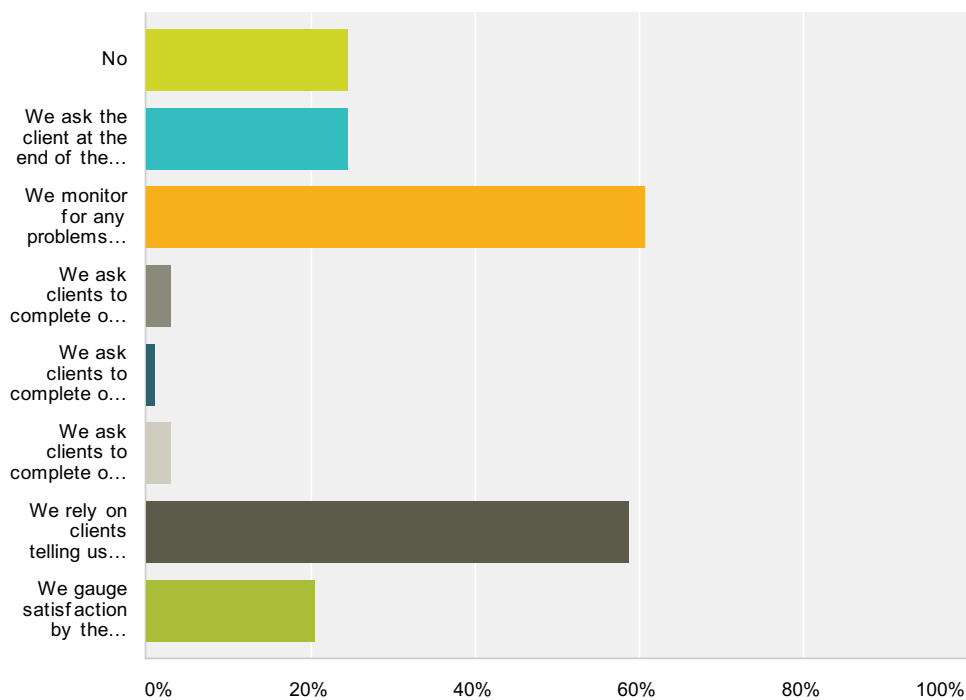
Answered: 102 Skipped: 41



	Never	Sometimes	Always	Total
<b>At the completion of the matter</b>	9.18% 9	32.65% 32	58.16% 57	98
<b>At regular billing intervals</b>	10.53% 10	43.16% 41	46.32% 44	95
<b>As requested by the client</b>	4.17% 4	12.50% 12	83.33% 80	96
<b>Dependent on agreed client preference at the start of the matter</b>	25% 23	38.04% 35	36.96% 34	92

