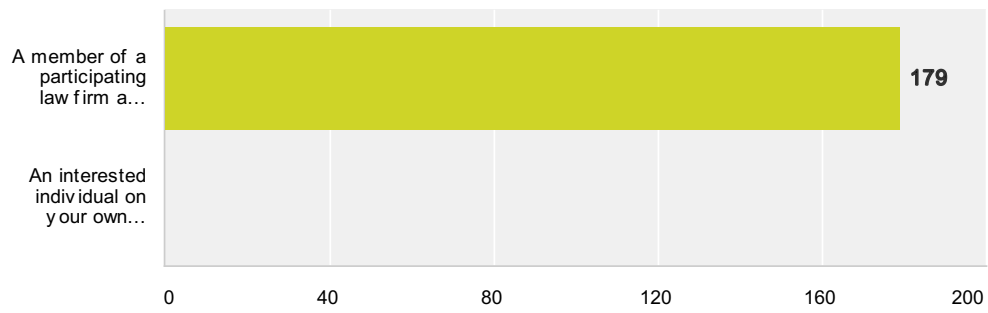


### Q1 Are you doing this survey as (please tick)

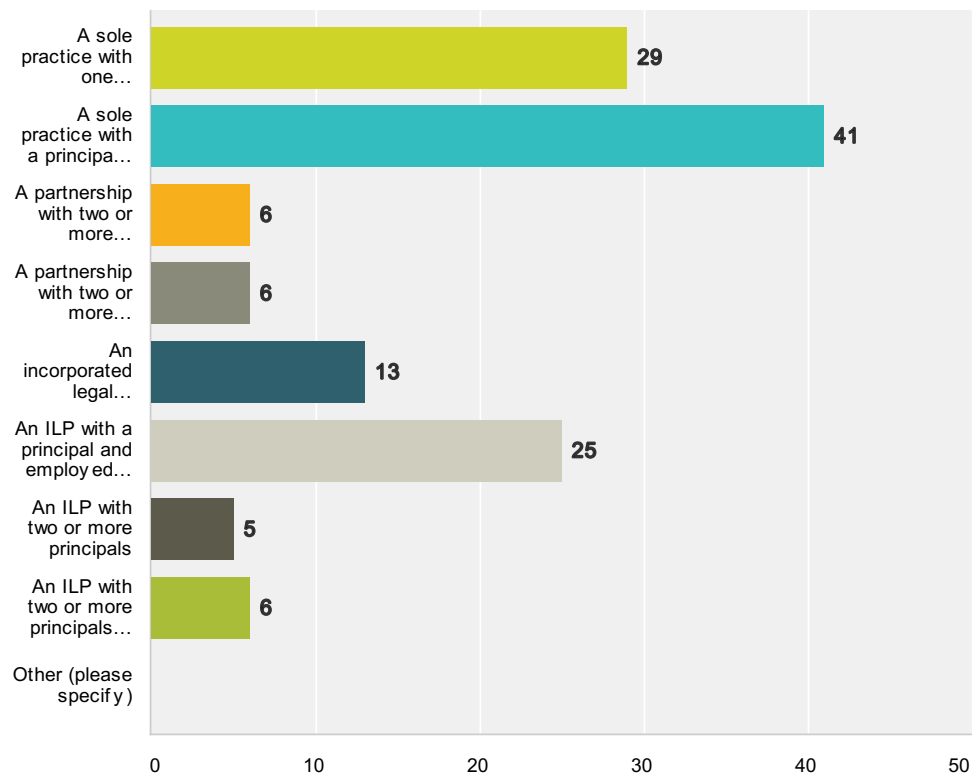
Answered: 179 Skipped: 0



Answer Choices	Responses	
<b>A member of a participating law firm at your firm's request?</b>	<b>100%</b>	179
<b>An interested individual on your own initiative?</b>	<b>0%</b>	0
Total		179

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

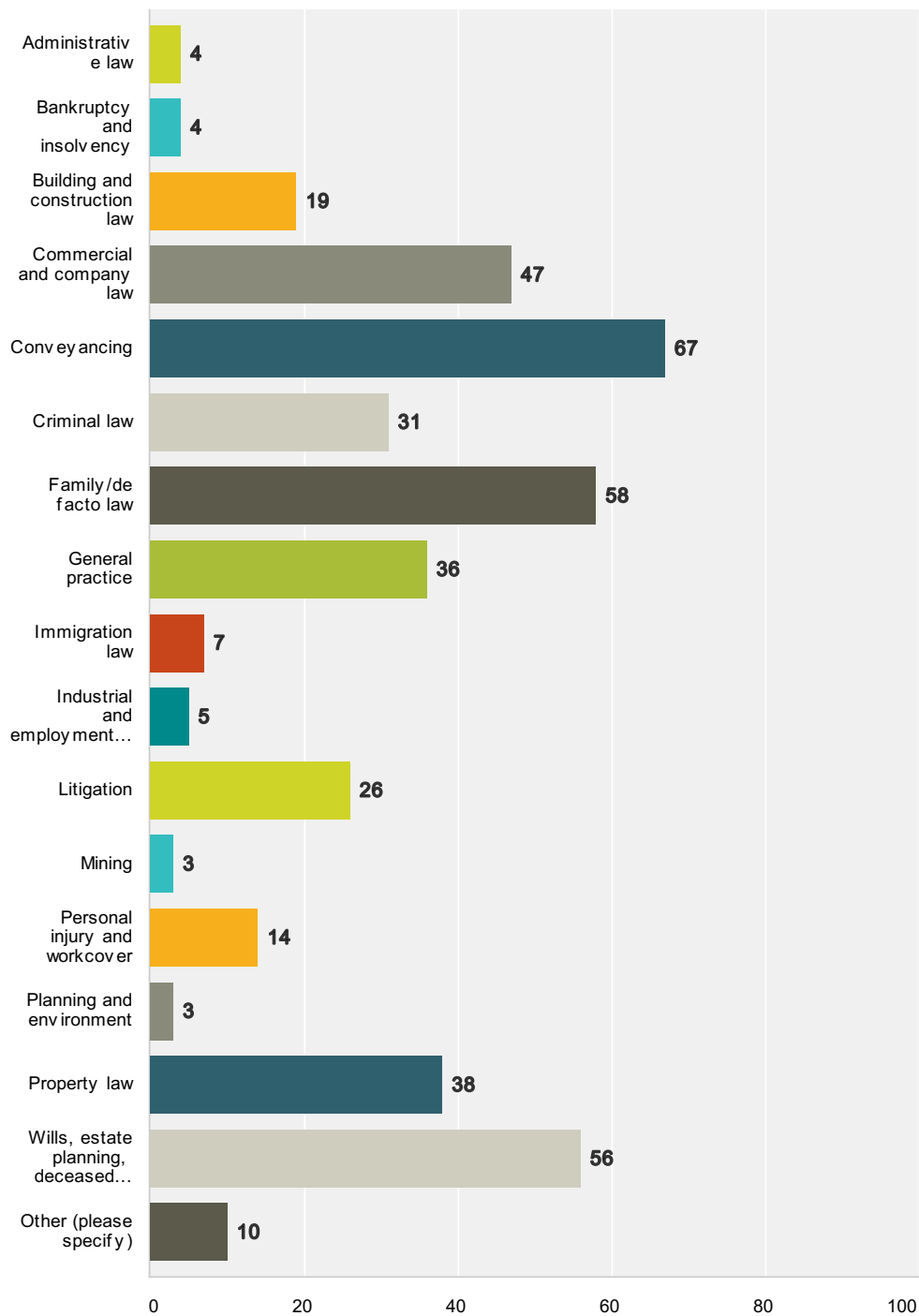
Answered: 131 Skipped: 48



Answer Choices	Responses	
<b>A sole practice with one practising certificate holder</b>	<b>22.14%</b>	29
<b>A sole practice with a principal and employed solicitors</b>	<b>31.30%</b>	41
<b>A partnership with two or more principals</b>	<b>4.58%</b>	6
<b>A partnership with two or more principals and employed solicitors</b>	<b>4.58%</b>	6
<b>An incorporated legal practice (ILP) with one practising certificate holder</b>	<b>9.92%</b>	13
<b>An ILP with a principal and employed solicitors</b>	<b>19.08%</b>	25
<b>An ILP with two or more principals</b>	<b>3.82%</b>	5
<b>An ILP with two or more principals and employed solicitors</b>	<b>4.58%</b>	6
<b>Other (please specify)</b>	<b>0%</b>	0
<b>Total</b>		<b>131</b>

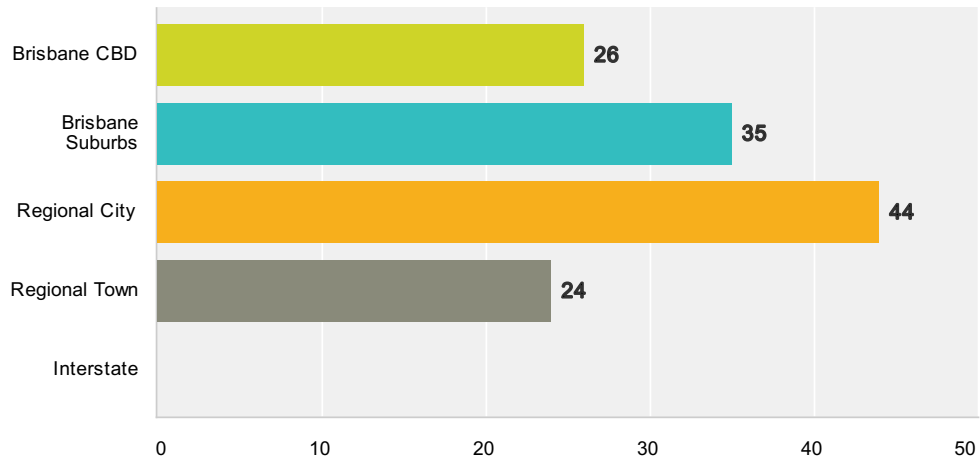
### Q4 What are the main areas of practice for your firm? (Select up to 3)

Answered: 130 Skipped: 49



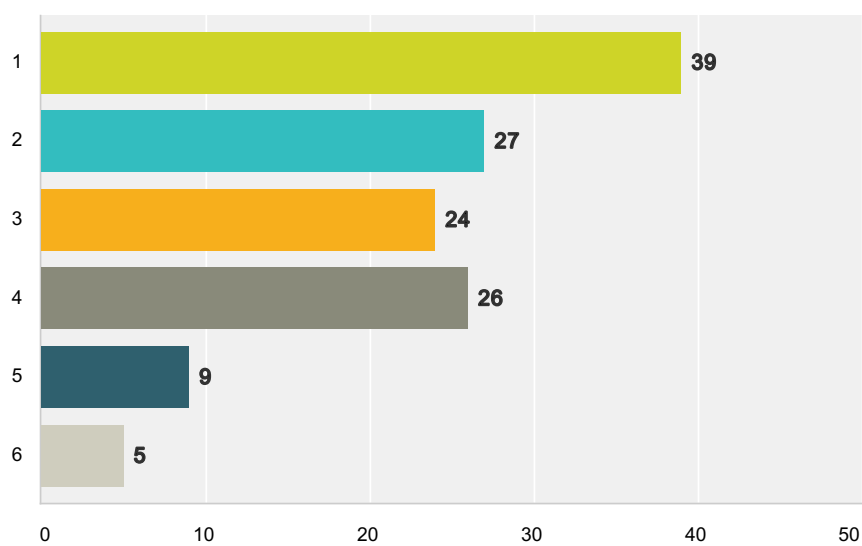
### Q5 Where is your office located?

