

## Consultation Response Report

### Costs Lawyer Standards Board (CLSB)

Consultation commenced: Tuesday 7 August 2012  
 Consultation closed: Friday 7 September 2012 (close of business)  
 Subject of consultation: Costs Lawyer Practising Certificate Fee 2013  
 Fee for regulation of Trainee Costs Lawyers 2013  
 Consultees: Costs Lawyers

<b>QUESTION 1</b>	<b>Received</b>	<b>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?</b>
Costs Lawyer	8 Aug	Yes
Costs Lawyer	8 Aug	Yes
Costs Lawyer	10 Aug	I am glad to see the fee of £250 has been maintained from last year despite a general increase in other areas of the economy. I note the split between CLSB and LSB.
Costs Lawyer	10 Aug	Yes
Costs Lawyer	11 Aug	I agree with the proposed fee of £250.00
Costs Lawyer	13 Aug	Response: Yes.
Costs Lawyer	21 Aug	Yes

<b>QUESTION 2</b>	<b>Received</b>	<b>Do you agree that in the event of regulation by CLSB a Trainee Costs Lawyer should pay a regulatory fee of £100?</b>
Costs Lawyer	8 Aug	Yes
Costs Lawyer	8 Aug	I understand the course fees are fairly expensive and do not consider it appropriate to levy a further fee upon the Trainees.
Costs Lawyer	10 Aug	I agree that Trainee Costs Lawyers should be subject to Regulation, albeit at a reduced fee. The present system is an anomaly as a Trainee Costs Lawyer could be in Court and unregulated one week but qualify and be regulated the next week. Agreement to regulation shows a commitment to the profession.
Costs Lawyer	10 Aug	Yes
Costs Lawyer	11 Aug	I agree that a Trainee should pay a regulatory fee of whatever you consider appropriate
Costs Lawyer	13 Aug	Response: No. There is no good reason why the trainee costs lawyer regulatory fee should be any less than that paid by a costs lawyer (i.e. £200.00 as, of course, the element of the PCF relating to levy is not payable by trainee costs lawyers to LeO/LSB). The entire cost of regulation, of both trainee costs lawyers and costs lawyers, should be divided equally amongst all (which may result in a reduction from the figure of £200.00 once all monies are

		pooled, as it were, and divided equally amongst trainee costs lawyers and costs lawyers). While, during the process of the consultation detailed at paragraph 6 of the Consultation Paper, the 'additional cost' is peculiar to trainee costs lawyers only, once the ability to regulate trainee costs lawyers exists, surely regulation of both trainee costs lawyers and costs lawyers moving forward will be more or less the same thing. Further of course, costs lawyers are currently being asked to pay a fee (indistinguishable at present, as I cannot see that the CLSB has endeavoured to estimate the cost of consulting upon and implementing the intention to regulate trainee costs lawyers) to introduce regulation of trainee costs lawyers – a benefit for trainee costs lawyers being paid for by costs lawyers?
Costs Lawyer	21 Aug	Yes

<b>QUESTION 3</b>	<b>Received</b>	<b>Do you have any comments on the proposed permitted purposes activities/objectives of CLSB for 2013 and should anything else be included?</b>
Costs Lawyer	8 Aug	No
Costs Lawyer	8 Aug	No
Costs Lawyer	10 Aug	It is appreciated that CLSB work to raise the profile of Costs Lawyers and I agree that a kite mark would be useful in promoting a Costs Lawyer over a non-regulated Costs Draftsman. I would hope that CLSB can assist in bringing more Costs draftsmen into regulation. This will ensure greater protection for the public and provide an economy of scale for CLSB.
Costs Lawyer	10 Aug	No
Costs Lawyer	11 Aug	I have no other suggestions
Costs Lawyer	13 Aug	<i>Managing risks within the profession.</i> Not understood!  <i>Providing best possible service at lowest possible cost.</i> I'm not sure that the above is strictly a 'permitted purpose' under Section 51(4) LSA 2007, more a statement of the obvious for any regulator or business!
Costs Lawyer	21 Aug	No

	<b>Received</b>	<b>General Responses</b>
Costs Lawyer	8 Aug	Having read the consultation paper, I agree to the fees being proposed for the Cost Lawyer fee.
Costs Lawyer	8 Aug	I have been through everything and agree with it.
Costs Lawyer	12 Aug	Why do you need room hire? I thought you had an existing office? If not why not hire rooms central to the members to reduce travelling expenses? Why should CEO get private health care which Costs Lawyers

		<p>cannot afford?</p> <p>Why should we effectively pay in advance for complaint investigations and conduct hearings and legal assistance? How many have actually taken place so far?</p> <p>Why do we need education audit costs?</p> <p>What is entity cover?</p> <p>Why not join FSB and get free banking from Coop Bank?</p> <p>Why should we effectively pay in advance for advertising for replacing members who have only recently joined and such a high contingency figure?</p> <p>Strip these out and the budget is a lot lower and so could our fee be.</p> <p>It looks like they have been included to keep the figures up to the 2011 level, plus a bit, and in times of falling work loads, Jackson reforms which will wipe many of us out and a recession you should be helping us to keep cost down and reducing our Costs Lawyer's fee overall.</p> <p>I also note that para. 3 of the consultation paper states that you can have a practising certificate without being an ACL member so what is the use of being a member, apart from the magazine, in future?</p> <p>Perhaps there should be a debate about it at the Manchester Conference in October.</p> <p>Food for thought?</p>
Costs Lawyer	13 Aug	<ol style="list-style-type: none"> <li>1. The accounts are indicative of CLSB functioning in a most prudent way. The economic expenditure should be appreciated by ACL members.</li> <li>2. The mark of regulation will be most welcome.</li> <li>3. Regulation of Trainee Costs Lawyers by CLSB is a must.</li> <li>4. The activities and objectivities are entirely appropriate.</li> <li>5. The levels of fees proposed are very fair. If trainees are to be regulated through CLSB a regulatory fee should be paid.</li> </ol> <p>Hopefully, in turn ACL can reduce subscriptions for trainees.</p>
Costs Lawyer	4 Sept	<p>Thank you for documentation received. I don't know what to say about the documents we just have to pay to remain in business.</p> <p>Hopefully I will retire soon.</p>