### Q23 Does your firm gauge client satisfaction with costs disclosure and/or billing? (Tick all that apply)

Answered: 102 Skipped: 41

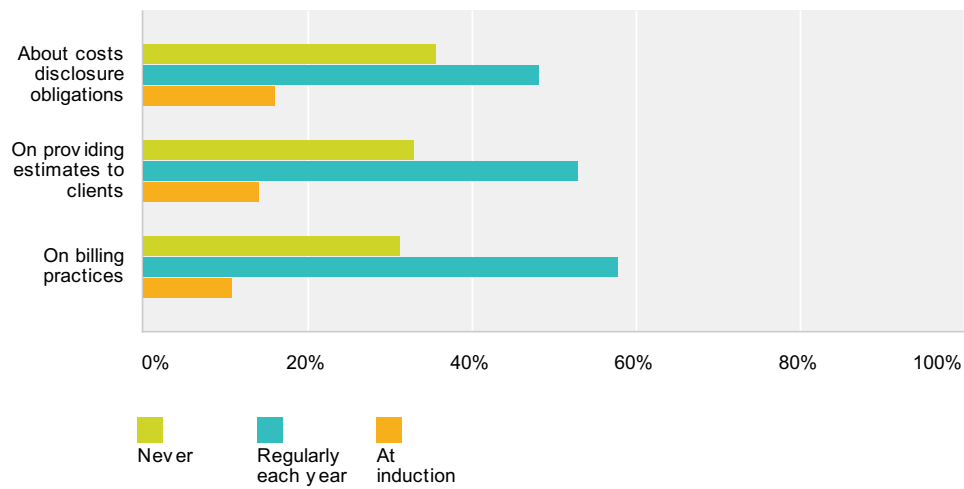


Answer Choices	Responses	
<b>No</b>	<b>24.51%</b>	25
<b>We ask the client at the end of the matter through a meeting or phone call</b>	<b>24.51%</b>	25
<b>We monitor for any problems arising</b>	<b>60.78%</b>	62
<b>We ask clients to complete our client satisfaction survey (on line)</b>	<b>2.94%</b>	3
<b>We ask clients to complete our client satisfaction survey (telephone call)</b>	<b>0.98%</b>	1
<b>We ask clients to complete our client satisfaction survey (by post)</b>	<b>2.94%</b>	3
<b>We rely on clients telling us if they are dissatisfied with costs disclosures or billing</b>	<b>58.82%</b>	60
<b>We gauge satisfaction by the recovery percentage or % of bill amounts that are ultimately recovered</b>	<b>20.59%</b>	21
Total Respondents: 102		



## Q24 How often does your firm offer training (whether internal or external) to all fee earners?

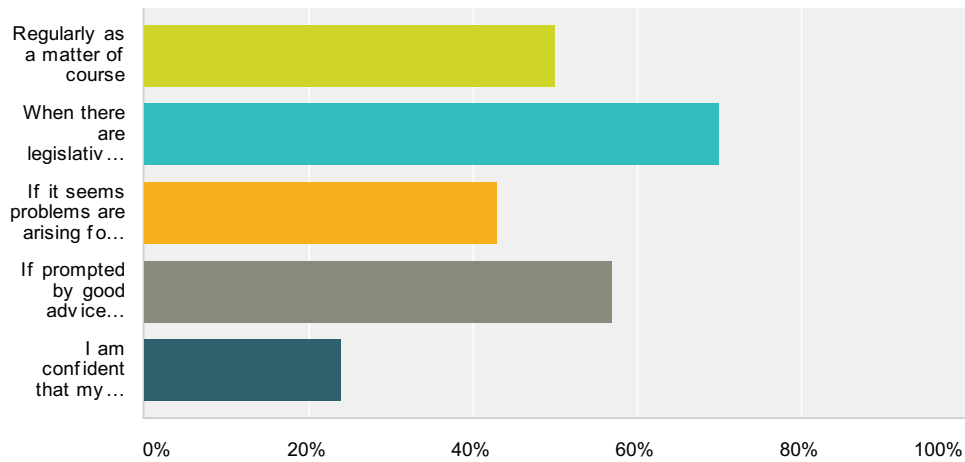
Answered: 87 Skipped: 56



	Never	Regularly each year	At induction	Total
About costs disclosure obligations	35.63% 31	48.28% 42	16.09% 14	87
On providing estimates to clients	32.94% 28	52.94% 45	14.12% 12	85
On billing practices	31.33% 26	57.83% 48	10.84% 9	83

**Q25 Do you review your billing practices to ensure that you comply with your professional obligations? Please tick any that apply**

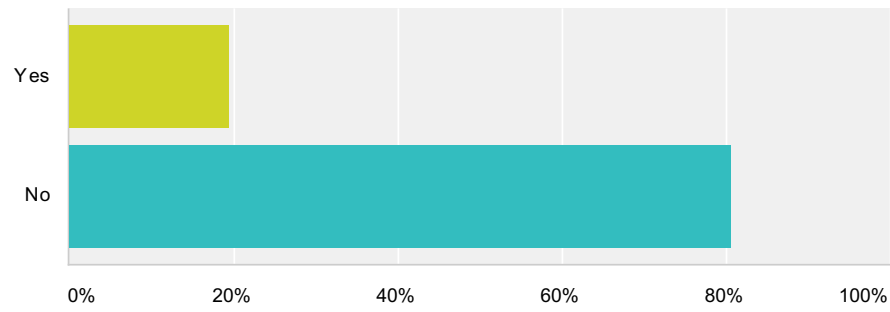
Answered: 100 Skipped: 43



Answer Choices	Responses	
<b>Regularly as a matter of course</b>	<b>50%</b>	50
<b>When there are legislative changes</b>	<b>70%</b>	70
<b>If it seems problems are arising for clients</b>	<b>43%</b>	43
<b>If prompted by good advice received when attending external training</b>	<b>57.00%</b>	57
<b>I am confident that my billing practices always comply with my professional obligations</b>	<b>24%</b>	24
Total Respondents: 100		