Answered: 129 Skipped: 50



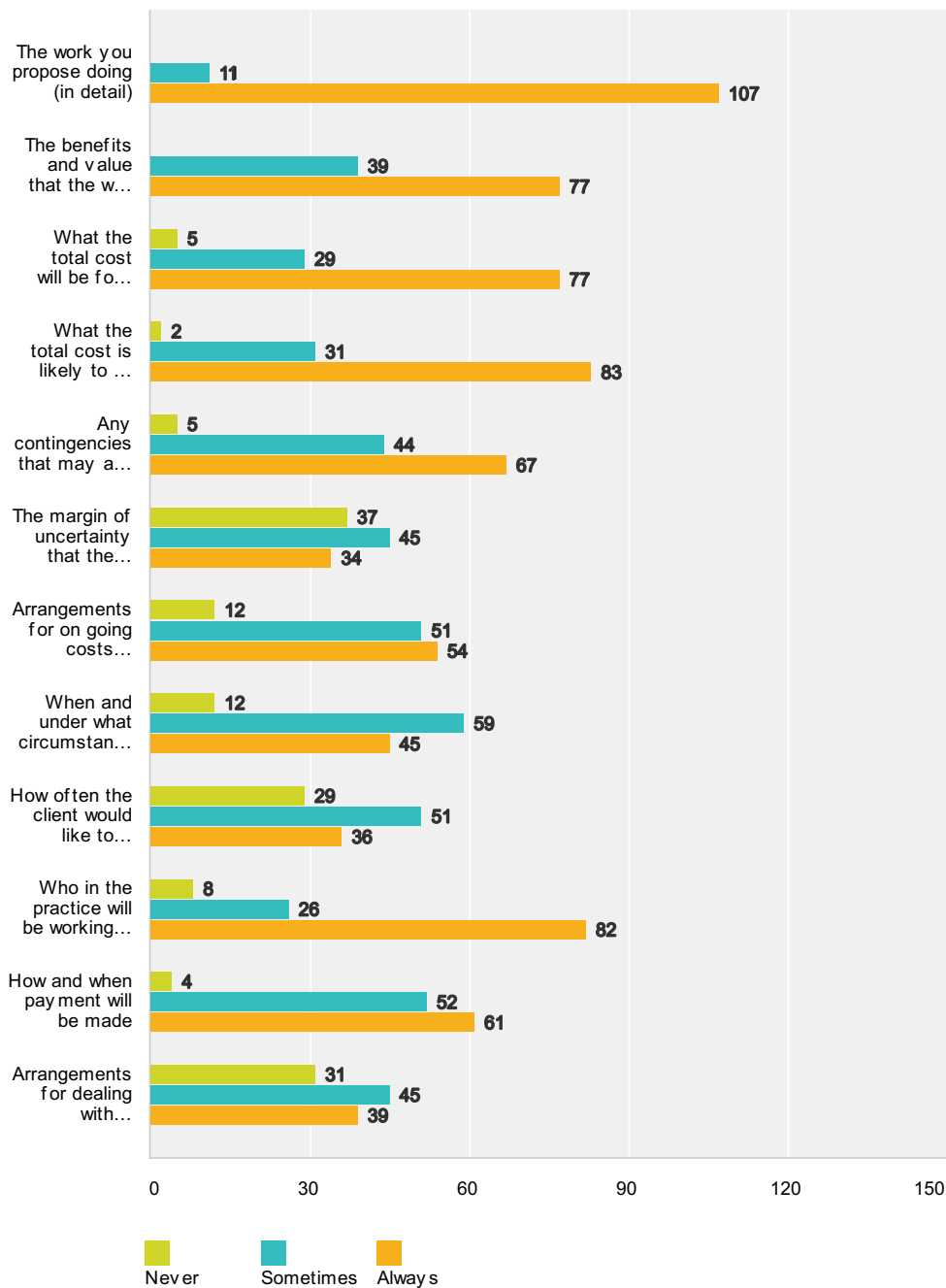
**Q6 How many practising certificate holders are there in your firm?**

Answered: 130 Skipped: 49



## 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: 59



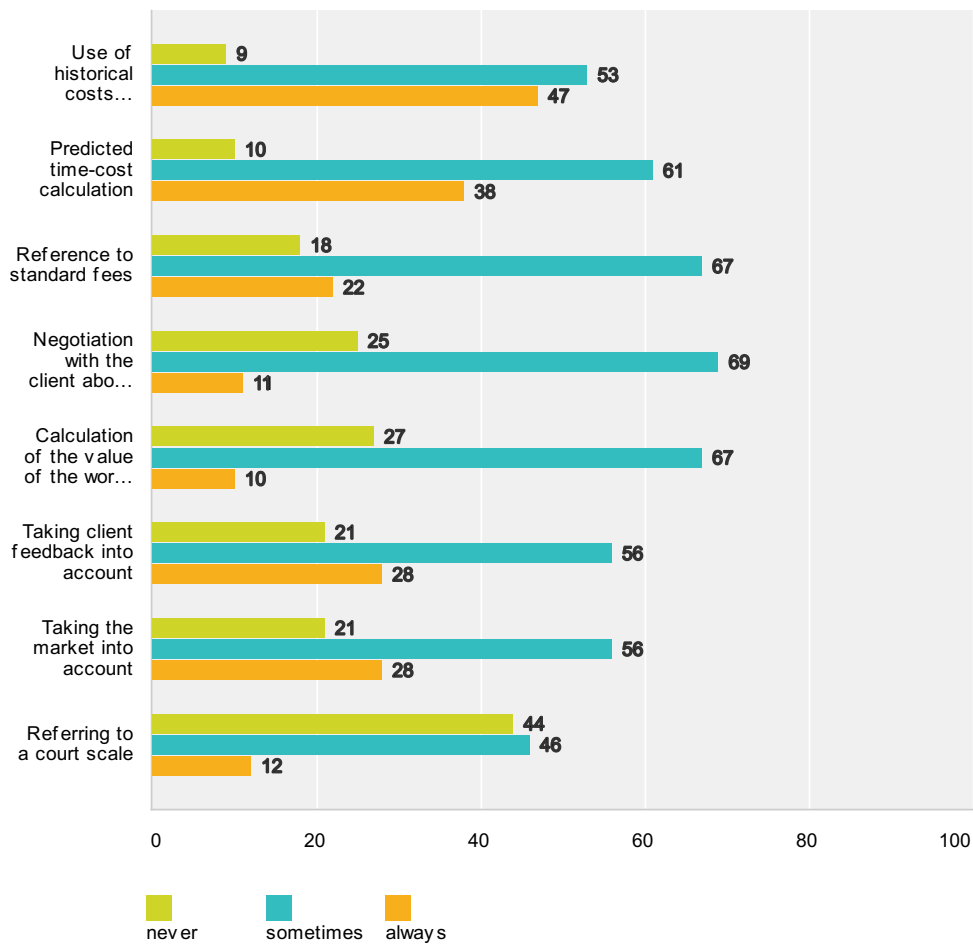
	Never	Sometimes	Always	Total
The work you propose doing (in detail)	0% 0	9.32% 11	90.68% 107	118
The benefits and value that the work you propose doing will deliver to the client	0% 0	33.62% 39	66.38% 77	116
What the total cost will be for the client (if fixed fee)	4.50% 5	26.13% 29	69.37% 77	111
What the total cost is likely to be for the client (if not fixed fee)	1.72% 2	26.72% 31	71.55% 83	116
Any contingencies that may add to or subtract from the final bill	4.31% 5	37.93% 44	57.76% 67	116
The margin of uncertainty that the client can tolerate with regard to the final bill	31.90% 37	38.79% 45	29.31% 34	116

# Billing Practices Check for Smaller Law Firms 2013

Arrangements for on going costs disclosure	10.26% 12	43.59% 51	46.15% 54	117
When and under what circumstances you provide costs updates	10.34% 12	50.86% 59	38.79% 45	116
How often the client would like to receive bills	25% 29	43.97% 51	31.03% 36	116
Who in the practice will be working on the matter and their charge out rates if applicable	6.90% 8	22.41% 26	70.69% 82	116
How and when payment will be made	3.42% 4	44.44% 52	52.14% 61	117
Arrangements for dealing with complaints	26.96% 31	39.13% 45	33.91% 39	115

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

Answered: 117 Skipped: 62

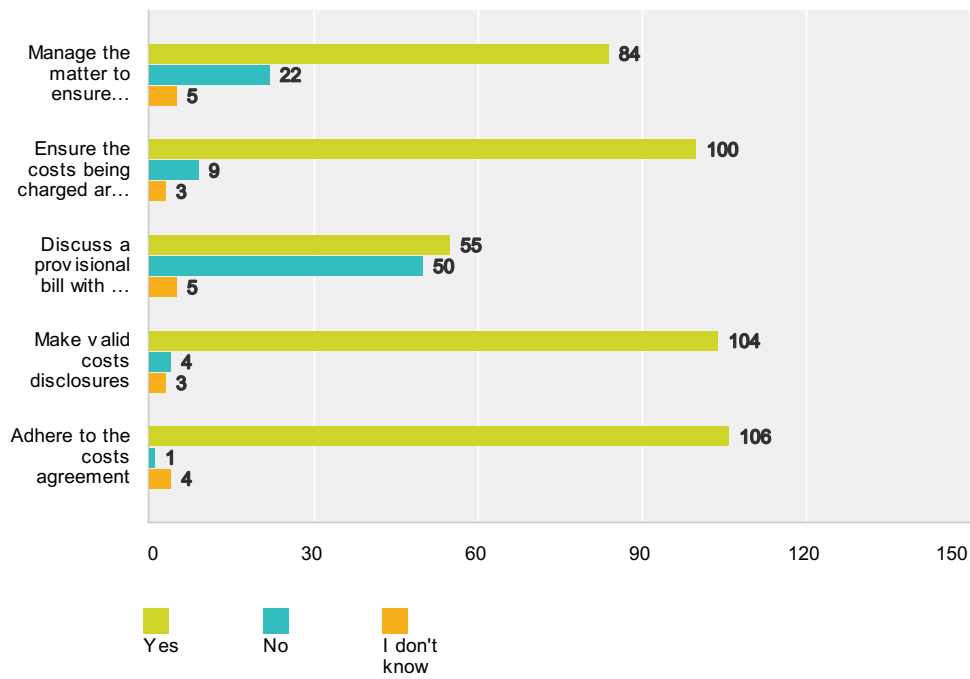


	never	sometimes	always	Total
Use of historical costs information	8.26% 9	48.62% 53	43.12% 47	109
Predicted time-cost calculation	9.17% 10	55.96% 61	34.86% 38	109
Reference to standard fees	16.82% 18	62.62% 67	20.56% 22	107
Negotiation with the client about the value of the work and the cost	23.81% 25	65.71% 69	10.48% 11	105
Calculation of the value of the work to the client	25.96% 27	64.42% 67	9.62% 10	104
Taking client feedback into account	20% 21	53.33% 56	26.67% 28	105
Taking the market into account	20% 21	53.33% 56	26.67% 28	105
Referring to a court scale	43.14% 44	45.10% 46	11.76% 12	102



