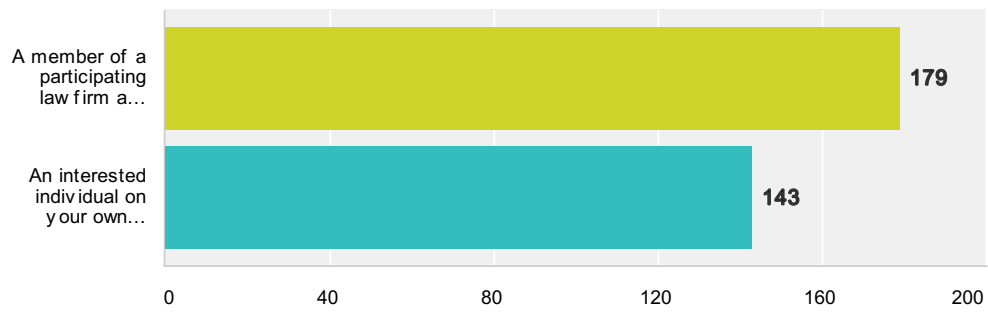


### Q1 Are you doing this survey as (please tick)

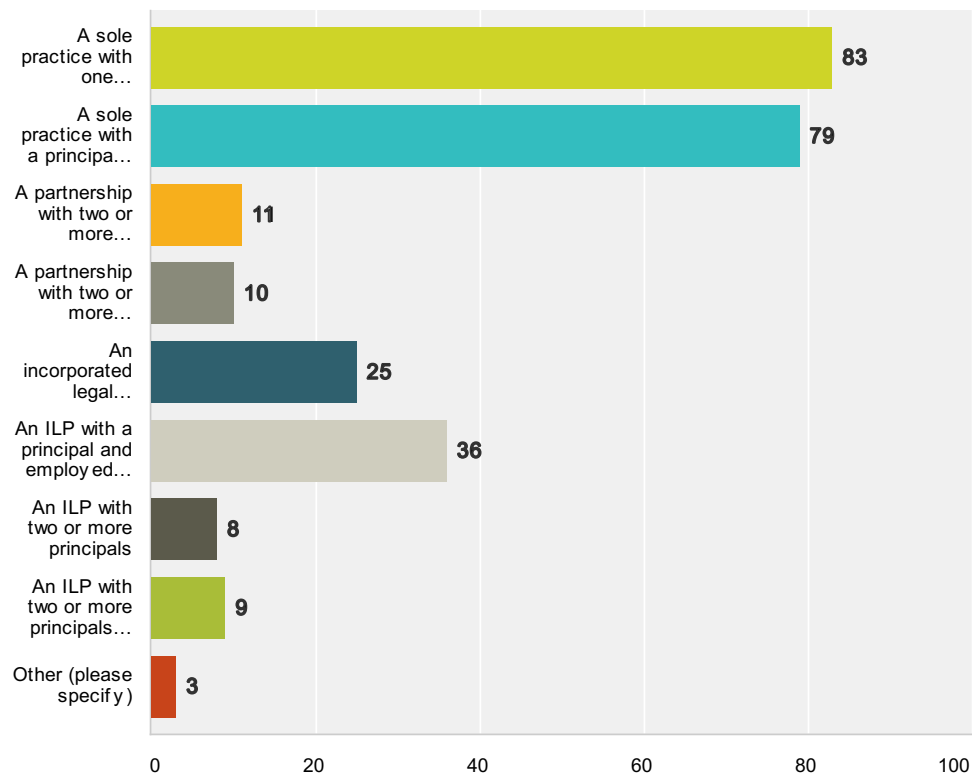
Answered: 322 Skipped: 0



Answer Choices	Responses	
<b>A member of a participating law firm at your firm's request?</b>	<b>55.59%</b>	179
<b>An interested individual on your own initiative?</b>	<b>44.41%</b>	143
Total		322

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

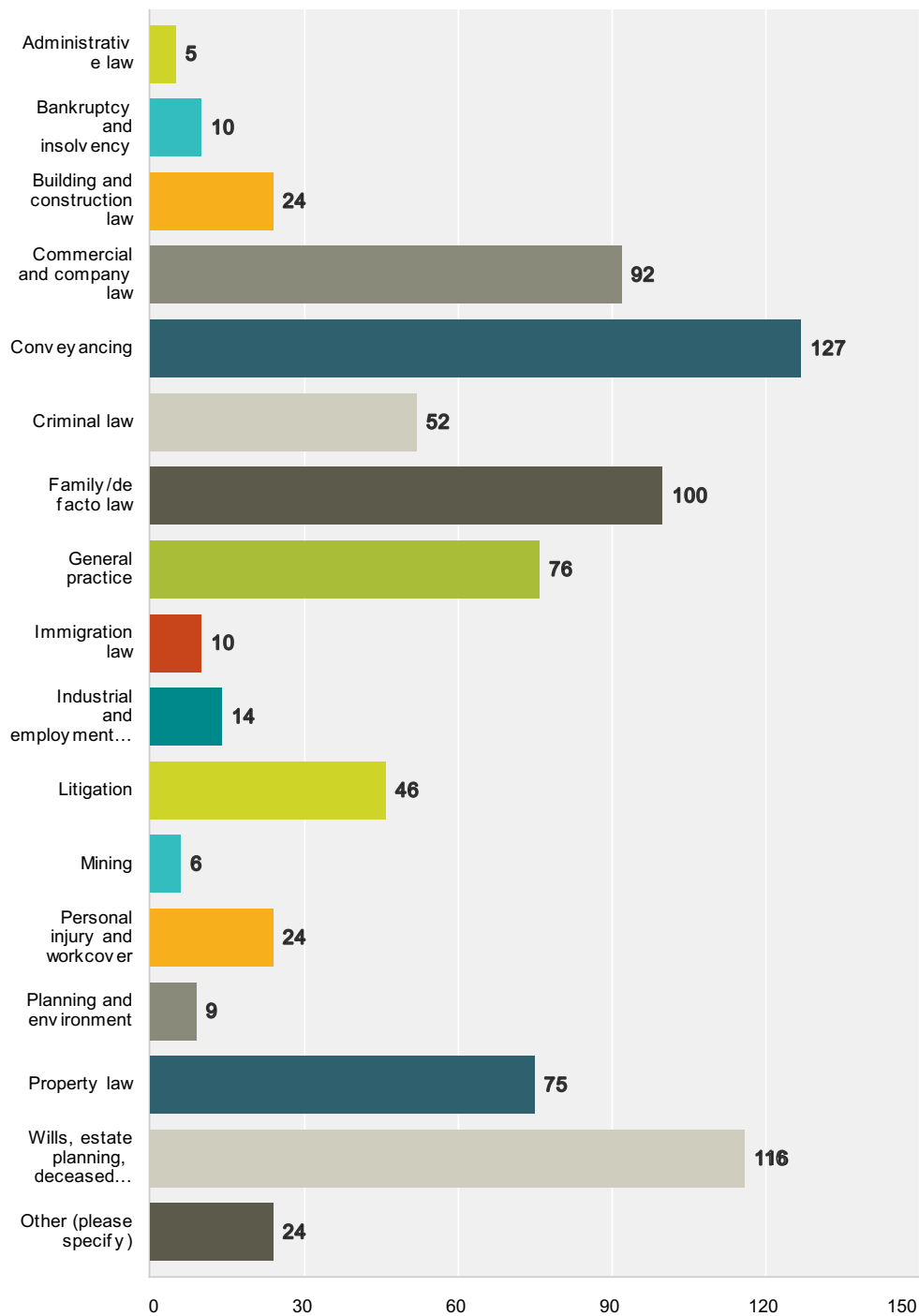
Answered: 264 Skipped: 58



Answer Choices	Responses	
<b>A sole practice with one practising certificate holder</b>	<b>31.44%</b>	83
<b>A sole practice with a principal and employed solicitors</b>	<b>29.92%</b>	79
<b>A partnership with two or more principals</b>	<b>4.17%</b>	11
<b>A partnership with two or more principals and employed solicitors</b>	<b>3.79%</b>	10
<b>An incorporated legal practice (ILP) with one practising certificate holder</b>	<b>9.47%</b>	25
<b>An ILP with a principal and employed solicitors</b>	<b>13.64%</b>	36
<b>An ILP with two or more principals</b>	<b>3.03%</b>	8
<b>An ILP with two or more principals and employed solicitors</b>	<b>3.41%</b>	9
<b>Other (please specify)</b>	<b>1.14%</b>	3
<b>Total</b>		<b>264</b>

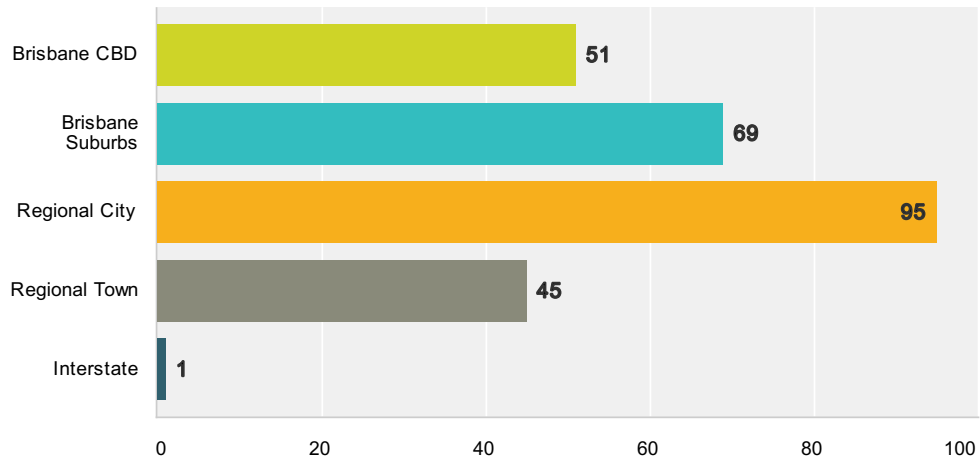
#### Q4 What are the main areas of practice for your firm? (Select up to 3)

Answered: 262 Skipped: 60



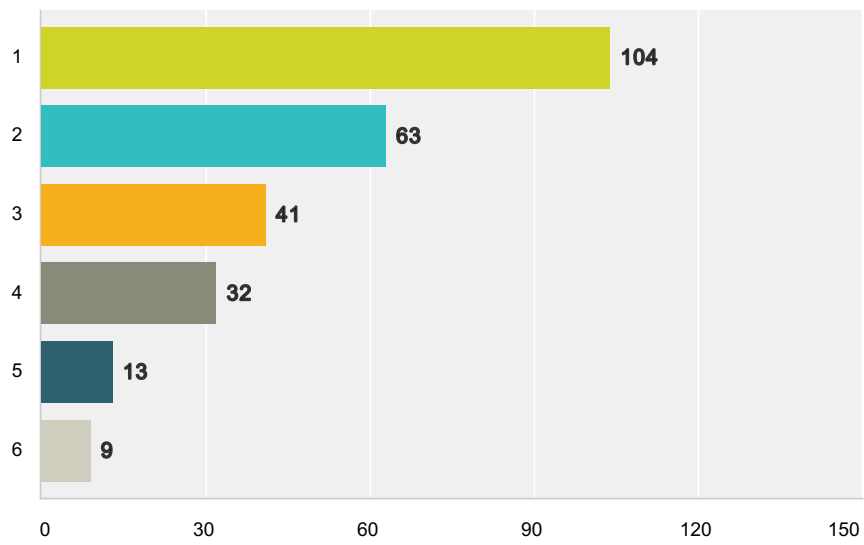
### Q5 Where is your office located?