### Q26 Have you ever had concerns about the billing practices of other legal practitioners/staff in your firm?

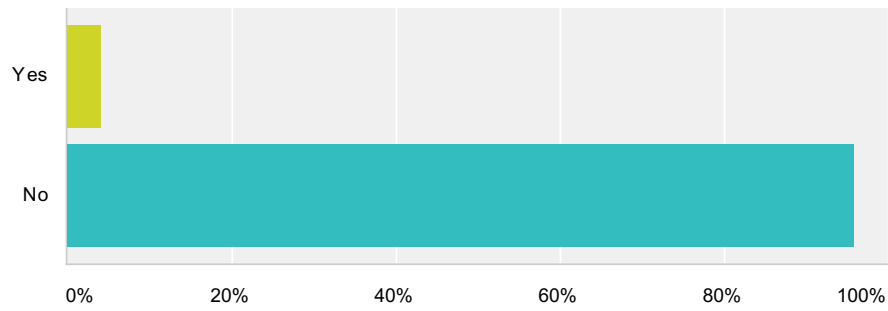
Answered: 98 Skipped: 45



Answer Choices	Responses	
<b>Yes</b>	<b>19.39%</b>	19
<b>No</b>	<b>80.61%</b>	79
Total		98

**Q27 During your employment with the firm,  
have you ever observed any instances of  
"padding" bills for work not actually  
performed?**

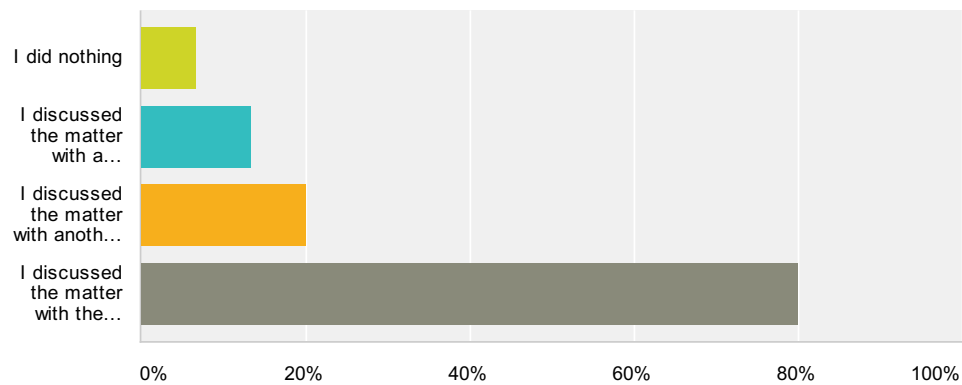
Answered: 98 Skipped: 45



Answer Choices	Responses	
<b>Yes</b>	<b>4.08%</b>	4
<b>No</b>	<b>95.92%</b>	94
Total		98

**Q28 If you answered yes to either or both of the previous questions, how did you handle those concerns? (Tick all that apply)**