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

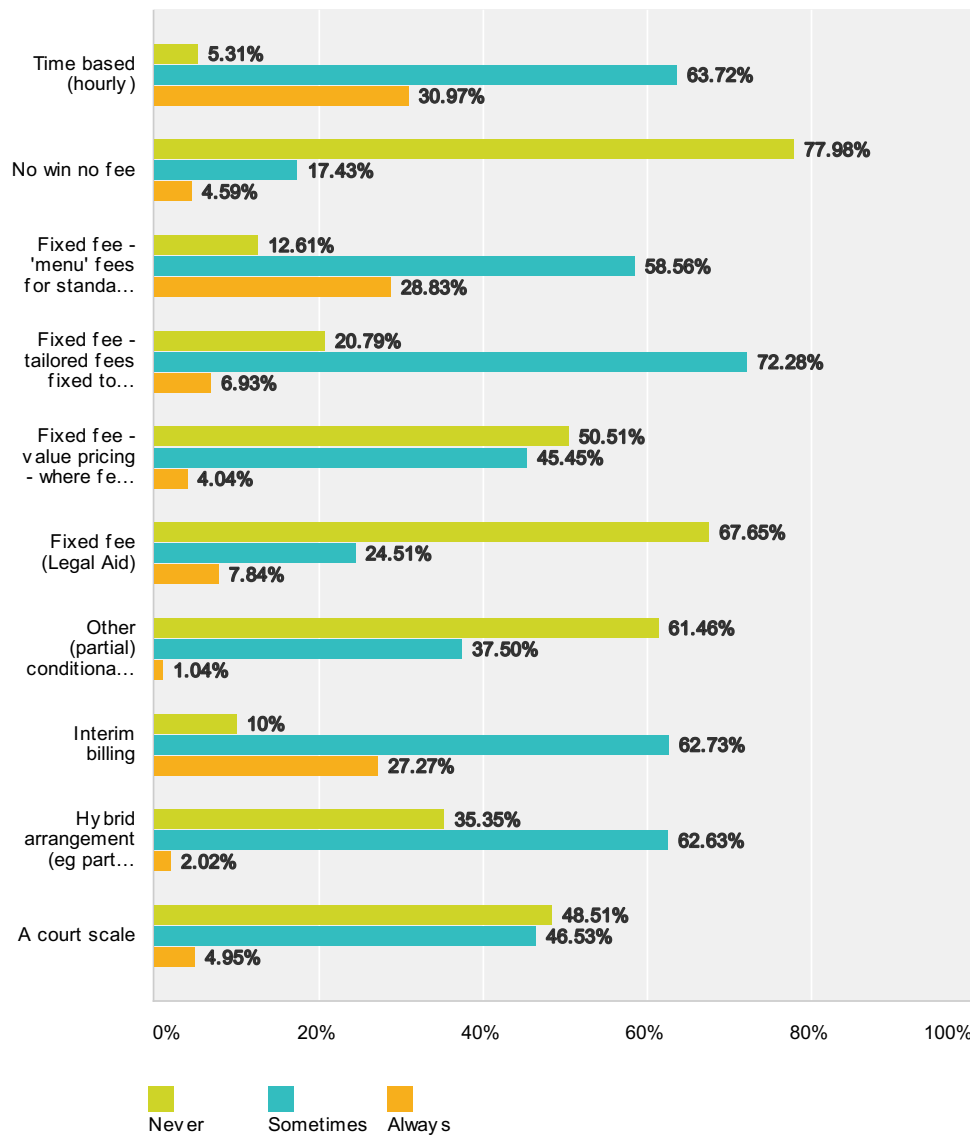
Answered: 113 Skipped: 66



	Yes	No	I don't know	Total
<b>Manage the matter to ensure consistency with the original estimate(s)</b>	<b>75.68%</b> 84	<b>19.82%</b> 22	<b>4.50%</b> 5	111
<b>Ensure the costs being charged are consistent with the practice's own internal costs/billing policies</b>	<b>89.29%</b> 100	<b>8.04%</b> 9	<b>2.68%</b> 3	112
<b>Discuss a provisional bill with the client</b>	<b>50%</b> 55	<b>45.45%</b> 50	<b>4.55%</b> 5	110
<b>Make valid costs disclosures</b>	<b>93.69%</b> 104	<b>3.60%</b> 4	<b>2.70%</b> 3	111
<b>Adhere to the costs agreement</b>	<b>95.50%</b> 106	<b>0.90%</b> 1	<b>3.60%</b> 4	111

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

Answered: 118 Skipped: 61



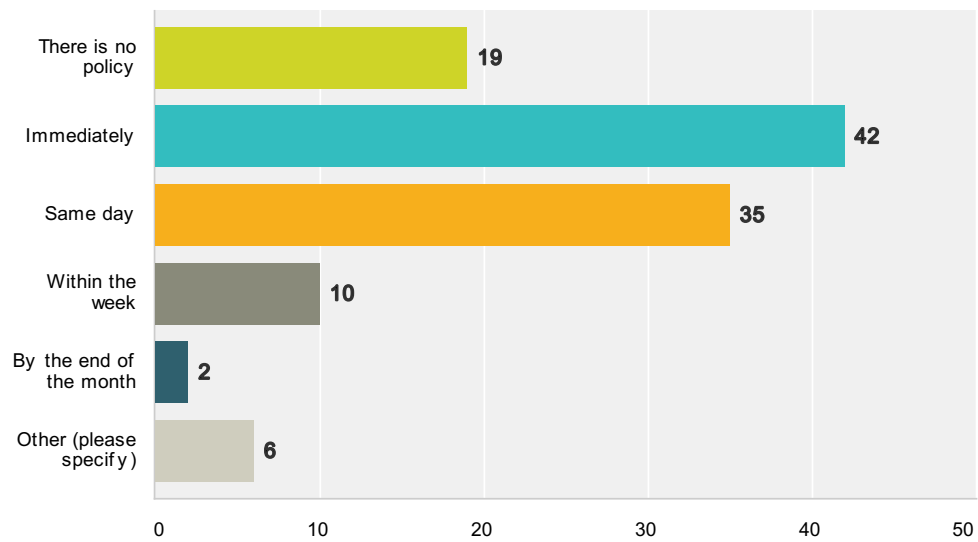
	Never	Sometimes	Always	Total
Time based (hourly)	5.31% 6	63.72% 72	30.97% 35	113
No win no fee	77.98% 85	17.43% 19	4.59% 5	109
Fixed fee - 'menu' fees for standard tasks and instructions (conveyance, wills, EPAs)	12.61% 14	58.56% 65	28.83% 32	111
Fixed fee - tailored fees fixed to specific client needs, following client interview, with reference to internal costs	20.79% 21	72.28% 73	6.93% 7	101
Fixed fee - value pricing - where fees are fixed with greater reference to agreed client value than to internal costs	50.51% 50	45.45% 45	4.04% 4	99
Fixed fee (Legal Aid)	67.65% 69	24.51% 25	7.84% 8	102
Other (partial) conditional fee arrangements	61.46% 59	37.50% 36	1.04% 1	96
Interim billing	10% 11	62.73% 69	27.27% 30	110
Hybrid arrangement (eg part fixed/part time-costing)	35.35% 35	62.63% 62	2.02% 2	99

# Billing Practices Check for Smaller Law Firms 2013

A court scale	48.51% 49	46.53% 47	4.95% 5	101
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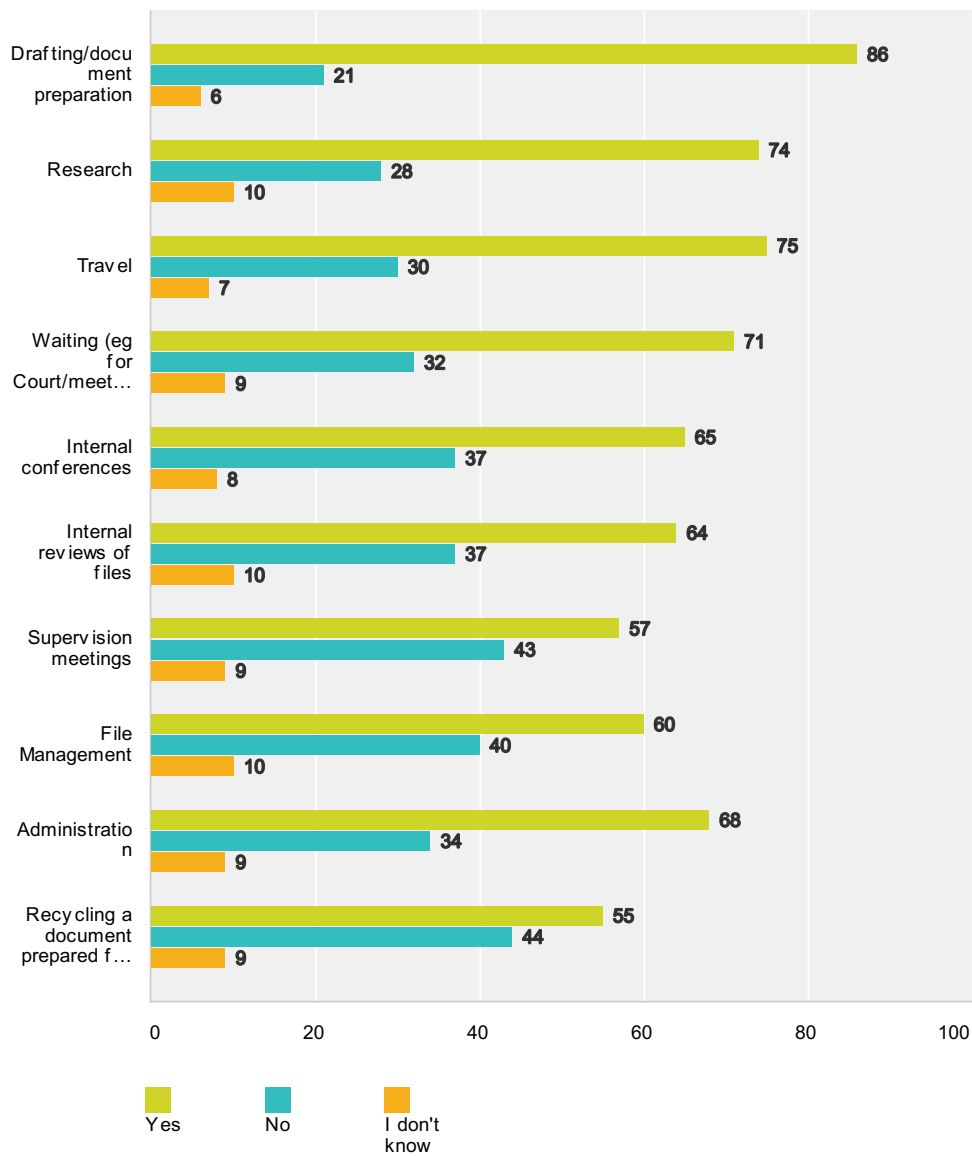
**Q11 Where time billing is utilised in relation to hours worked, what is your firm's policy/guideline as to when times should be entered onto a timesheet? (pick one only)**