Answered: 261 Skipped: 61



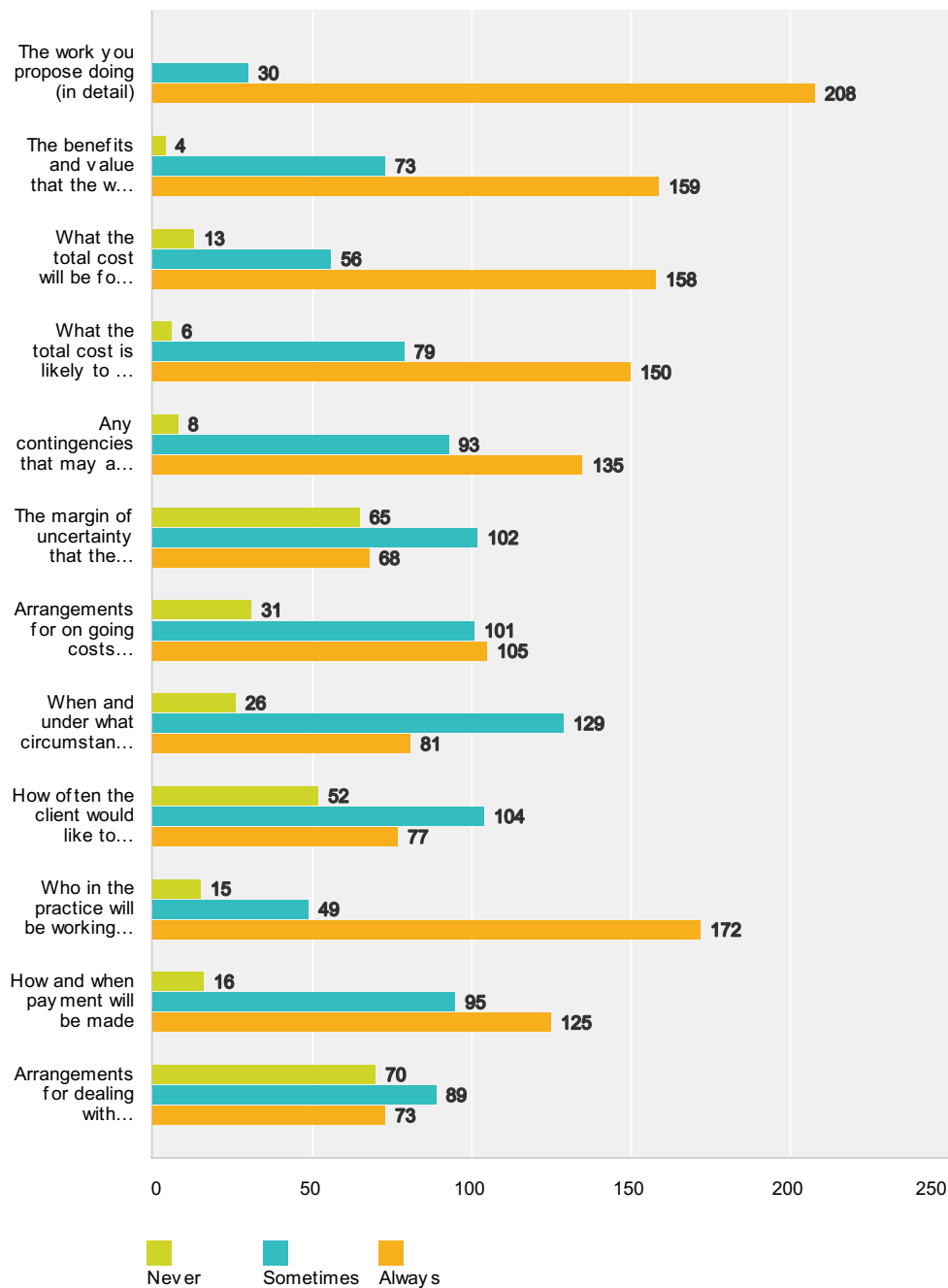
### Q6 How many practising certificate holders are there in your firm?

Answered: 262 Skipped: 60



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

Answered: 240 Skipped: 82



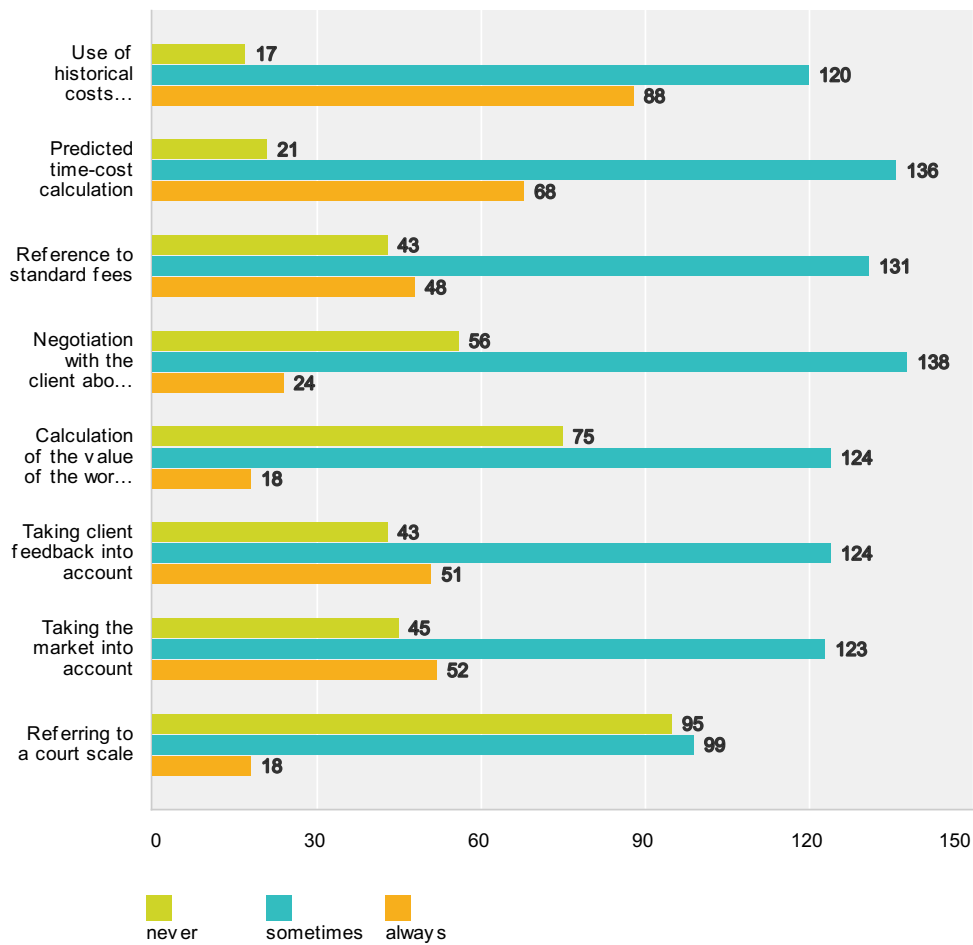
	Never	Sometimes	Always	Total
The work you propose doing (in detail)	0% 0	12.61% 30	87.39% 208	238
The benefits and value that the work you propose doing will deliver to the client	1.69% 4	30.93% 73	67.37% 159	236
What the total cost will be for the client (if fixed fee)	5.73% 13	24.67% 56	69.60% 158	227
What the total cost is likely to be for the client (if not fixed fee)	2.55% 6	33.62% 79	63.83% 150	235
Any contingencies that may add to or subtract from the final bill	3.39% 8	39.41% 93	57.20% 135	236
The margin of uncertainty that the client can tolerate with regard to the final bill	27.66% 65	43.40% 102	28.94% 68	235

# Billing Practices Check for Smaller Law Firms 2013

Arrangements for on going costs disclosure	13.08% 31	42.62% 101	44.30% 105	237
When and under what circumstances you provide costs updates	11.02% 26	54.66% 129	34.32% 81	236
How often the client would like to receive bills	22.32% 52	44.64% 104	33.05% 77	233
Who in the practice will be working on the matter and their charge out rates if applicable	6.36% 15	20.76% 49	72.88% 172	236
How and when payment will be made	6.78% 16	40.25% 95	52.97% 125	236
Arrangements for dealing with complaints	30.17% 70	38.36% 89	31.47% 73	232

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

Answered: 236 Skipped: 86

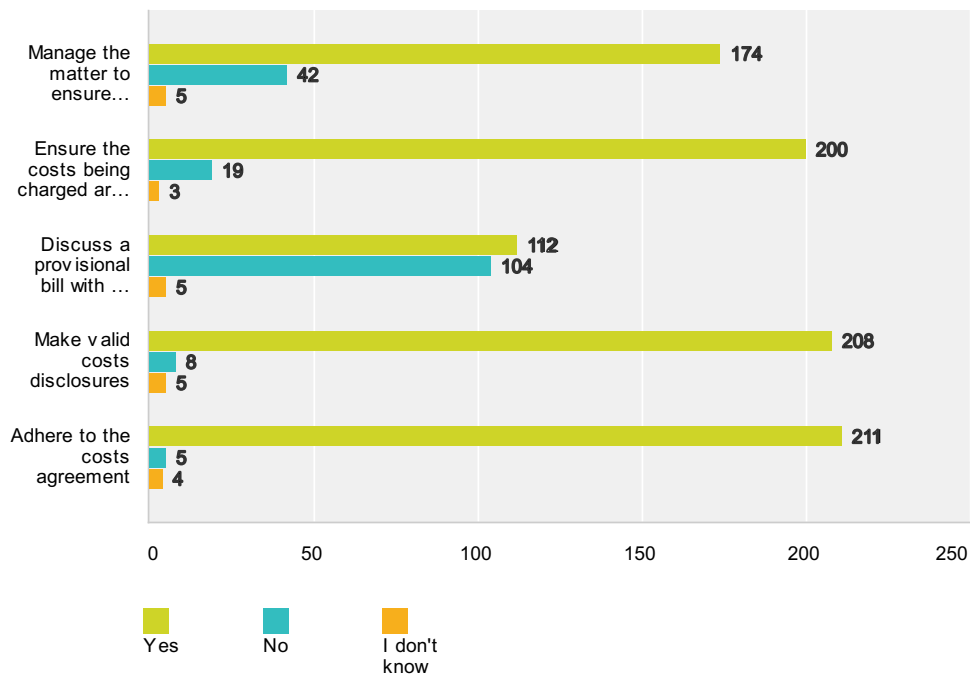


	never	sometimes	always	Total
Use of historical costs information	7.56% 17	53.33% 120	39.11% 88	225
Predicted time-cost calculation	9.33% 21	60.44% 136	30.22% 68	225
Reference to standard fees	19.37% 43	59.01% 131	21.62% 48	222
Negotiation with the client about the value of the work and the cost	25.69% 56	63.30% 138	11.01% 24	218
Calculation of the value of the work to the client	34.56% 75	57.14% 124	8.29% 18	217
Taking client feedback into account	19.72% 43	56.88% 124	23.39% 51	218
Taking the market into account	20.45% 45	55.91% 123	23.64% 52	220
Referring to a court scale	44.81% 95	46.70% 99	8.49% 18	212