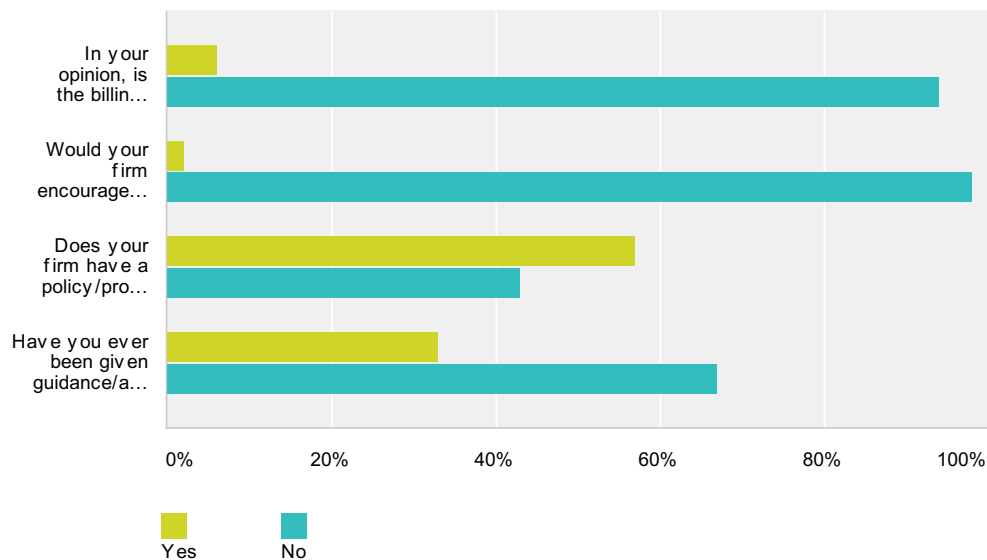
Answered: 15 Skipped: 128



Answer Choices	Responses	
<b>I did nothing</b>	<b>6.67%</b>	<b>1</b>
<b>I discussed the matter with a supervisor or managing partner/legal practitioner director</b>	<b>13.33%</b>	<b>2</b>
<b>I discussed the matter with another legal practitioner</b>	<b>20%</b>	<b>3</b>
<b>I discussed the matter with the legal practitioner whose practices I queried</b>	<b>80%</b>	<b>12</b>
Total Respondents: 15		

**Q29 A client retains a firm on the basis that they will be charged on an hourly rate. The client is given an estimate of work for \$10,000.00. At the conclusion of the matter, the account comes to \$5,000.00 on a time costing basis. The practice charges the client \$9,000.00 as the work performed by the firm was of a high quality and the outcome exceptional.**

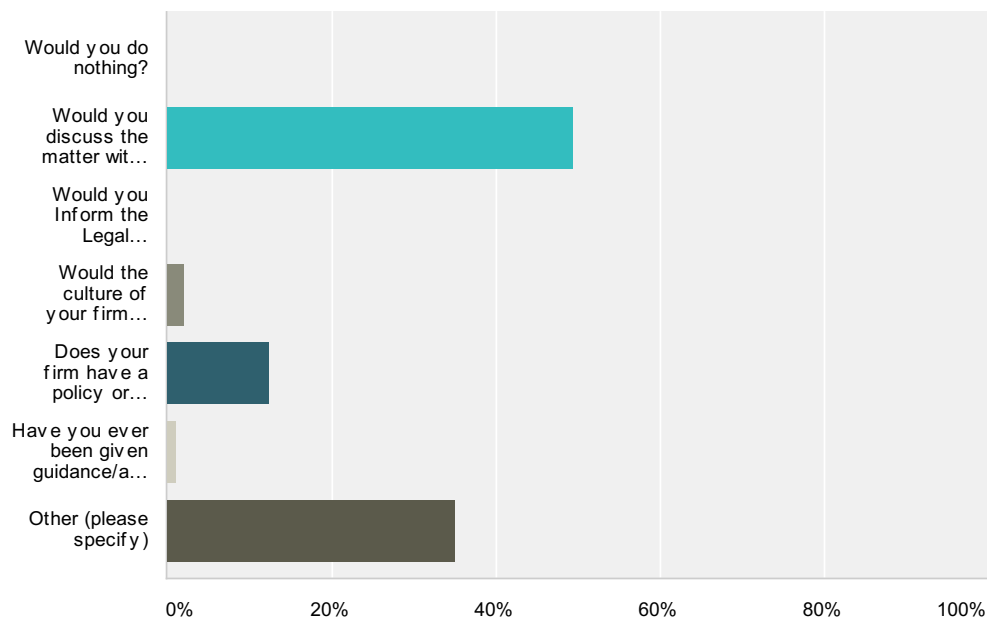
Answered: 101 Skipped: 42



	Yes	No	Total
In your opinion, is the billing practice ethically appropriate?	6% 6	94% 94	100
Would your firm encourage this practice?	1.98% 2	98.02% 99	101
Does your firm have a policy/procedure in relation to this issue?	57.00% 57	43% 43	100
Have you ever been given guidance/advice in relation to the practices described above?	32.99% 32	67.01% 65	97

**Q30 You work in a conveyancing practice where clients agree to pay professional fees plus disbursements. You become aware that your firm commenced a policy of including a surcharge of \$10.00 in all property search disbursements. (eg property search actual costs is \$20.00. The bill would show the disbursement as \$30.00). You think the client should be charged the property search fee without a surcharge.**