Answered: 114 Skipped: 65



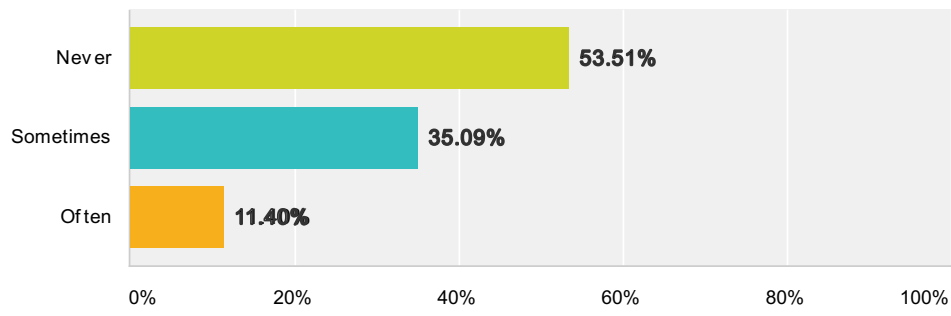
## Q12 Does your firm have billing policies and/or procedures in respect of when it is appropriate to bill for any of the following?

Answered: 113 Skipped: 66



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

Answered: 114 Skipped: 65



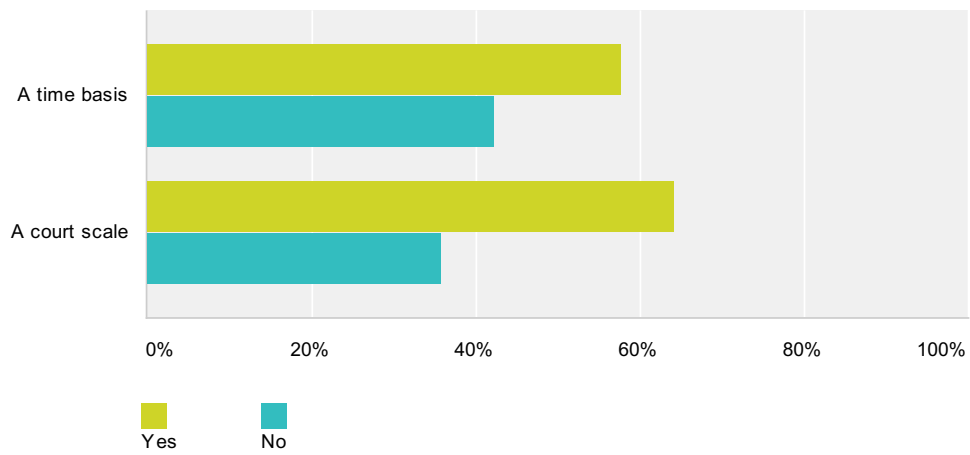
Answer Choices	Responses	
<b>Never</b>	<b>53.51%</b>	61
<b>Sometimes</b>	<b>35.09%</b>	40
<b>Often</b>	<b>11.40%</b>	13
Total		114

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

Answered: 66 Skipped: 113

**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: 73 Skipped: 106

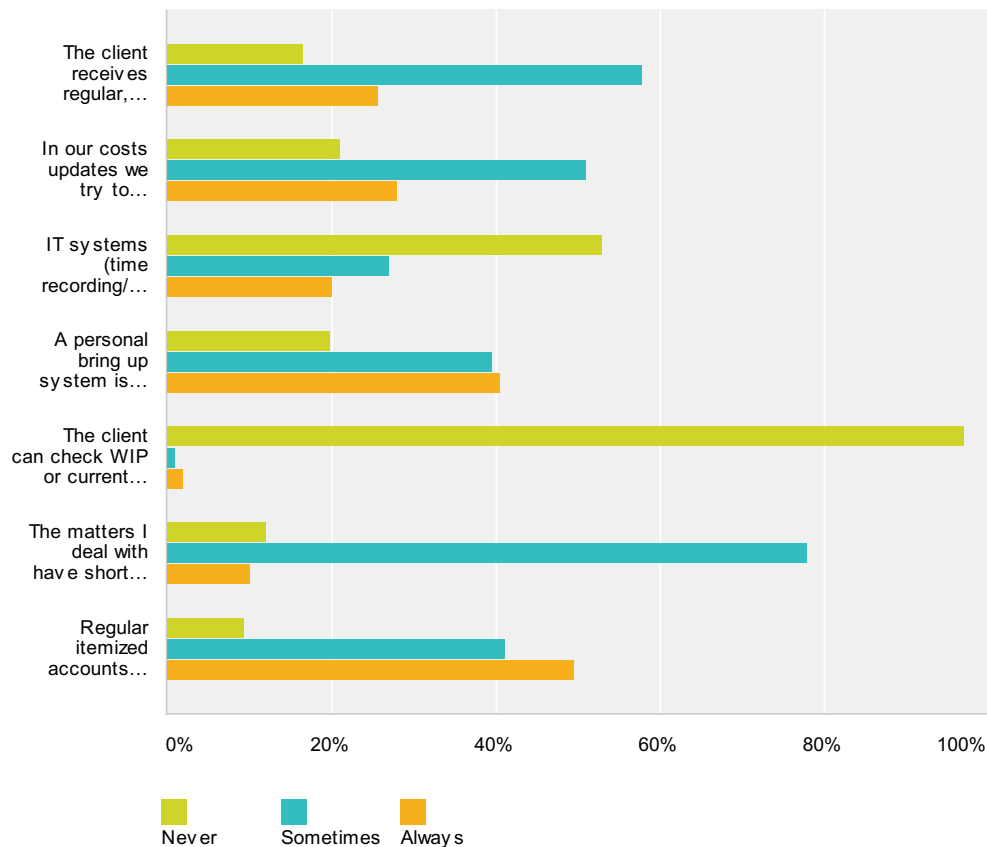


	Yes	No	Total
A time basis	57.75% 41	42.25% 30	71
A court scale	64.18% 43	35.82% 24	67



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

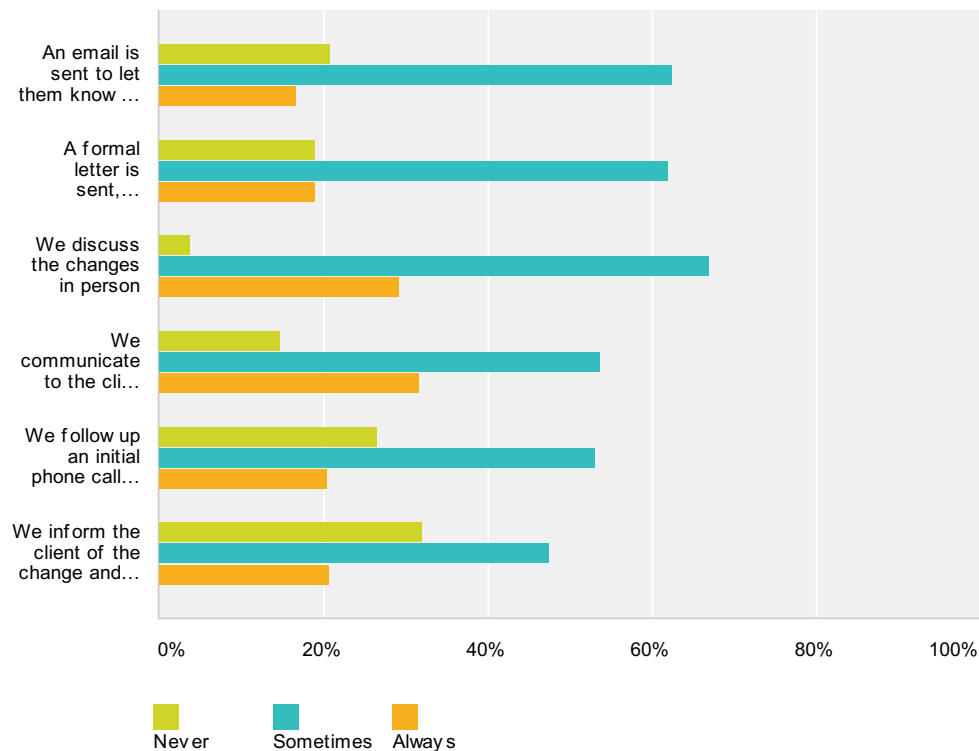
Answered: 113 Skipped: 66



	Never	Sometimes	Always	Total
The client receives regular, scheduled bills that include the charges to date, and estimated charges remaining	16.51% 18	57.80% 63	25.69% 28	109
In our costs updates we try to communicate the benefit of the work to the client, and value for money	21% 21	51% 51	28.00% 28	100
IT systems (time recording/accounts) to prompt when milestones are met in terms of accrued WIP	53% 53	27% 27	20% 20	100
A personal bring up system is used	19.80% 20	39.60% 40	40.59% 41	101
The client can check WIP or current costs on-line	97.09% 100	0.97% 1	1.94% 2	103
The matters I deal with have short time frames only	12% 12	78% 78	10% 10	100
Regular itemized accounts unless inappropriate eg for a routine conveyance	9.35% 10	41.12% 44	49.53% 53	107