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

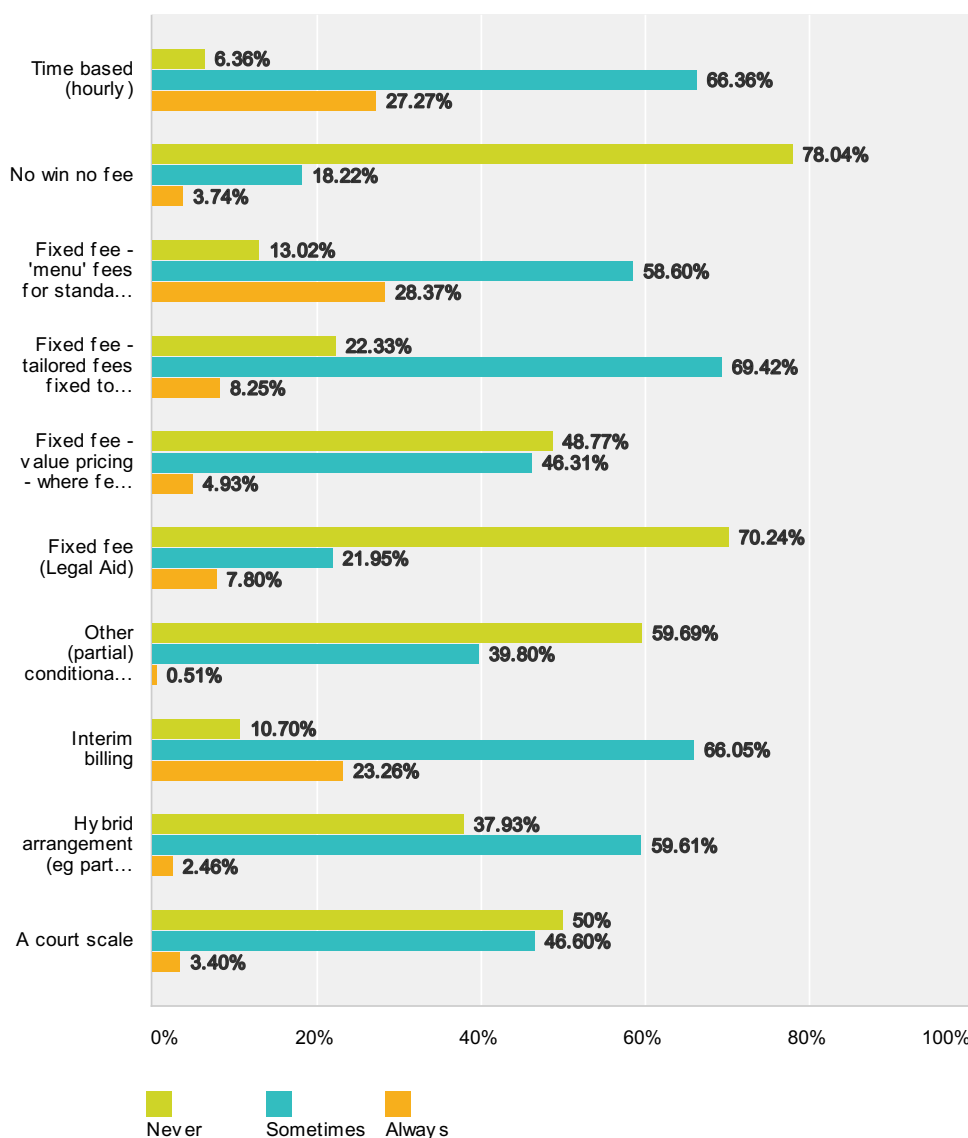
Answered: 224 Skipped: 98



	Yes	No	I don't know	Total
Manage the matter to ensure consistency with the original estimate(s)	78.73% 174	19.00% 42	2.26% 5	221
Ensure the costs being charged are consistent with the practice's own internal costs/billing policies	90.09% 200	8.56% 19	1.35% 3	222
Discuss a provisional bill with the client	50.68% 112	47.06% 104	2.26% 5	221
Make valid costs disclosures	94.12% 208	3.62% 8	2.26% 5	221
Adhere to the costs agreement	95.91% 211	2.27% 5	1.82% 4	220

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

Answered: 228 Skipped: 94



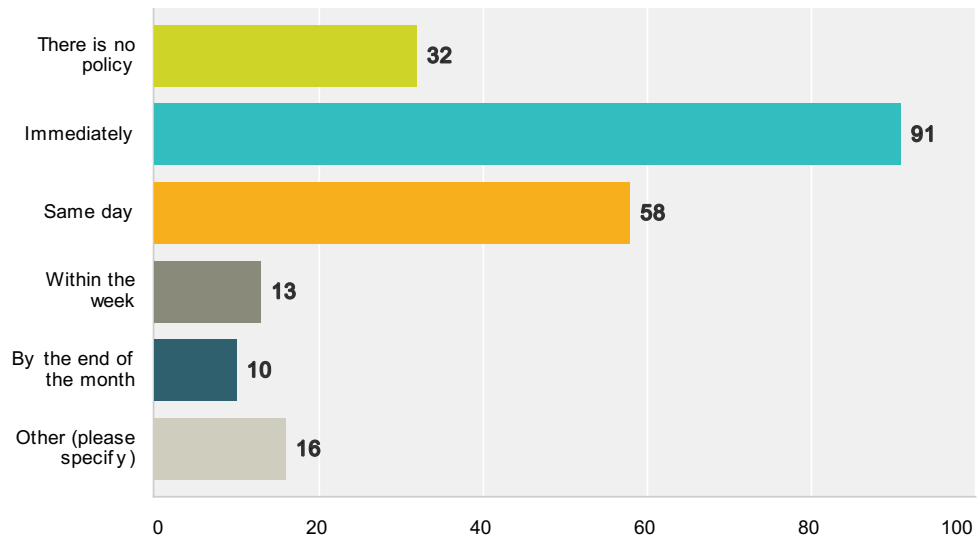
	Never	Sometimes	Always	Total
Time based (hourly)	6.36% 14	66.36% 146	27.27% 60	220
No win no fee	78.04% 167	18.22% 39	3.74% 8	214
Fixed fee - 'menu' fees for standard tasks and instructions (conveyance, wills, EPAs)	13.02% 28	58.60% 126	28.37% 61	215
Fixed fee - tailored fees fixed to specific client needs, following client interview, with reference to internal costs	22.33% 46	69.42% 143	8.25% 17	206
Fixed fee - value pricing - where fees are fixed with greater reference to agreed client value than to internal costs	48.77% 99	46.31% 94	4.93% 10	203
Fixed fee (Legal Aid)	70.24% 144	21.95% 45	7.80% 16	205
Other (partial) conditional fee arrangements	59.69% 117	39.80% 78	0.51% 1	196
Interim billing	10.70% 23	66.05% 142	23.26% 50	215
Hybrid arrangement (eg part fixed/part time-costing)	37.93% 77	59.61% 121	2.46% 5	203

# Billing Practices Check for Smaller Law Firms 2013

A court scale	50% 103	46.60% 96	3.40% 7	206
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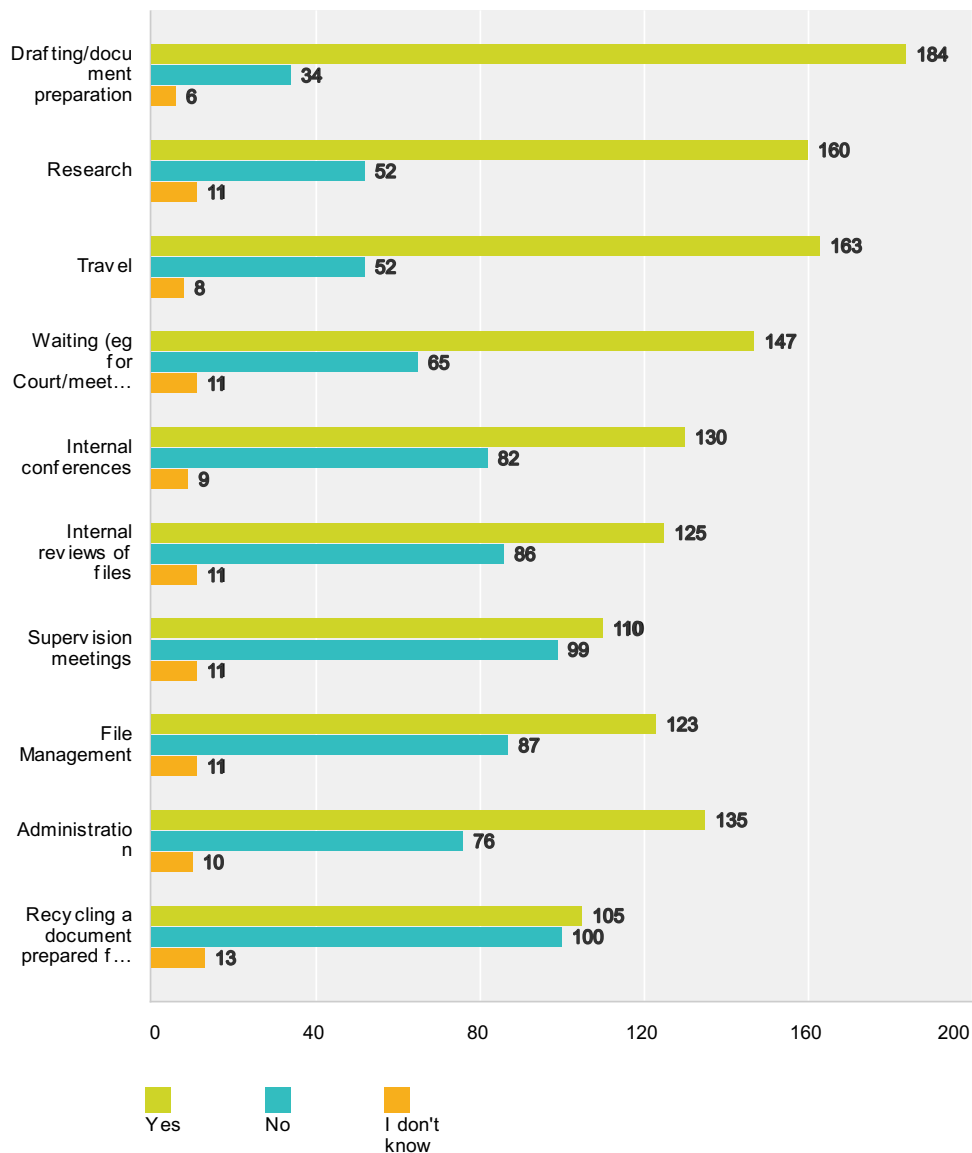
**Q11 Where time billing is utilised in relation to hours worked, what is your firm's policy/guideline as to when times should be entered onto a timesheet? (pick one only)**