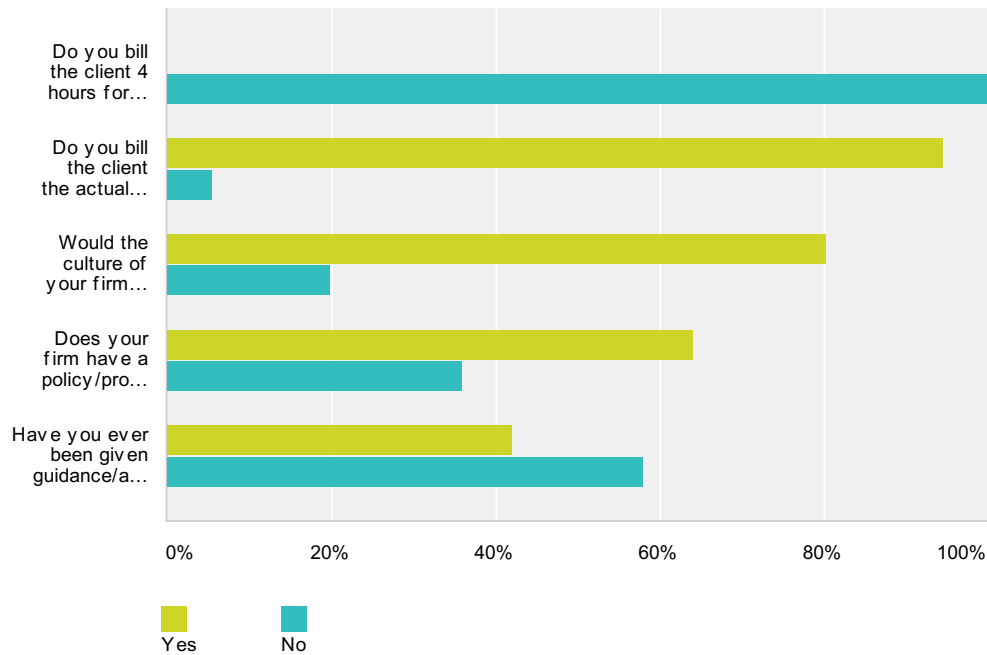
Answered: 97 Skipped: 46



Answer Choices	Responses	
Would you do nothing?	0%	0
Would you discuss the matter with a supervisor or managing partner/legal practitioner director?	49.48%	48
Would you Inform the Legal Services Commission after speaking to management?	0%	0
Would the culture of your firm encourage your choice of action?	2.06%	2
Does your firm have a policy or procedure in relation to this issue?	12.37%	12
Have you ever been given guidance/advice in relation to your choice of action?	1.03%	1
Other (please specify)	35.05%	34
Total	97	

**Q31 You act for a client in litigation and schedule court appearances for three different files on the same day which deal with the same issue (eg they are all applications by your client to strike out three different claims for want of prosecution). You spend a total of four hours at court (including waiting time).**