### 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?

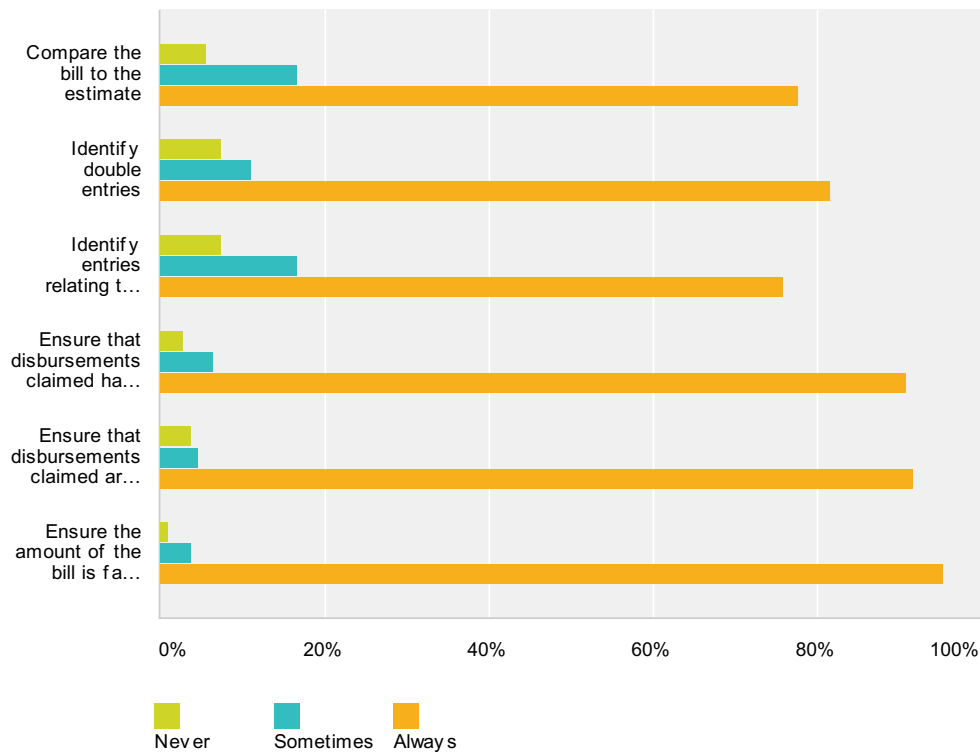
Answered: 109 Skipped: 70



	Never	Sometimes	Always	Total
An email is sent to let them know of the changes, seeking their consent by reply email	20.83% 20	62.50% 60	16.67% 16	96
A formal letter is sent, requesting a response	19% 19	62% 62	19% 19	100
We discuss the changes in person	3.77% 4	66.98% 71	29.25% 31	106
We communicate to the client how the work benefits them, and the value for money that they receive	14.74% 14	53.68% 51	31.58% 30	95
We follow up an initial phone call with a letter that requires a response	26.53% 26	53.06% 52	20.41% 20	98
We inform the client of the change and assume they consent if they do not respond	31.96% 31	47.42% 46	20.62% 20	97

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

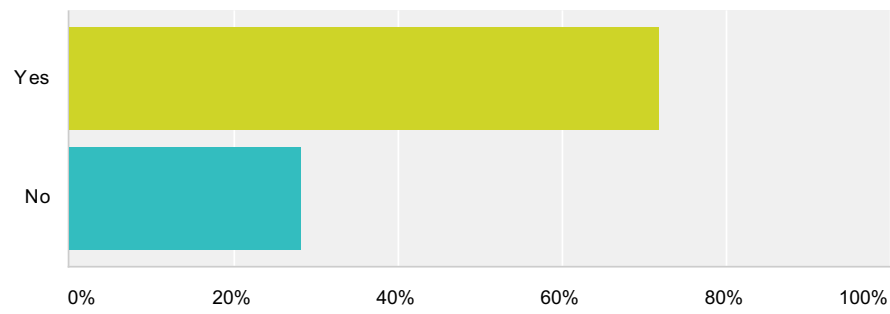
Answered: 111 Skipped: 68



	Never	Sometimes	Always	Total
Compare the bill to the estimate	5.56% 6	16.67% 18	77.78% 84	108
Identify double entries	7.34% 8	11.01% 12	81.65% 89	109
Identify entries relating to other matters (eg time misallocated to the wrong matter)	7.41% 8	16.67% 18	75.93% 82	108
Ensure that disbursements claimed have been reasonably incurred	2.75% 3	6.42% 7	90.83% 99	109
Ensure that disbursements claimed are reasonable in amount	3.67% 4	4.59% 5	91.74% 100	109
Ensure the amount of the bill is fair and reasonable and not excessive	0.93% 1	3.70% 4	95.37% 103	108

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

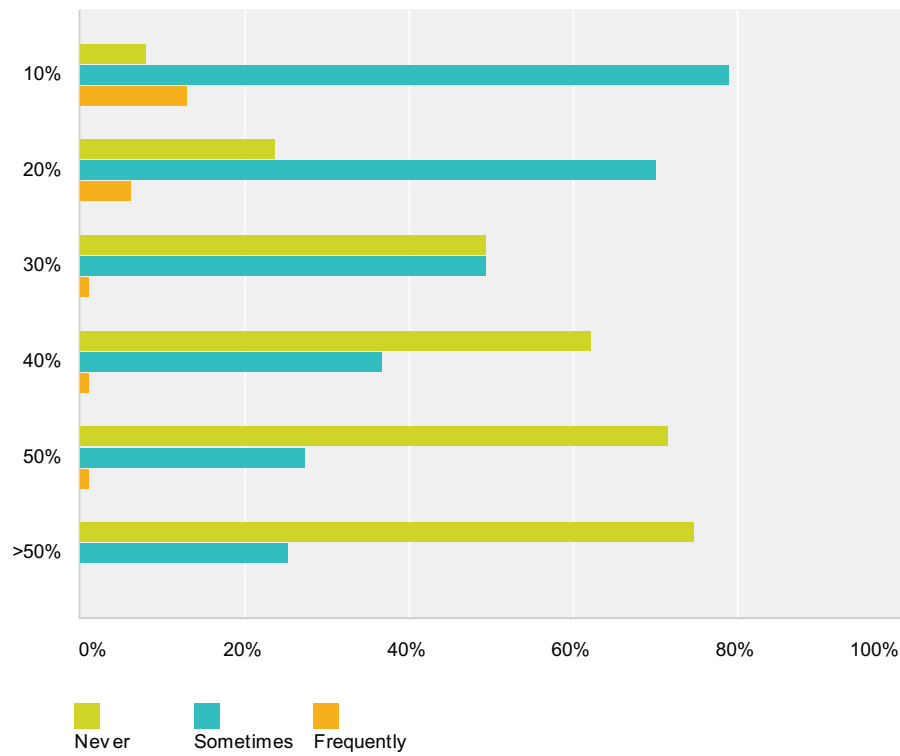
Answered: 110 Skipped: 69



Answer Choices	Responses	
<b>Yes</b>	<b>71.82%</b>	79
<b>No</b>	<b>28.18%</b>	31
Total		110

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

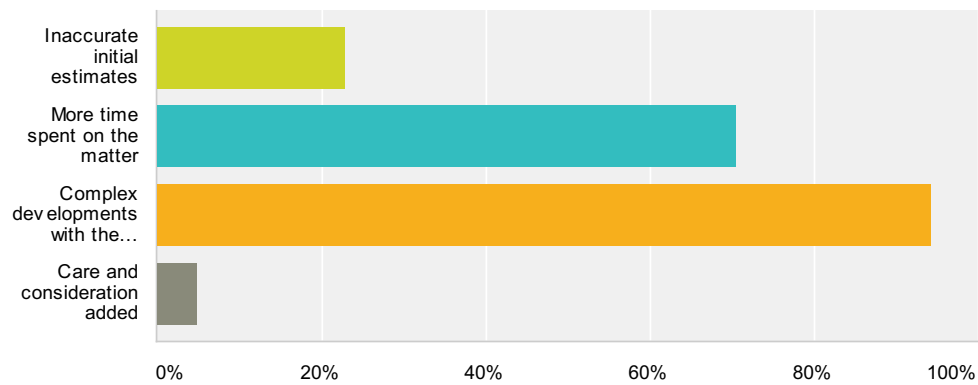
Answered: 106 Skipped: 73



	Never	Sometimes	Frequently	Total
10%	8% 8	79% 79	13% 13	100
20%	23.71% 23	70.10% 68	6.19% 6	97
30%	49.48% 48	49.48% 48	1.03% 1	97
40%	62.24% 61	36.73% 36	1.02% 1	98
50%	71.58% 68	27.37% 26	1.05% 1	95
>50%	74.74% 71	25.26% 24	0% 0	95

**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)**

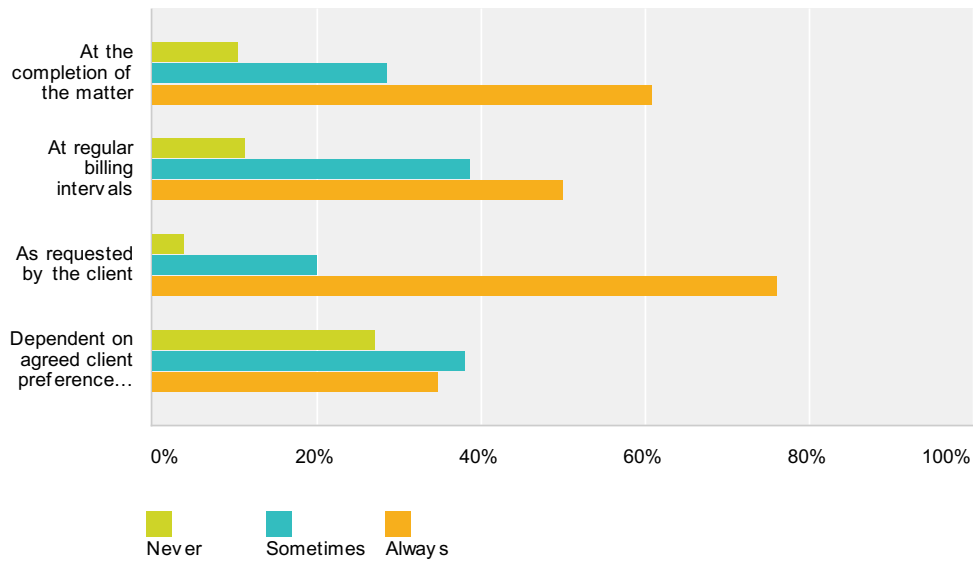
Answered: 105 Skipped: 74



Answer Choices	Responses	
Inaccurate initial estimates	22.86%	24
More time spent on the matter	70.48%	74
Complex developments with the matter	94.29%	99
Care and consideration added	4.76%	5
Total Respondents: 105		