Answered: 220 Skipped: 102



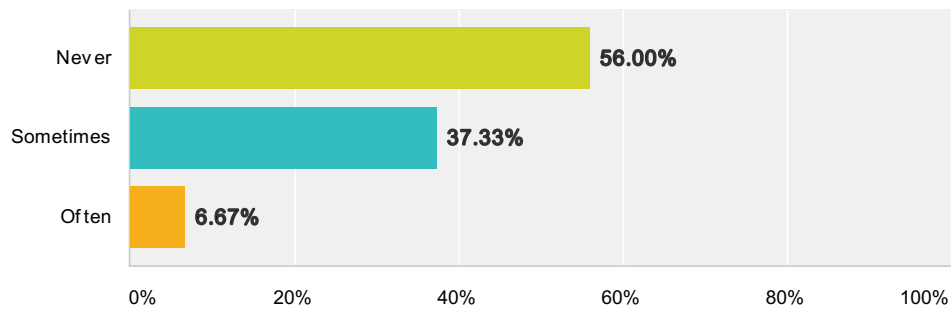
## Q12 Does your firm have billing policies and/or procedures in respect of when it is appropriate to bill for any of the following?

Answered: 224 Skipped: 98



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

Answered: 225 Skipped: 97



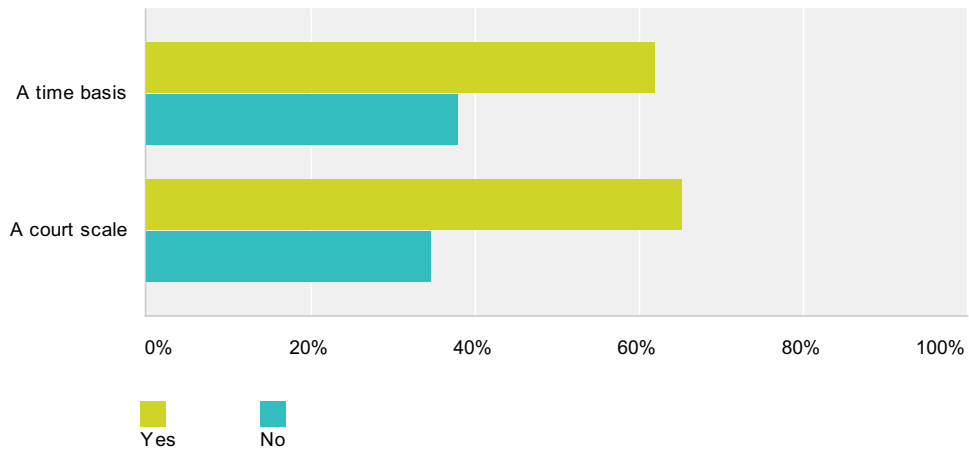
Answer Choices	Responses	
<b>Never</b>	<b>56.00%</b>	126
<b>Sometimes</b>	<b>37.33%</b>	84
<b>Often</b>	<b>6.67%</b>	15
<b>Total</b>		225

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

Answered: 131 Skipped: 191

**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: 134 Skipped: 188

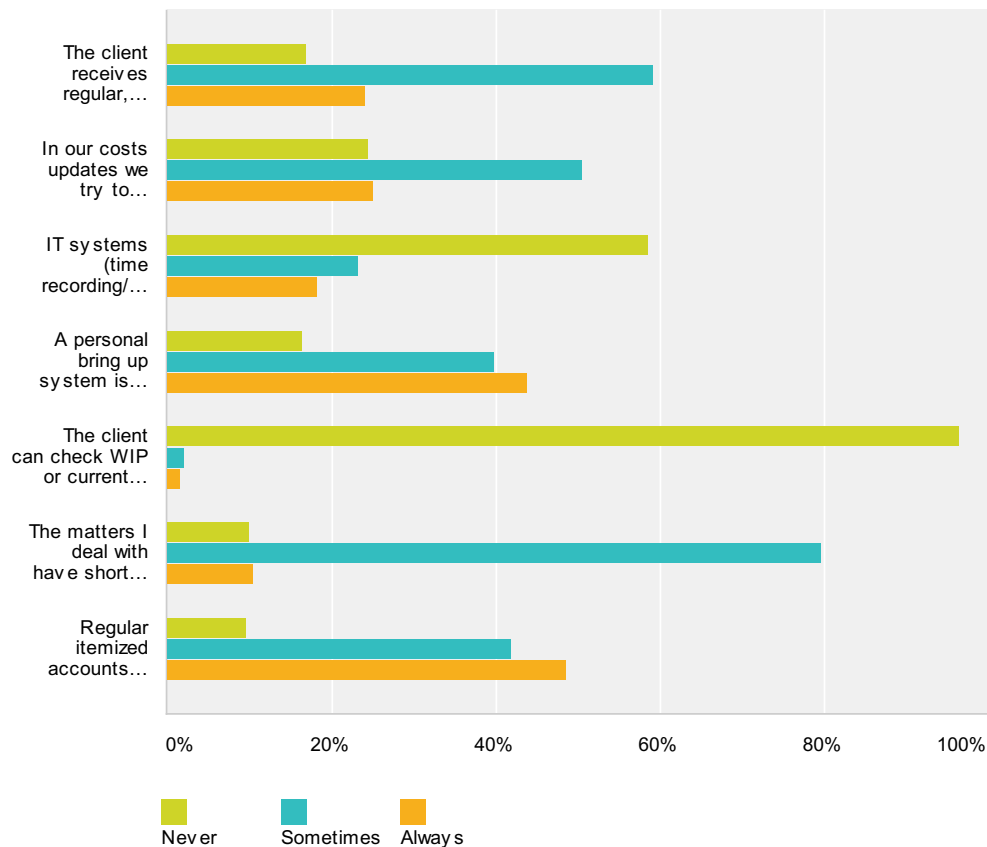


	Yes	No	Total
A time basis	62.02% 80	37.98% 49	129
A court scale	65.29% 79	34.71% 42	121



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

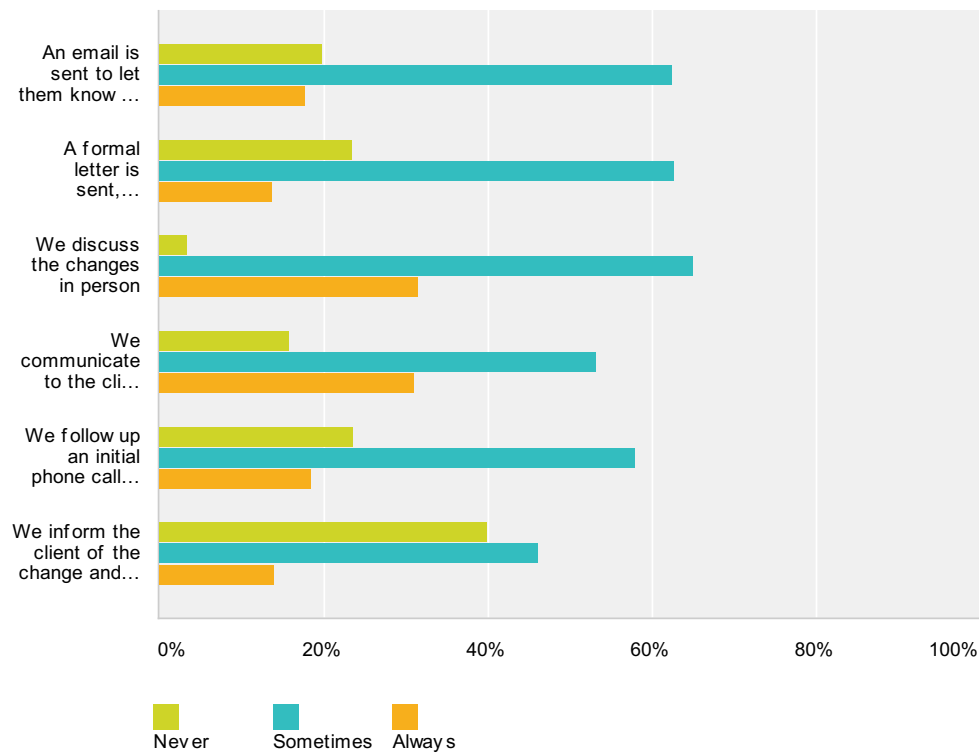
Answered: 218 Skipped: 104



	Never	Sometimes	Always	Total
The client receives regular, scheduled bills that include the charges to date, and estimated charges remaining	16.83% 35	59.13% 123	24.04% 50	208
In our costs updates we try to communicate the benefit of the work to the client, and value for money	24.50% 49	50.50% 101	25% 50	200
IT systems (time recording/accounts) to prompt when milestones are met in terms of accrued WIP	58.59% 116	23.23% 46	18.18% 36	198
A personal bring up system is used	16.42% 33	39.80% 80	43.78% 88	201
The client can check WIP or current costs on-line	96.53% 195	1.98% 4	1.49% 3	202
The matters I deal with have short time frames only	9.90% 20	79.70% 161	10.40% 21	202
Regular itemized accounts unless inappropriate eg for a routine conveyance	9.62% 20	41.83% 87	48.56% 101	208