Answered: 93 Skipped: 50

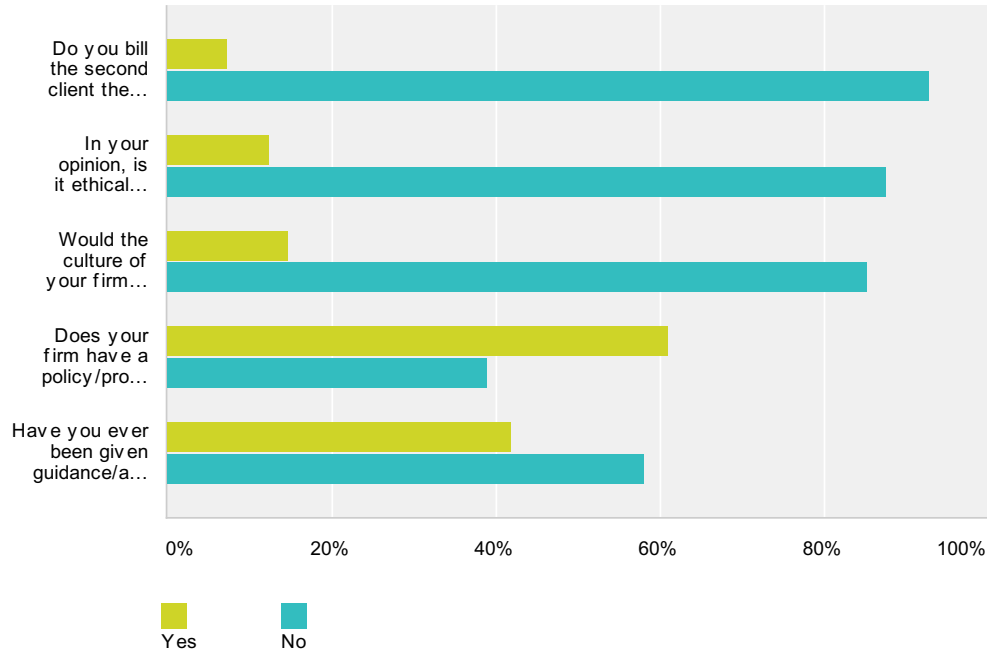


	Yes	No	Total
Do you bill the client 4 hours for each matter?	0% 0	100% 91	91
Do you bill the client the actual time spent on each matter?	94.57% 87	5.43% 5	92
Would the culture of your firm encourage the action you decide to take?	80.23% 69	19.77% 17	86
Does your firm have a policy/procedure in relation to this issue?	64.04% 57	35.96% 32	89
Have you ever been given guidance/advice in relation to the practices described above?	42.05% 37	57.95% 51	88



**Q32 You research an area for one client which takes two hours. A few months later the same issue arises in respect of a second client and as a result of the previous work product, the time to complete the advice for the second client takes only one hour.**

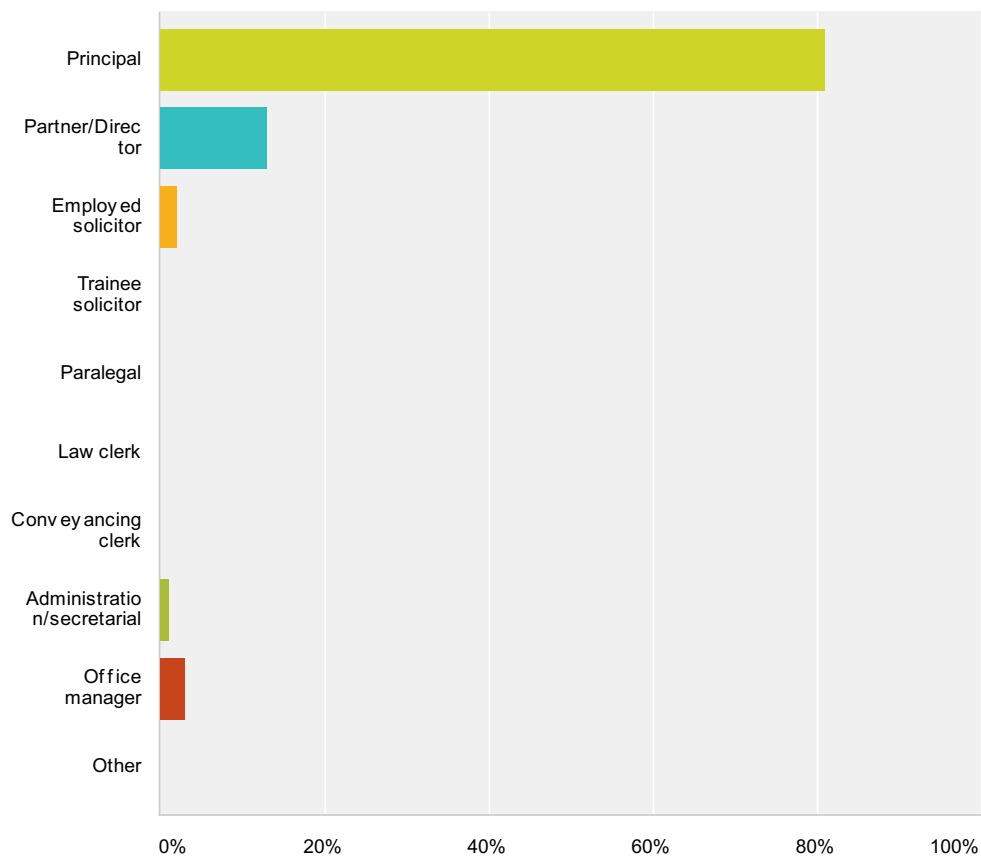
Answered: 98 Skipped: 45



	Yes	No	Total
Do you bill the second client the same as you did for the first client?	7.22% 7	92.78% 90	97
In your opinion, is it ethical to use re-cycled work product which leads a practitioner to billing more than the number of hours actually worked?	12.37% 12	87.63% 85	97
Would the culture of your firm encourage this practice?	14.74% 14	85.26% 81	95
Does your firm have a policy/procedure in relation to this issue?	61.05% 58	38.95% 37	95
Have you ever been given guidance/advice in relation to the practices described above?	41.94% 39	58.06% 54	93