**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)**

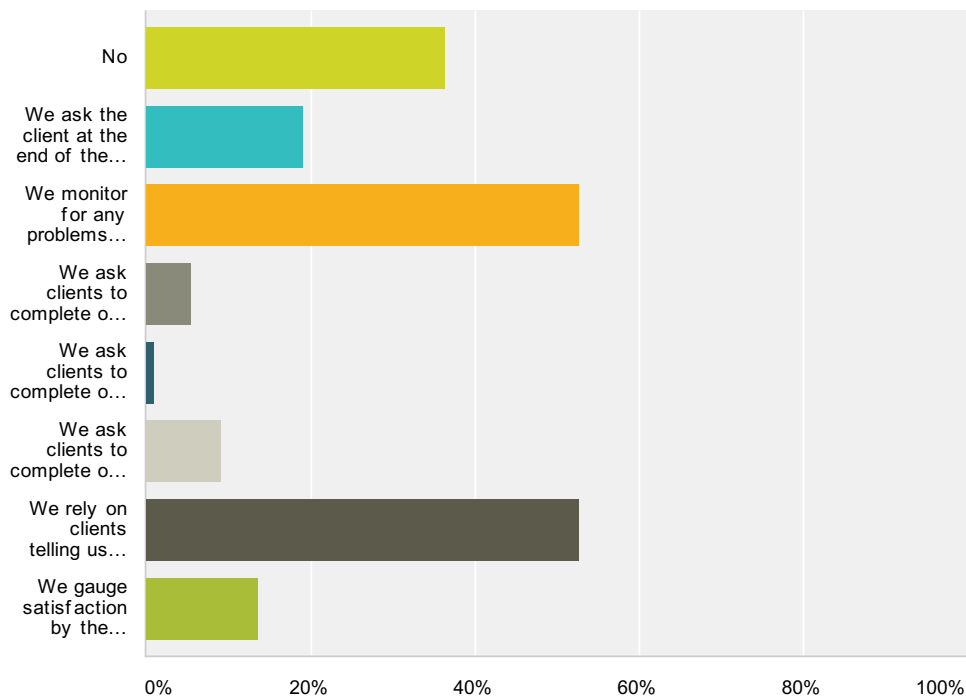
Answered: 111 Skipped: 68



	Never	Sometimes	Always	Total
<b>At the completion of the matter</b>	10.48% 11	28.57% 30	60.95% 64	105
<b>At regular billing intervals</b>	11.32% 12	38.68% 41	50% 53	106
<b>As requested by the client</b>	3.81% 4	20% 21	76.19% 80	105
<b>Dependent on agreed client preference at the start of the matter</b>	27.17% 25	38.04% 35	34.78% 32	92

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

Answered: 110 Skipped: 69

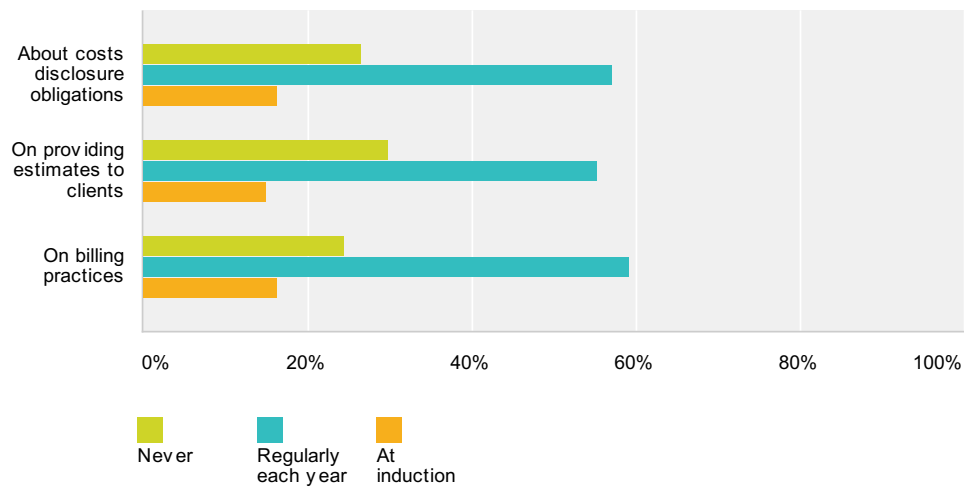


Answer Choices	Responses	
<b>No</b>	<b>36.36%</b>	40
<b>We ask the client at the end of the matter through a meeting or phone call</b>	<b>19.09%</b>	21
<b>We monitor for any problems arising</b>	<b>52.73%</b>	58
<b>We ask clients to complete our client satisfaction survey (on line)</b>	<b>5.45%</b>	6
<b>We ask clients to complete our client satisfaction survey (telephone call)</b>	<b>0.91%</b>	1
<b>We ask clients to complete our client satisfaction survey (by post)</b>	<b>9.09%</b>	10
<b>We rely on clients telling us if they are dissatisfied with costs disclosures or billing</b>	<b>52.73%</b>	58
<b>We gauge satisfaction by the recovery percentage or % of bill amounts that are ultimately recovered</b>	<b>13.64%</b>	15
Total Respondents: 110		



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

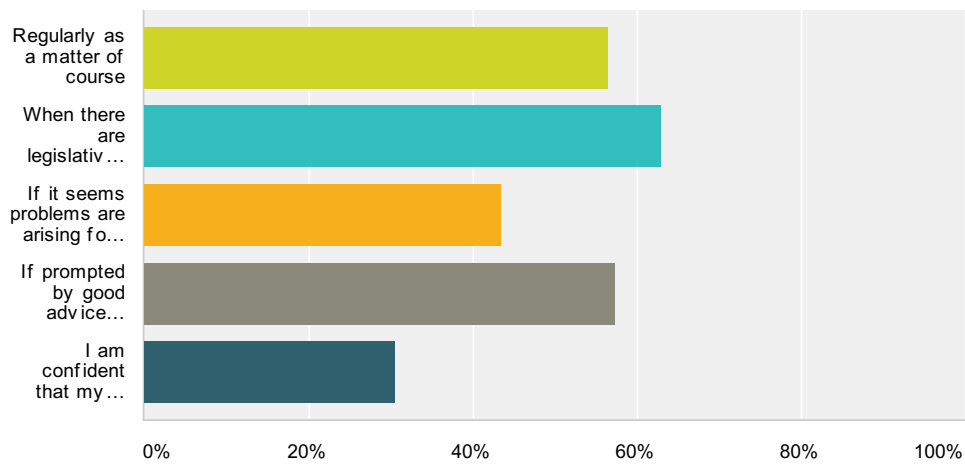
Answered: 101 Skipped: 78



	Never	Regularly each year	At induction	Total
About costs disclosure obligations	26.53% 26	57.14% 56	16.33% 16	98
On providing estimates to clients	29.79% 28	55.32% 52	14.89% 14	94
On billing practices	24.49% 24	59.18% 58	16.33% 16	98

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

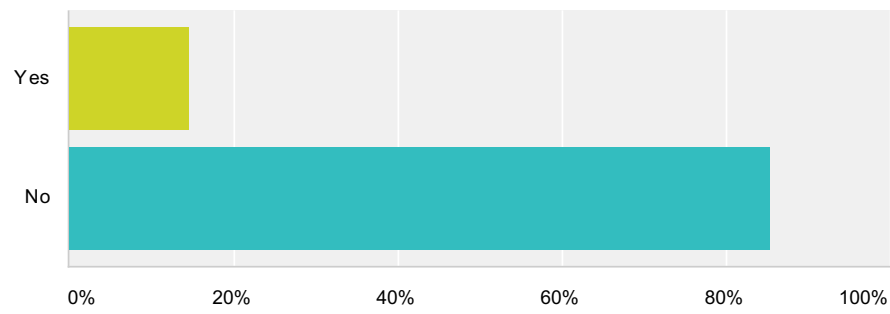
Answered: 108 Skipped: 71



Answer Choices	Responses	
<b>Regularly as a matter of course</b>	<b>56.48%</b>	61
<b>When there are legislative changes</b>	<b>62.96%</b>	68
<b>If it seems problems are arising for clients</b>	<b>43.52%</b>	47
<b>If prompted by good advice received when attending external training</b>	<b>57.41%</b>	62
<b>I am confident that my billing practices always comply with my professional obligations</b>	<b>30.56%</b>	33
Total Respondents: 108		

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

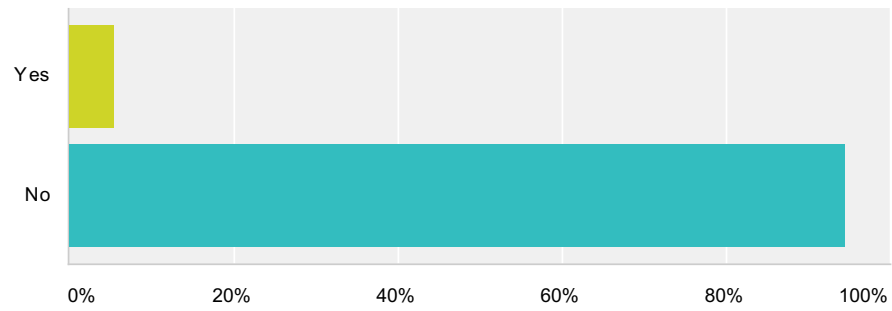
Answered: 110 Skipped: 69



Answer Choices	Responses	
<b>Yes</b>	<b>14.55%</b>	16
<b>No</b>	<b>85.45%</b>	94
Total		110

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

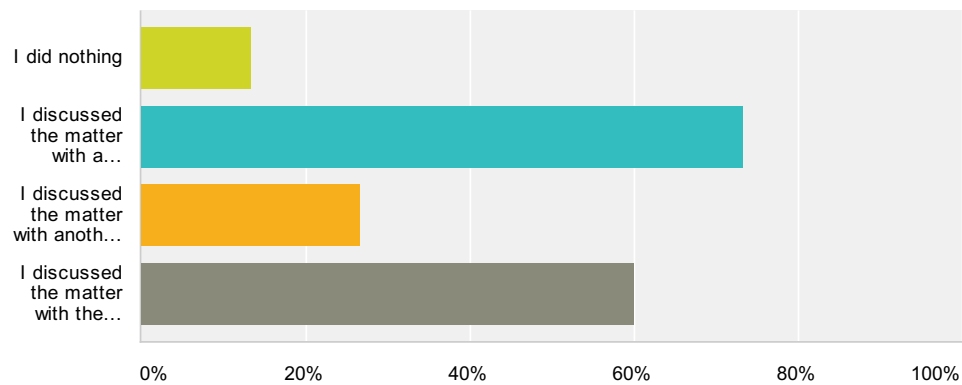
Answered: 110 Skipped: 69



Answer Choices	Responses	
<b>Yes</b>	<b>5.45%</b>	6
<b>No</b>	<b>94.55%</b>	104
Total		110