### 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?

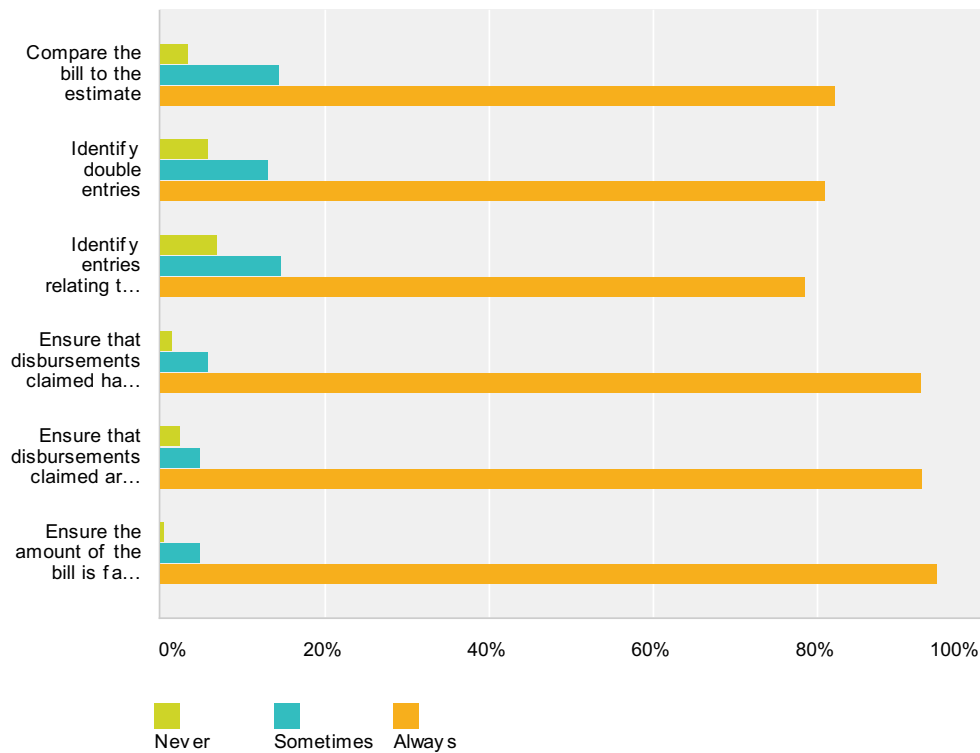
Answered: 211 Skipped: 111



	Never	Sometimes	Always	Total
<b>An email is sent to let them know of the changes, seeking their consent by reply email</b>	19.79% 38	62.50% 120	17.71% 34	192
<b>A formal letter is sent, requesting a response</b>	23.47% 46	62.76% 123	13.78% 27	196
<b>We discuss the changes in person</b>	3.40% 7	65.05% 134	31.55% 65	206
<b>We communicate to the client how the work benefits them, and the value for money that they receive</b>	15.79% 30	53.16% 101	31.05% 59	190
<b>We follow up an initial phone call with a letter that requires a response</b>	23.59% 46	57.95% 113	18.46% 36	195
<b>We inform the client of the change and assume they consent if they do not respond</b>	39.90% 77	46.11% 89	13.99% 27	193

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

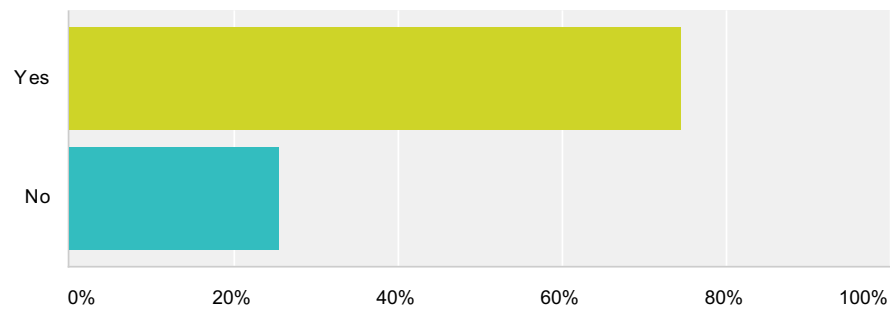
Answered: 212 Skipped: 110



	Never	Sometimes	Always	Total
Compare the bill to the estimate	3.37% 7	14.42% 30	82.21% 171	208
Identify double entries	5.83% 12	13.11% 27	81.07% 167	206
Identify entries relating to other matters (eg time misallocated to the wrong matter)	6.83% 14	14.63% 30	78.54% 161	205
Ensure that disbursements claimed have been reasonably incurred	1.45% 3	5.80% 12	92.75% 192	207
Ensure that disbursements claimed are reasonable in amount	2.40% 5	4.81% 10	92.79% 193	208
Ensure the amount of the bill is fair and reasonable and not excessive	0.48% 1	4.83% 10	94.69% 196	207

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

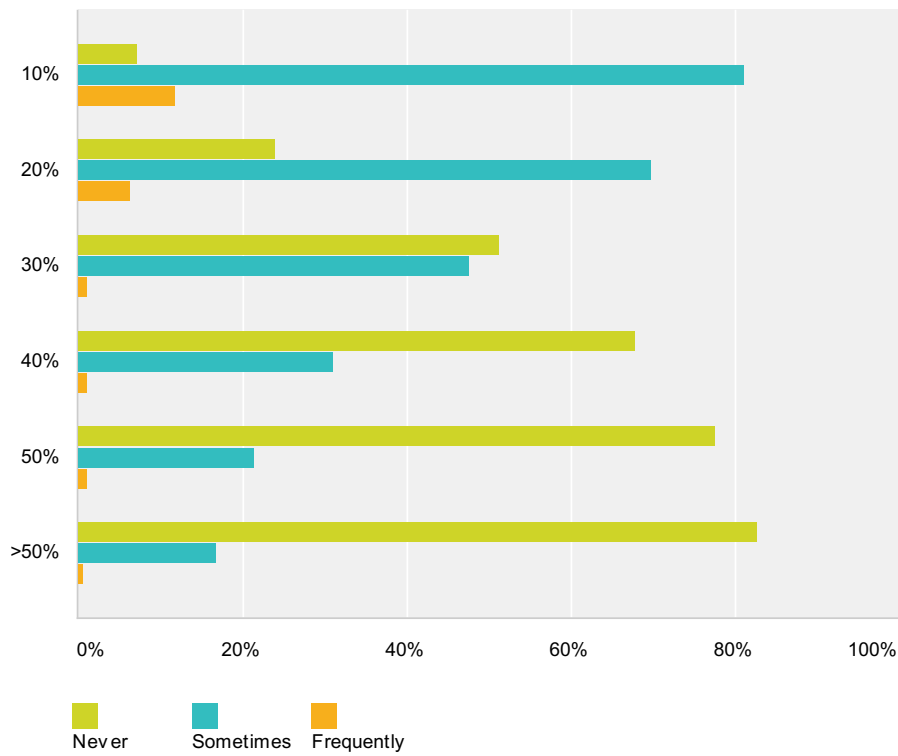
Answered: 208 Skipped: 114



Answer Choices	Responses	
<b>Yes</b>	<b>74.52%</b>	155
<b>No</b>	<b>25.48%</b>	53
Total		208

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

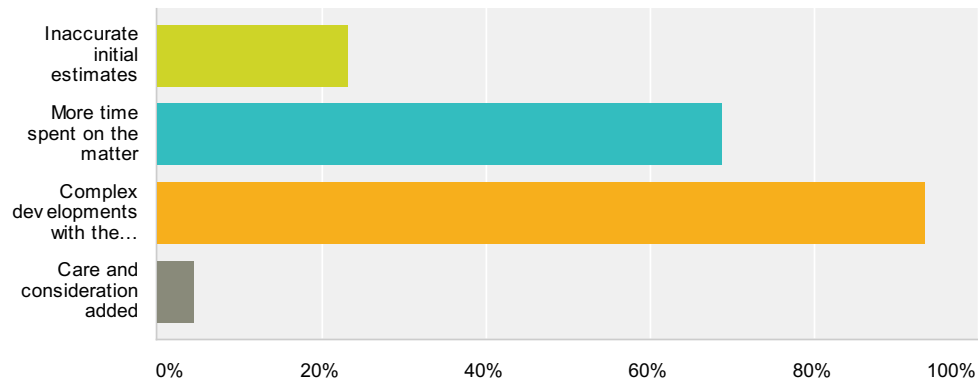
Answered: 203 Skipped: 119



	Never	Sometimes	Frequently	Total
10%	7.14% 14	81.12% 159	11.73% 23	196
20%	23.96% 46	69.79% 134	6.25% 12	192
30%	51.32% 97	47.62% 90	1.06% 2	189
40%	67.89% 129	31.05% 59	1.05% 2	190
50%	77.54% 145	21.39% 40	1.07% 2	187
>50%	82.70% 153	16.76% 31	0.54% 1	185

**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)**

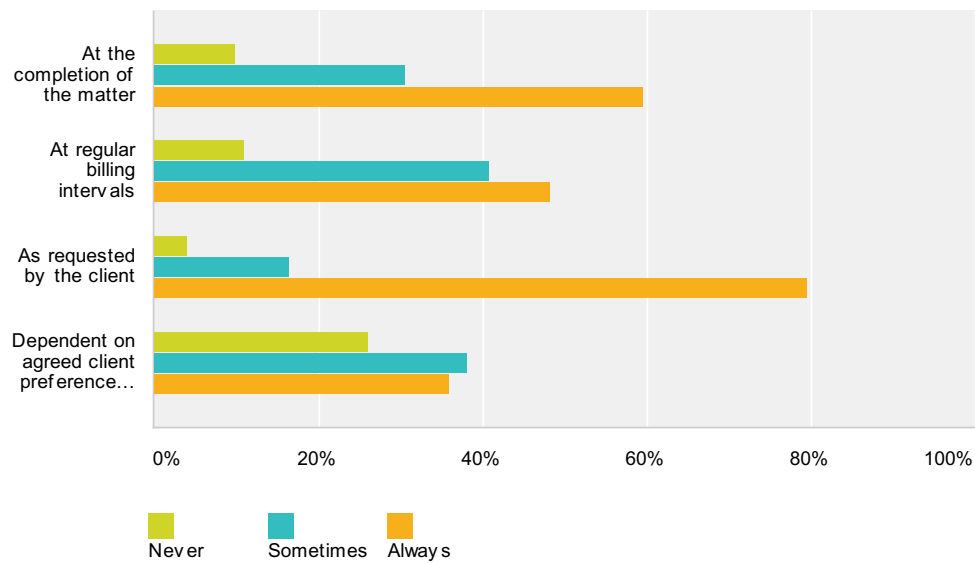
Answered: 202 Skipped: 120



Answer Choices	Responses	
Inaccurate initial estimates	23.27%	47
More time spent on the matter	68.81%	139
Complex developments with the matter	93.56%	189
Care and consideration added	4.46%	9
Total Respondents: 202		