### Q33 Please tick the box below that describes your role in the firm

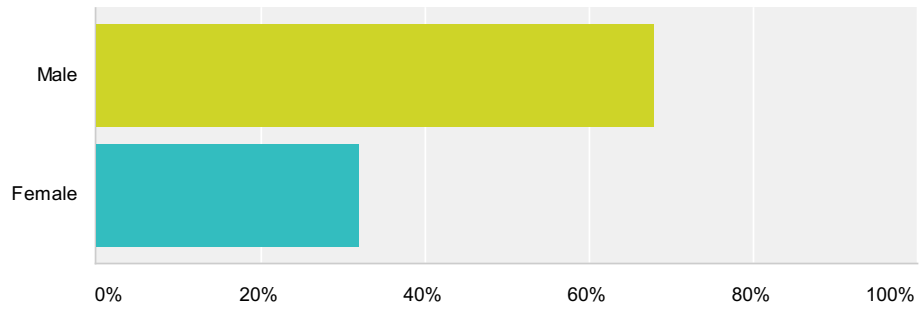
Answered: 100 Skipped: 43



Answer Choices	Responses	
<b>Principal</b>	<b>81%</b>	81
<b>Partner/Director</b>	<b>13%</b>	13
<b>Employed solicitor</b>	<b>2%</b>	2
<b>Trainee solicitor</b>	<b>0%</b>	0
<b>Paralegal</b>	<b>0%</b>	0
<b>Law clerk</b>	<b>0%</b>	0
<b>Conveyancing clerk</b>	<b>0%</b>	0
<b>Administration/secretarial</b>	<b>1%</b>	1
<b>Office manager</b>	<b>3%</b>	3
<b>Other</b>	<b>0%</b>	0
<b>Total</b>		100