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

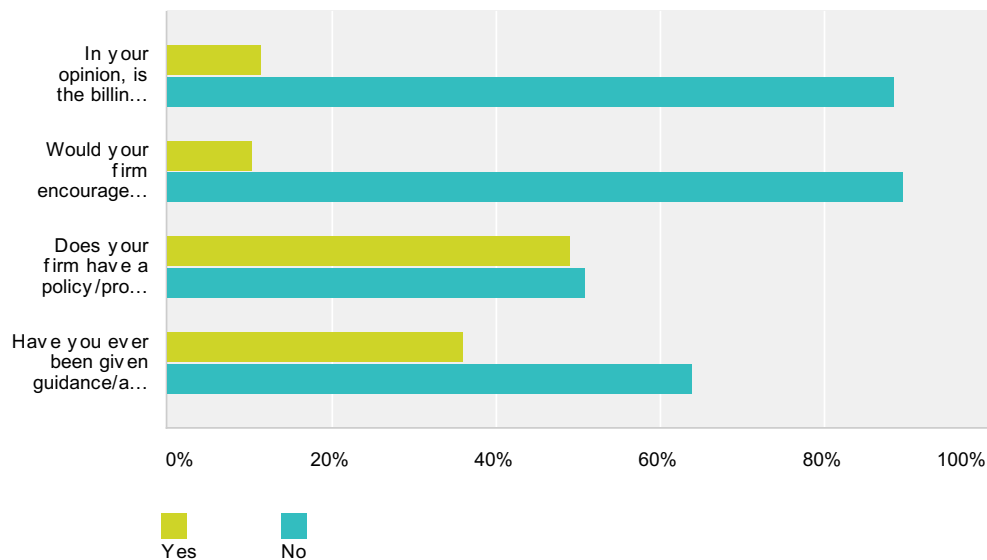
Answered: 15 Skipped: 164



Answer Choices	Responses	
<b>I did nothing</b>	<b>13.33%</b>	<b>2</b>
<b>I discussed the matter with a supervisor or managing partner/legal practitioner director</b>	<b>73.33%</b>	<b>11</b>
<b>I discussed the matter with another legal practitioner</b>	<b>26.67%</b>	<b>4</b>
<b>I discussed the matter with the legal practitioner whose practices I queried</b>	<b>60%</b>	<b>9</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.**

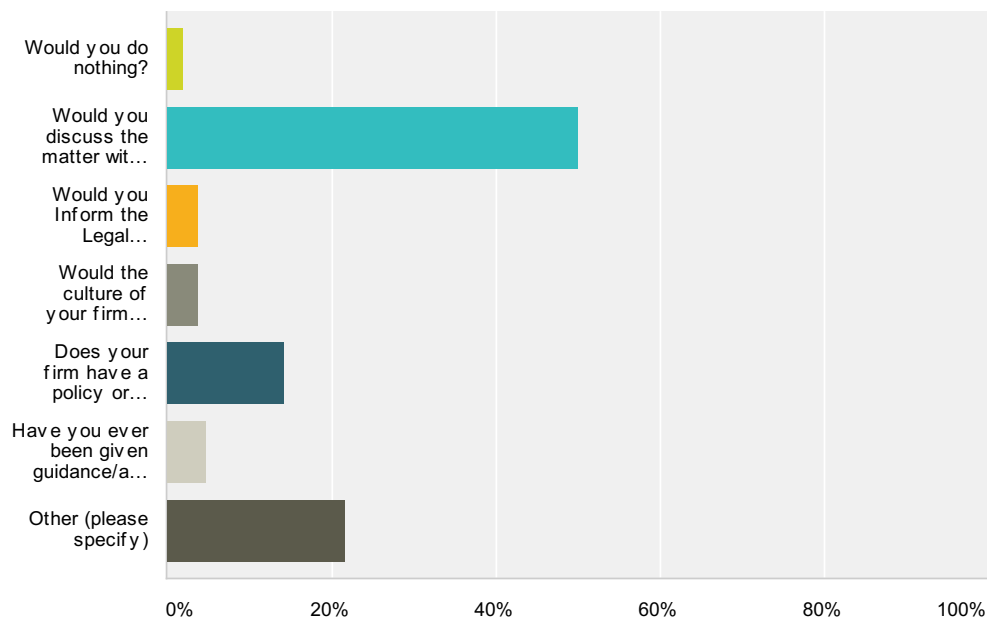
Answered: 108 Skipped: 71



	Yes	No	Total
In your opinion, is the billing practice ethically appropriate?	11.43% 12	88.57% 93	105
Would your firm encourage this practice?	10.28% 11	89.72% 96	107
Does your firm have a policy/procedure in relation to this issue?	49.06% 52	50.94% 54	106
Have you ever been given guidance/advice in relation to the practices described above?	36.08% 35	63.92% 62	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.**

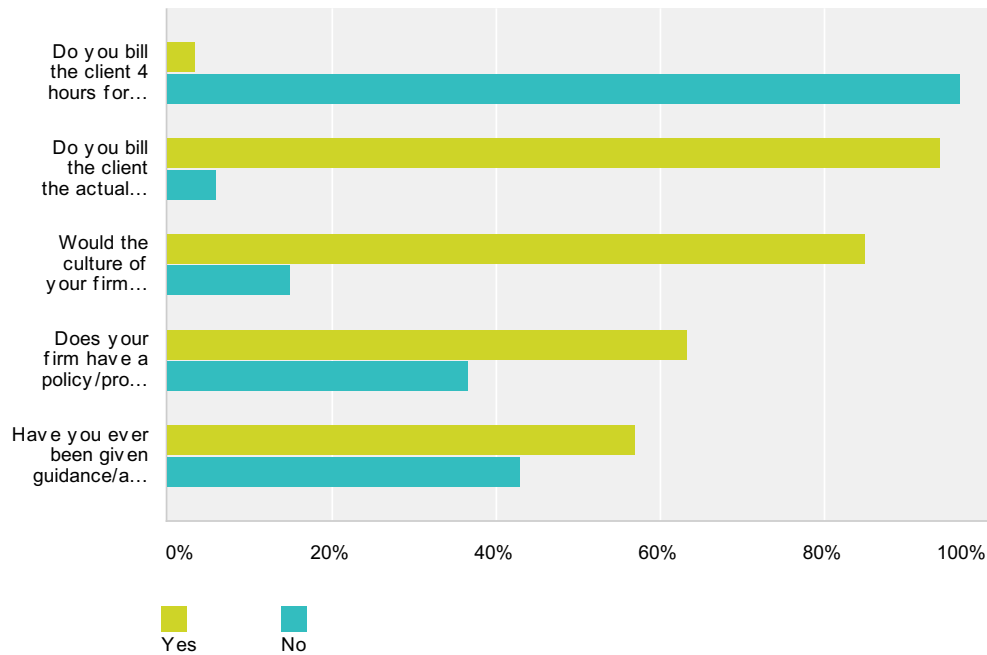
Answered: 106 Skipped: 73



Answer Choices	Responses	
Would you do nothing?	1.89%	2
Would you discuss the matter with a supervisor or managing partner/legal practitioner director?	50%	53
Would you Inform the Legal Services Commission after speaking to management?	3.77%	4
Would the culture of your firm encourage your choice of action?	3.77%	4
Does your firm have a policy or procedure in relation to this issue?	14.15%	15
Have you ever been given guidance/advice in relation to your choice of action?	4.72%	5
Other (please specify)	21.70%	23
Total	106	

**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: 104 Skipped: 75

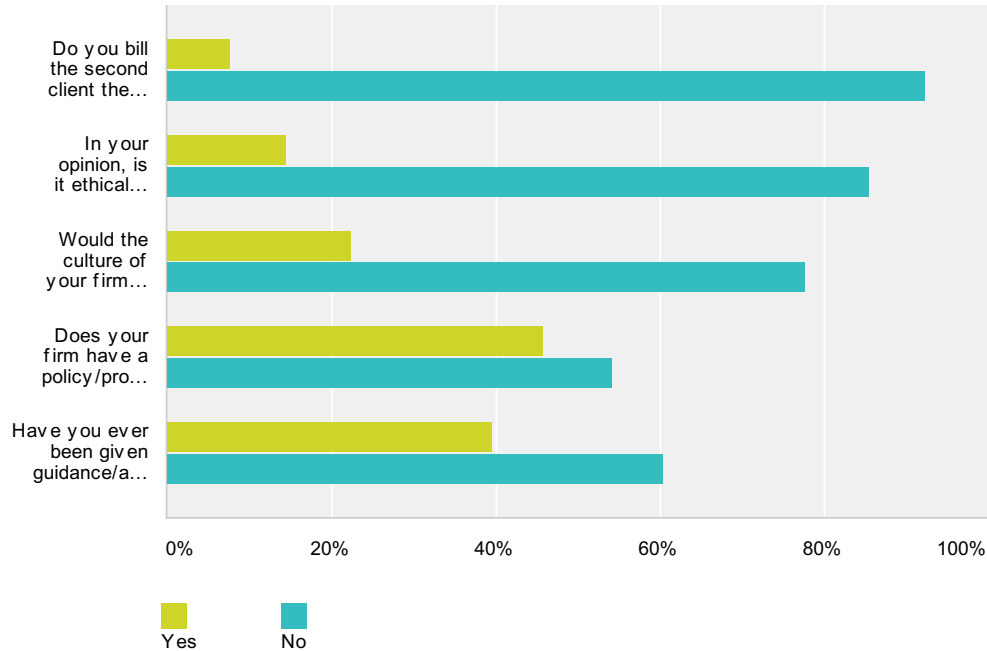


	Yes	No	Total
Do you bill the client 4 hours for each matter?	3.37% 3	96.63% 86	89
Do you bill the client the actual time spent on each matter?	94.12% 96	5.88% 6	102
Would the culture of your firm encourage the action you decide to take?	85.06% 74	14.94% 13	87
Does your firm have a policy/procedure in relation to this issue?	63.33% 57	36.67% 33	90
Have you ever been given guidance/advice in relation to the practices described above?	56.98% 49	43.02% 37	86