**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)**

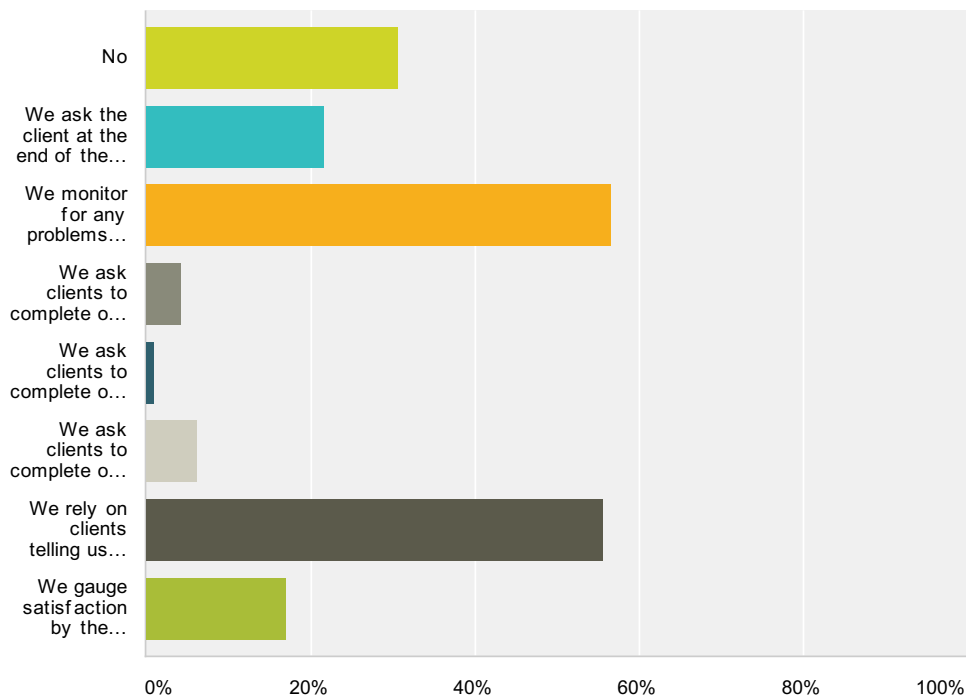
Answered: 213 Skipped: 109



	Never	Sometimes	Always	Total
<b>At the completion of the matter</b>	9.85% 20	30.54% 62	59.61% 121	203
<b>At regular billing intervals</b>	10.95% 22	40.80% 82	48.26% 97	201
<b>As requested by the client</b>	3.98% 8	16.42% 33	79.60% 160	201
<b>Dependent on agreed client preference at the start of the matter</b>	26.09% 48	38.04% 70	35.87% 66	184

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

Answered: 212 Skipped: 110

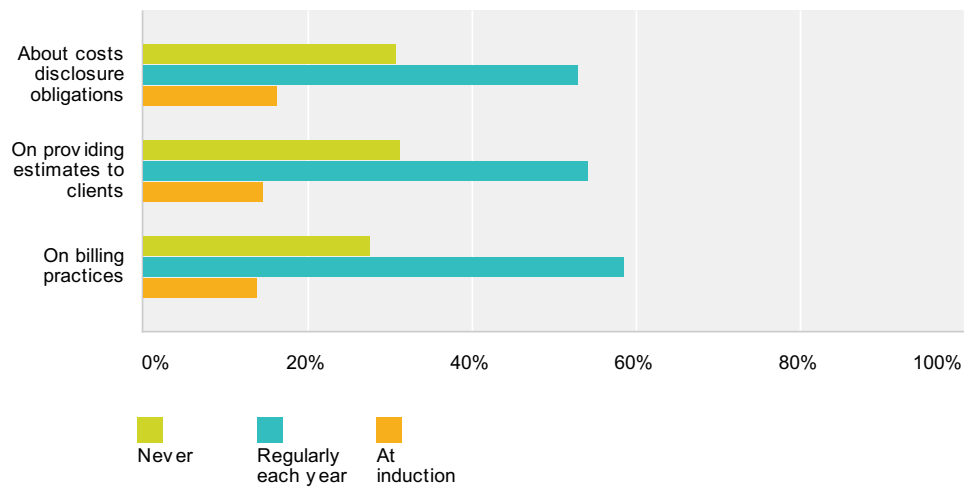


Answer Choices	Responses	
<b>No</b>	<b>30.66%</b>	65
<b>We ask the client at the end of the matter through a meeting or phone call</b>	<b>21.70%</b>	46
<b>We monitor for any problems arising</b>	<b>56.60%</b>	120
<b>We ask clients to complete our client satisfaction survey (on line)</b>	<b>4.25%</b>	9
<b>We ask clients to complete our client satisfaction survey (telephone call)</b>	<b>0.94%</b>	2
<b>We ask clients to complete our client satisfaction survey (by post)</b>	<b>6.13%</b>	13
<b>We rely on clients telling us if they are dissatisfied with costs disclosures or billing</b>	<b>55.66%</b>	118
<b>We gauge satisfaction by the recovery percentage or % of bill amounts that are ultimately recovered</b>	<b>16.98%</b>	36
Total Respondents: 212		



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

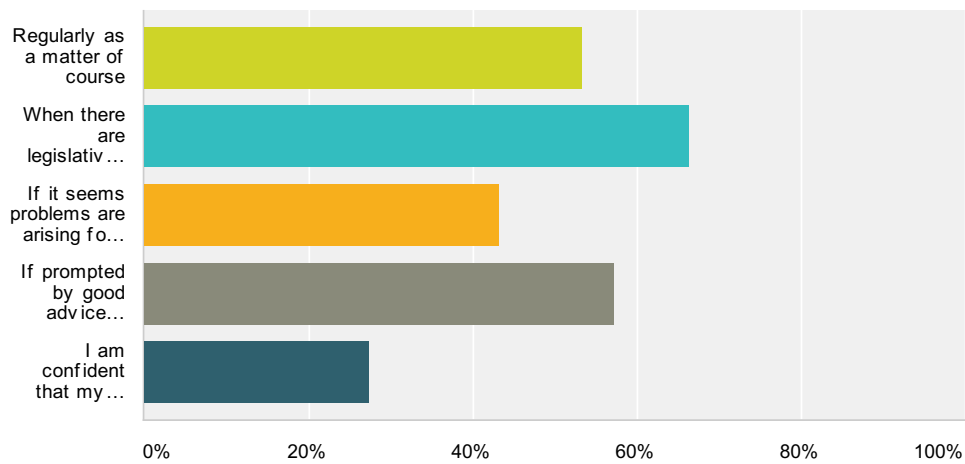
Answered: 188 Skipped: 134



	Never	Regularly each year	At induction	Total
About costs disclosure obligations	30.81% 57	52.97% 98	16.22% 30	185
On providing estimates to clients	31.28% 56	54.19% 97	14.53% 26	179
On billing practices	27.62% 50	58.56% 106	13.81% 25	181

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

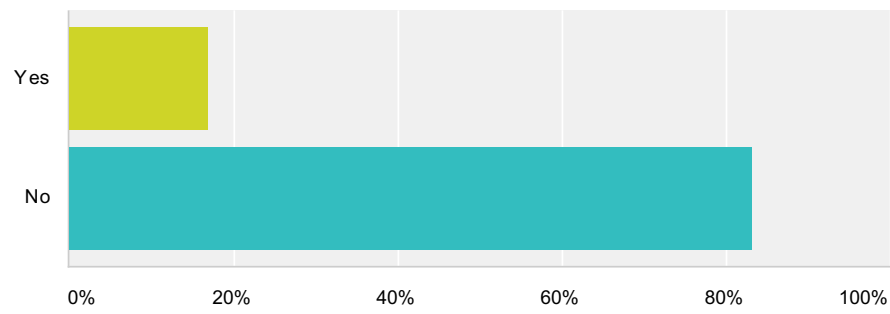
Answered: 208 Skipped: 114



Answer Choices	Responses	
<b>Regularly as a matter of course</b>	<b>53.37%</b>	111
<b>When there are legislative changes</b>	<b>66.35%</b>	138
<b>If it seems problems are arising for clients</b>	<b>43.27%</b>	90
<b>If prompted by good advice received when attending external training</b>	<b>57.21%</b>	119
<b>I am confident that my billing practices always comply with my professional obligations</b>	<b>27.40%</b>	57
Total Respondents: 208		

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

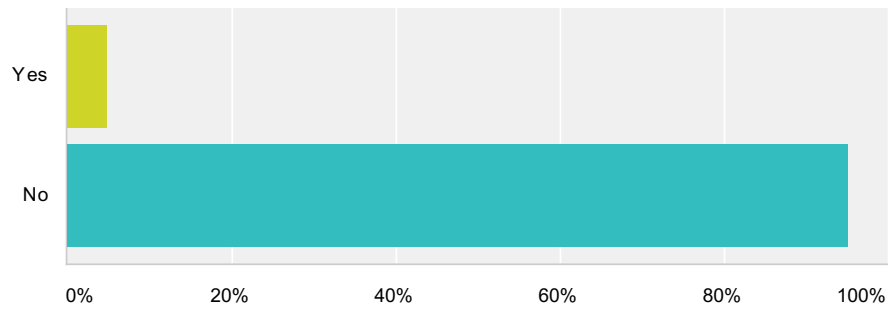
Answered: 208 Skipped: 114



Answer Choices	Responses	
<b>Yes</b>	<b>16.83%</b>	35
<b>No</b>	<b>83.17%</b>	173
Total		208

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

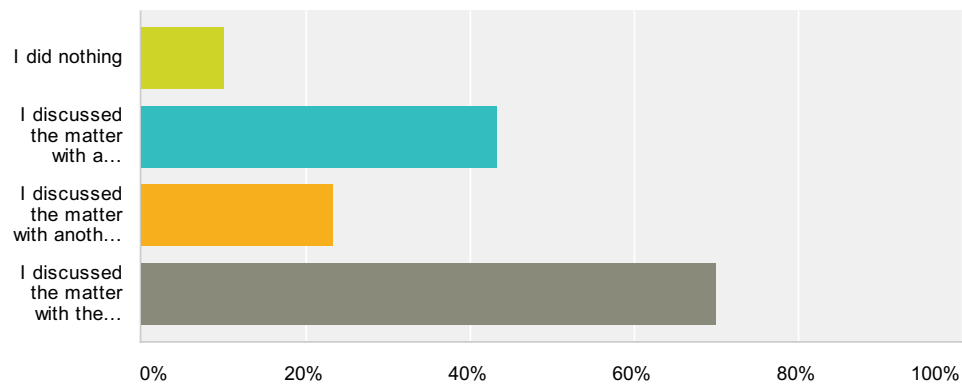
Answered: 208 Skipped: 114



Answer Choices	Responses	
<b>Yes</b>	<b>4.81%</b>	10
<b>No</b>	<b>95.19%</b>	198
Total		208