**Q34 What is your gender?**

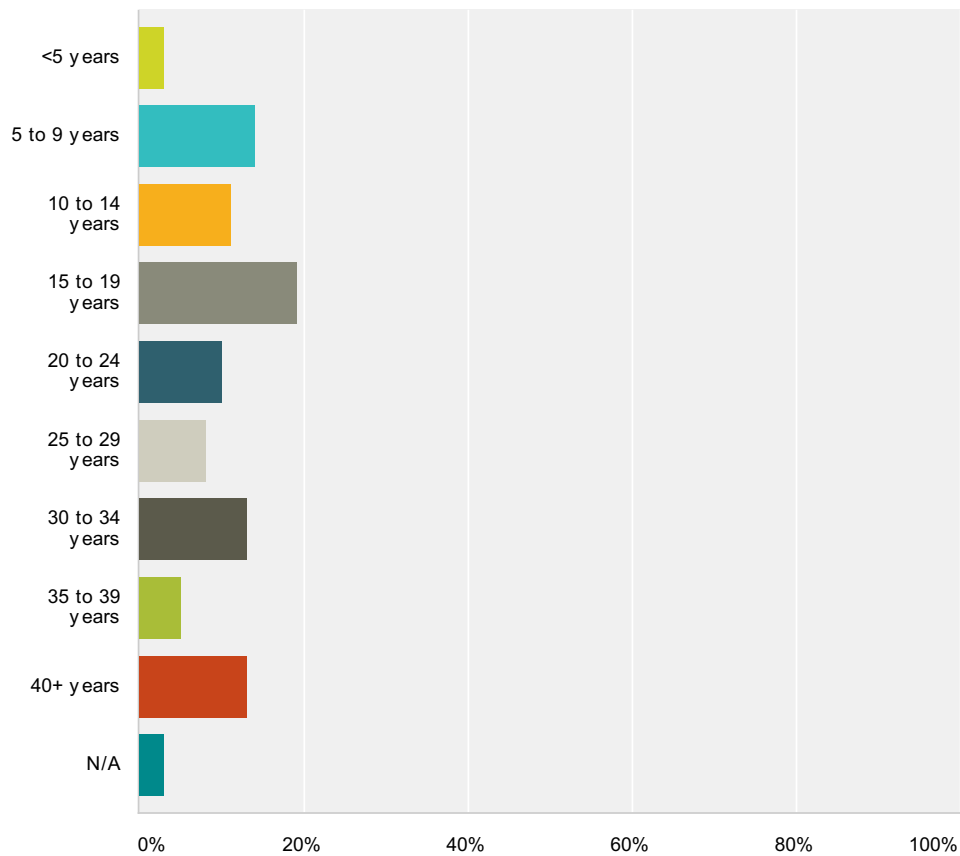
Answered: 100 Skipped: 43



Answer Choices	Responses	
Male	68%	68
Female	32%	32
Total		100

### Q35 If you hold a current practising certificate, for how long have you held it?

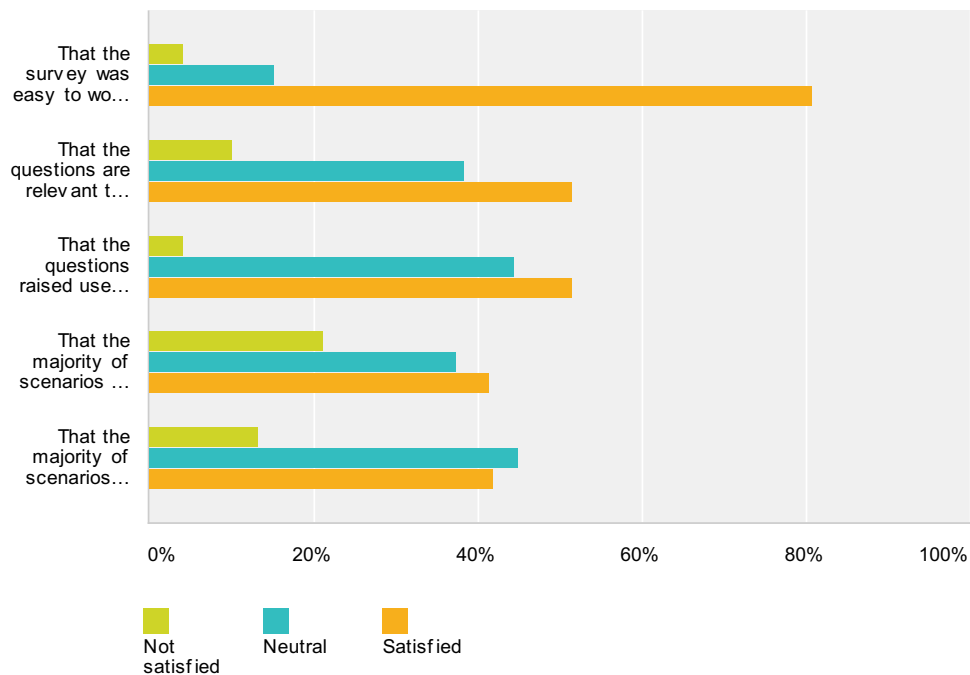
Answered: 99 Skipped: 44



Answer Choices	Responses	
<5 years	3.03%	3
5 to 9 years	14.14%	14
10 to 14 years	11.11%	11
15 to 19 years	19.19%	19
20 to 24 years	10.10%	10
25 to 29 years	8.08%	8
30 to 34 years	13.13%	13
35 to 39 years	5.05%	5
40+ years	13.13%	13
N/A	3.03%	3
Total		99

### Q36 Please give us some feedback on this survey. In your experience of participating in the survey, how satisfied are you

Answered: 99 Skipped: 44



	Not satisfied	Neutral	Satisfied	Total
That the survey was easy to work through	4.04% 4	15.15% 15	80.81% 80	99
That the questions are relevant to your firm	10.10% 10	38.38% 38	51.52% 51	99
That the questions raised useful issues for your firm	4.04% 4	44.44% 44	51.52% 51	99
That the majority of scenarios are relevant to your firm	21.21% 21	37.37% 37	41.41% 41	99
That the majority of scenarios raised useful issues for your firm	13.27% 13	44.90% 44	41.84% 41	98