**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.**

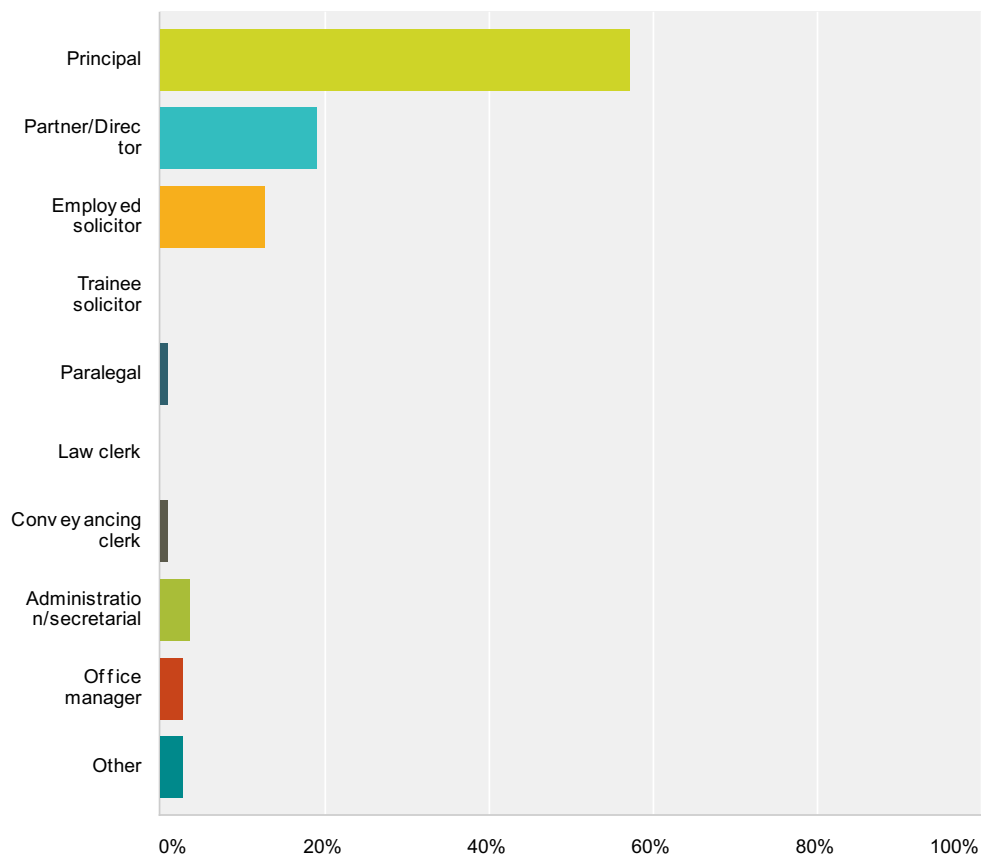
Answered: 106 Skipped: 73



	Yes	No	Total
Do you bill the second client the same as you did for the first client?	7.62% 8	92.38% 97	105
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?	14.43% 14	85.57% 83	97
Would the culture of your firm encourage this practice?	22.34% 21	77.66% 73	94
Does your firm have a policy/procedure in relation to this issue?	45.83% 44	54.17% 52	96
Have you ever been given guidance/advice in relation to the practices described above?	39.56% 36	60.44% 55	91

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

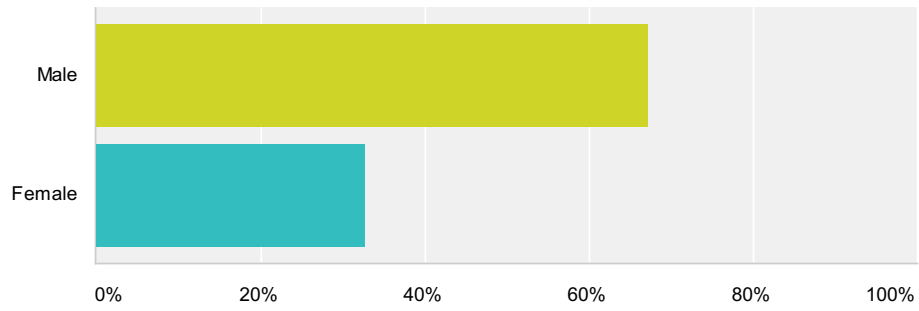
Answered: 110 Skipped: 69



Answer Choices	Responses	
<b>Principal</b>	<b>57.27%</b>	<b>63</b>
<b>Partner/Director</b>	<b>19.09%</b>	<b>21</b>
<b>Employed solicitor</b>	<b>12.73%</b>	<b>14</b>
<b>Trainee solicitor</b>	<b>0%</b>	<b>0</b>
<b>Paralegal</b>	<b>0.91%</b>	<b>1</b>
<b>Law clerk</b>	<b>0%</b>	<b>0</b>
<b>Conveyancing clerk</b>	<b>0.91%</b>	<b>1</b>
<b>Administration/secretarial</b>	<b>3.64%</b>	<b>4</b>
<b>Office manager</b>	<b>2.73%</b>	<b>3</b>
<b>Other</b>	<b>2.73%</b>	<b>3</b>
<b>Total</b>		<b>110</b>

## Q34 What is your gender?

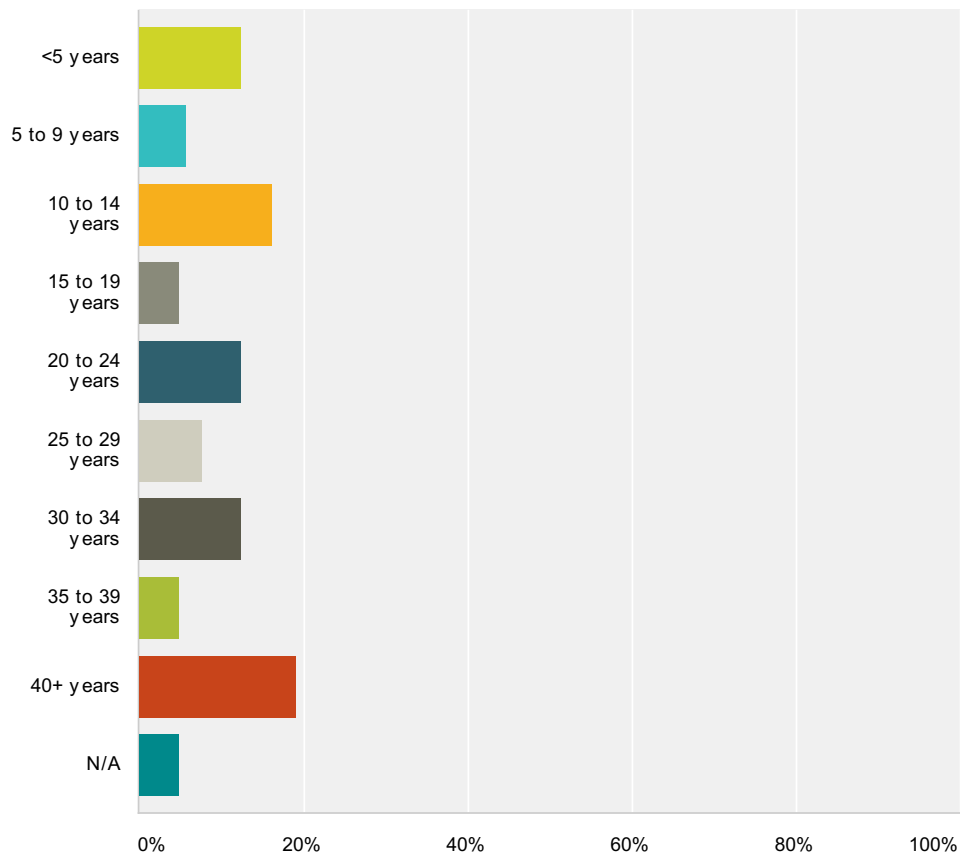
Answered: 110 Skipped: 69



Answer Choices	Responses	
<b>Male</b>	<b>67.27%</b>	74
<b>Female</b>	<b>32.73%</b>	36
Total		110

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

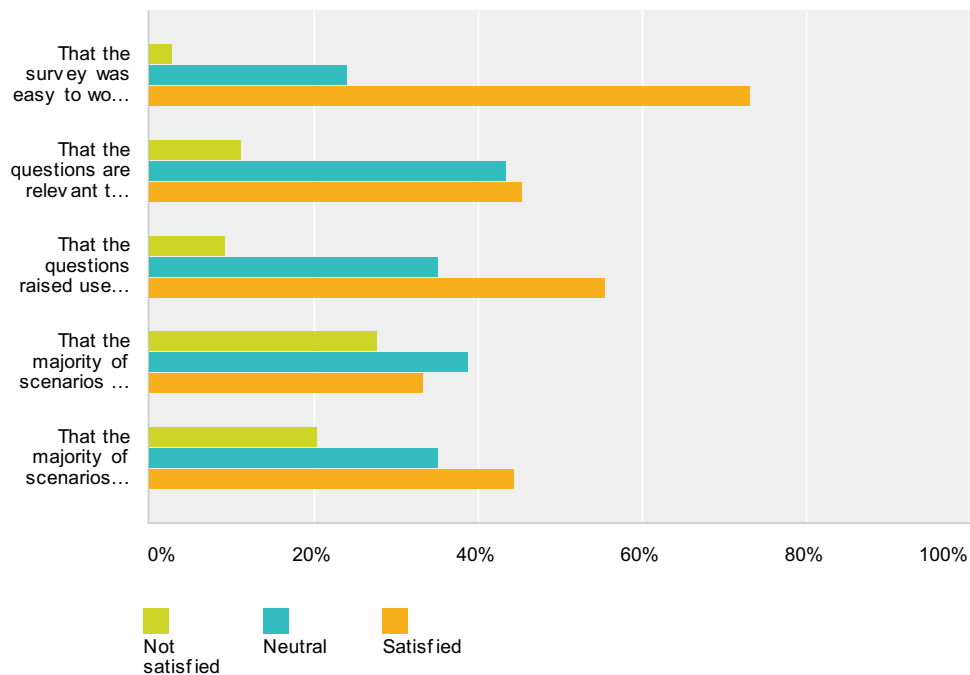
Answered: 105 Skipped: 74



Answer Choices	Responses	
<5 years	12.38%	13
5 to 9 years	5.71%	6
10 to 14 years	16.19%	17
15 to 19 years	4.76%	5
20 to 24 years	12.38%	13
25 to 29 years	7.62%	8
30 to 34 years	12.38%	13
35 to 39 years	4.76%	5
40+ years	19.05%	20
N/A	4.76%	5
Total		105

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

Answered: 108 Skipped: 71



	Not satisfied	Neutral	Satisfied	Total
That the survey was easy to work through	2.78% 3	24.07% 26	73.15% 79	108
That the questions are relevant to your firm	11.11% 12	43.52% 47	45.37% 49	108
That the questions raised useful issues for your firm	9.26% 10	35.19% 38	55.56% 60	108
That the majority of scenarios are relevant to your firm	27.78% 30	38.89% 42	33.33% 36	108
That the majority of scenarios raised useful issues for your firm	20.37% 22	35.19% 38	44.44% 48	108