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

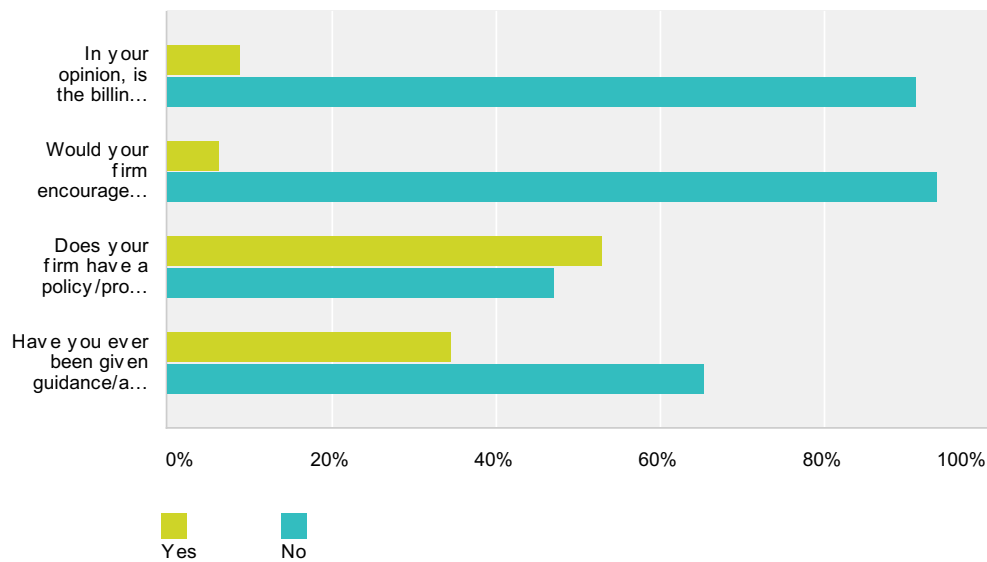
Answered: 30 Skipped: 292



Answer Choices	Responses	
<b>I did nothing</b>	<b>10%</b>	3
<b>I discussed the matter with a supervisor or managing partner/legal practitioner director</b>	<b>43.33%</b>	13
<b>I discussed the matter with another legal practitioner</b>	<b>23.33%</b>	7
<b>I discussed the matter with the legal practitioner whose practices I queried</b>	<b>70%</b>	21
Total Respondents: 30		

**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.**

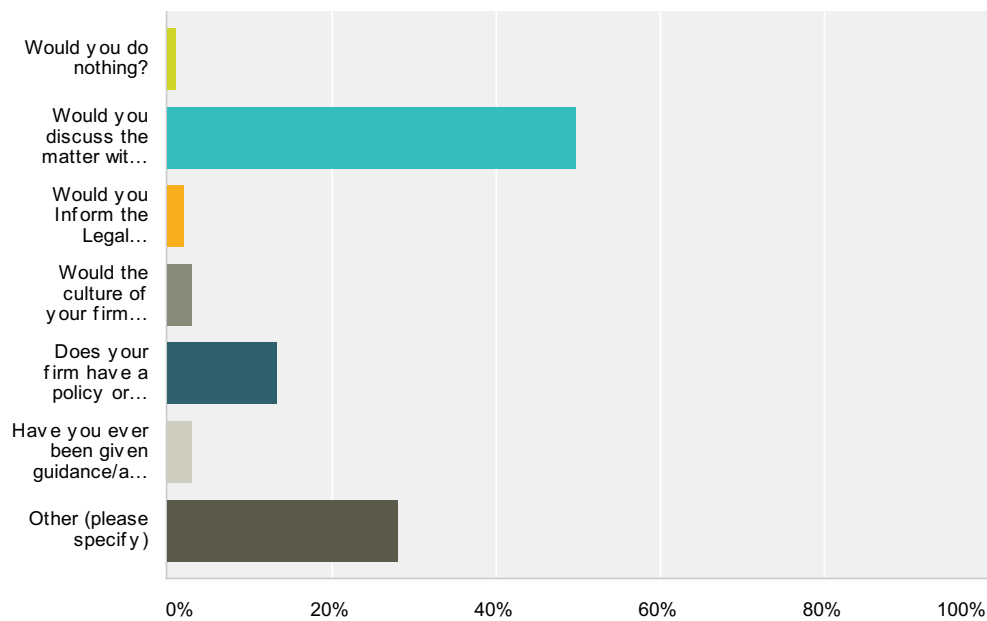
Answered: 209 Skipped: 113



	Yes	No	Total
In your opinion, is the billing practice ethically appropriate?	8.78% 18	91.22% 187	205
Would your firm encourage this practice?	6.25% 13	93.75% 195	208
Does your firm have a policy/procedure in relation to this issue?	52.91% 109	47.09% 97	206
Have you ever been given guidance/advice in relation to the practices described above?	34.54% 67	65.46% 127	194

**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.**

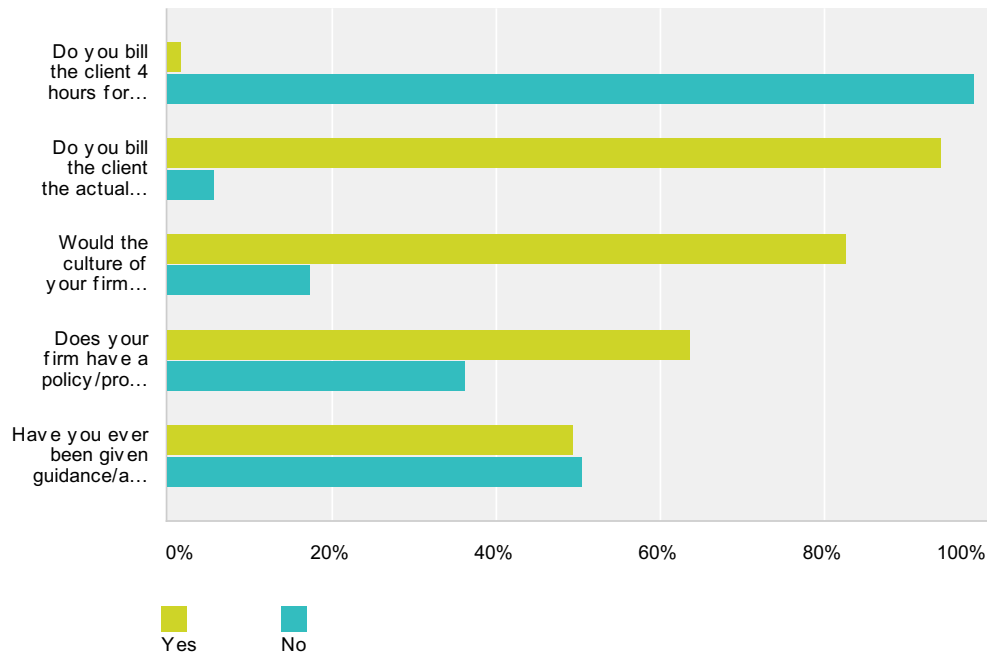
Answered: 203 Skipped: 119



Answer Choices	Responses	
Would you do nothing?	0.99%	2
Would you discuss the matter with a supervisor or managing partner/legal practitioner director?	49.75%	101
Would you Inform the Legal Services Commission after speaking to management?	1.97%	4
Would the culture of your firm encourage your choice of action?	2.96%	6
Does your firm have a policy or procedure in relation to this issue?	13.30%	27
Have you ever been given guidance/advice in relation to your choice of action?	2.96%	6
Other (please specify)	28.08%	57
Total	203	

**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: 197 Skipped: 125

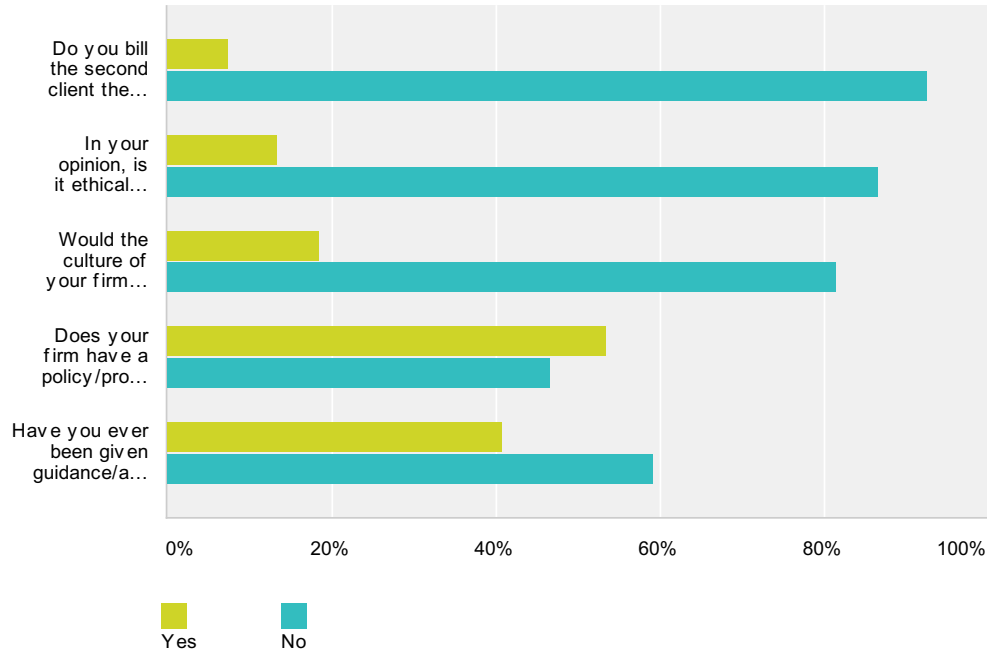


	Yes	No	Total
Do you bill the client 4 hours for each matter?	1.67% 3	98.33% 177	180
Do you bill the client the actual time spent on each matter?	94.33% 183	5.67% 11	194
Would the culture of your firm encourage the action you decide to take?	82.66% 143	17.34% 30	173
Does your firm have a policy/procedure in relation to this issue?	63.69% 114	36.31% 65	179
Have you ever been given guidance/advice in relation to the practices described above?	49.43% 86	50.57% 88	174



**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.**

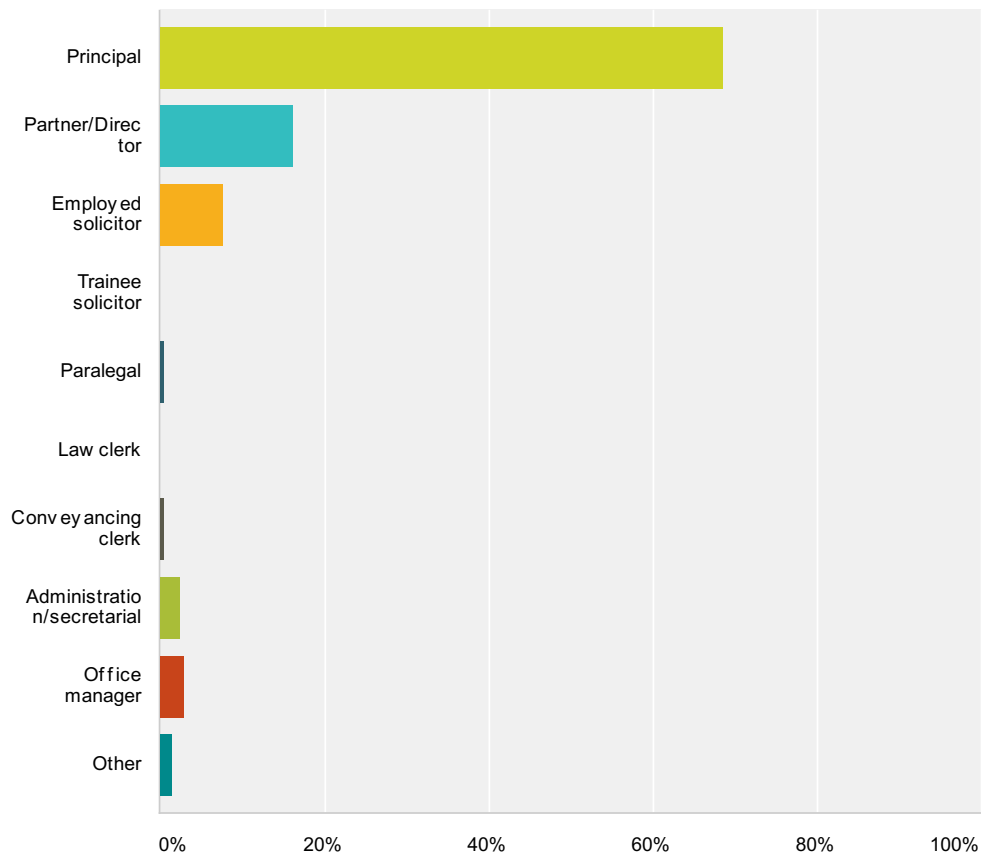
Answered: 204 Skipped: 118



	Yes	No	Total
Do you bill the second client the same as you did for the first client?	7.43% 15	92.57% 187	202
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?	13.40% 26	86.60% 168	194
Would the culture of your firm encourage this practice?	18.52% 35	81.48% 154	189
Does your firm have a policy/procedure in relation to this issue?	53.40% 102	46.60% 89	191
Have you ever been given guidance/advice in relation to the practices described above?	40.76% 75	59.24% 109	184

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

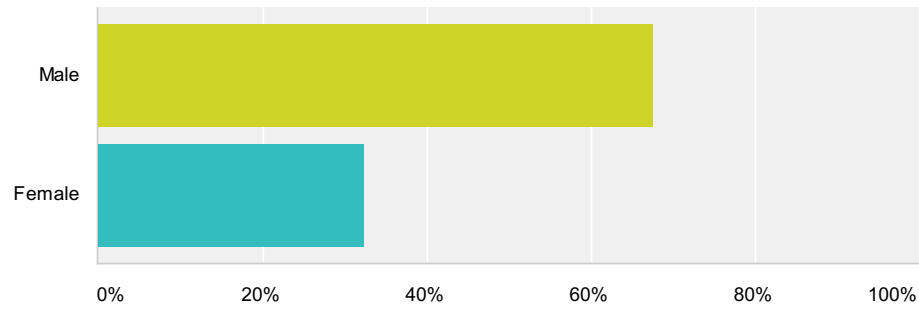
Answered: 210 Skipped: 112



Answer Choices	Responses	
<b>Principal</b>	<b>68.57%</b>	144
<b>Partner/Director</b>	<b>16.19%</b>	34
<b>Employed solicitor</b>	<b>7.62%</b>	16
<b>Trainee solicitor</b>	<b>0%</b>	0
<b>Paralegal</b>	<b>0.48%</b>	1
<b>Law clerk</b>	<b>0%</b>	0
<b>Conveyancing clerk</b>	<b>0.48%</b>	1
<b>Administration/secretarial</b>	<b>2.38%</b>	5
<b>Office manager</b>	<b>2.86%</b>	6
<b>Other</b>	<b>1.43%</b>	3
<b>Total</b>		210

## Q34 What is your gender?

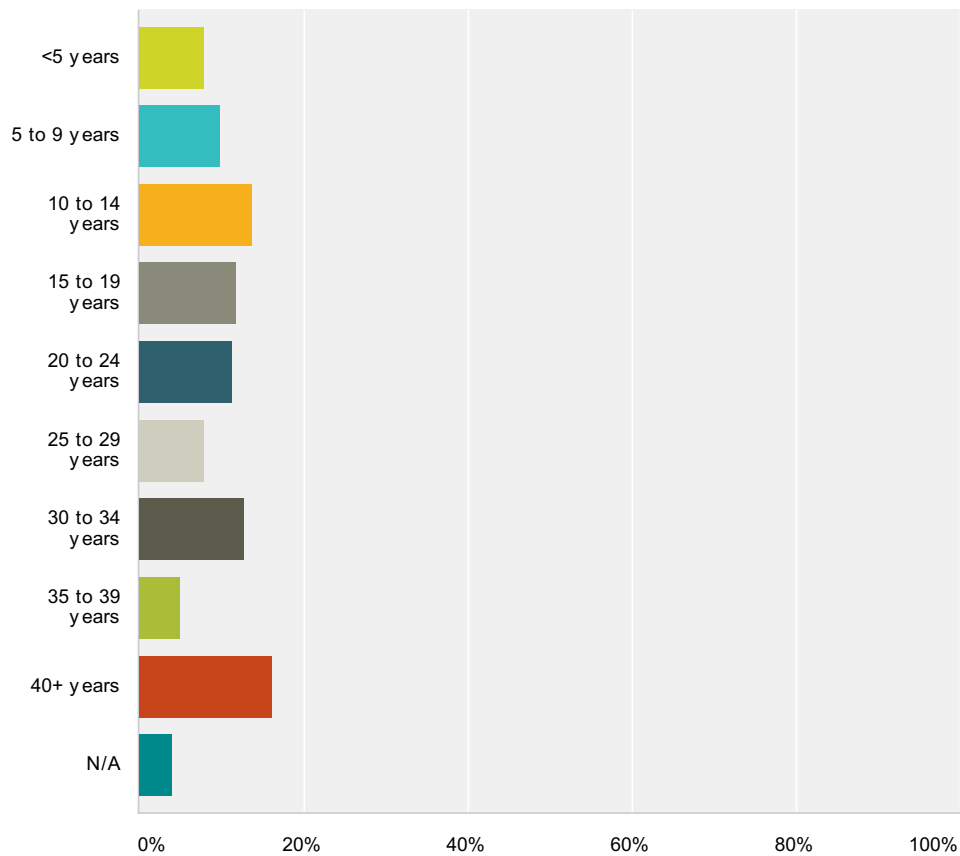
Answered: 210 Skipped: 112



Answer Choices	Responses	
<b>Male</b>	<b>67.62%</b>	142
<b>Female</b>	<b>32.38%</b>	68
Total		210

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

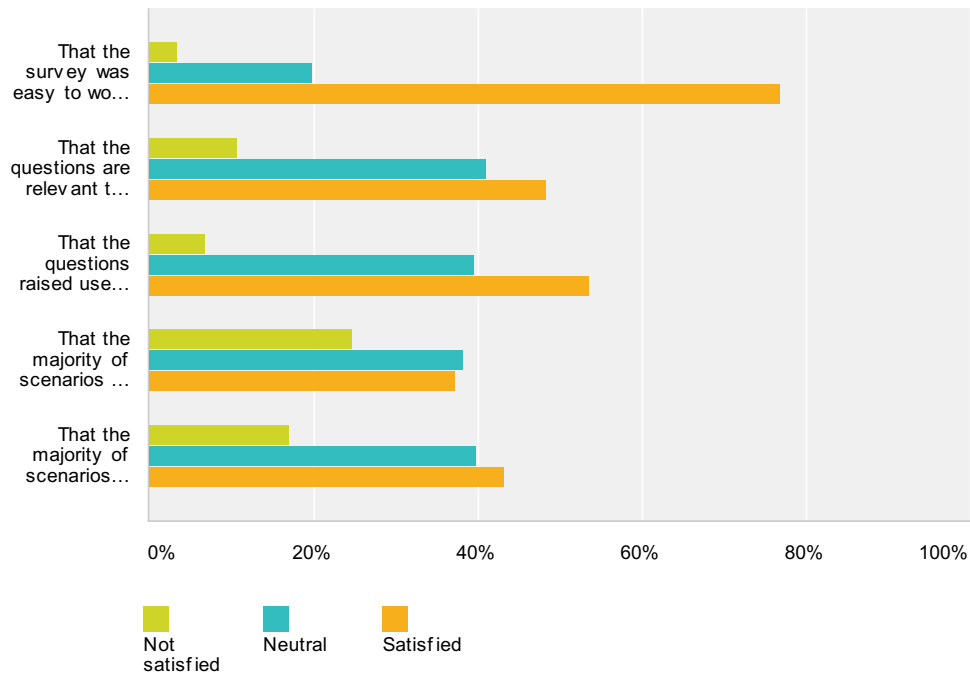
Answered: 204 Skipped: 118



Answer Choices	Responses	
<5 years	7.84%	16
5 to 9 years	9.80%	20
10 to 14 years	13.73%	28
15 to 19 years	11.76%	24
20 to 24 years	11.27%	23
25 to 29 years	7.84%	16
30 to 34 years	12.75%	26
35 to 39 years	4.90%	10
40+ years	16.18%	33
N/A	3.92%	8
Total		204

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

Answered: 207 Skipped: 115



	Not satisfied	Neutral	Satisfied	Total
That the survey was easy to work through	3.38% 7	19.81% 41	76.81% 159	207
That the questions are relevant to your firm	10.63% 22	41.06% 85	48.31% 100	207
That the questions raised useful issues for your firm	6.76% 14	39.61% 82	53.62% 111	207
That the majority of scenarios are relevant to your firm	24.64% 51	38.16% 79	37.20% 77	207
That the majority of scenarios raised useful issues for your firm	16.99% 35	39.81% 82	43.20% 89	206