

TRAINING RULES
COSTS LAWYERS

Regulator: Costs Lawyer Standards Board

Effective date: XXX

Introduction

These rules (“Rules”) were made pursuant to the Legal Services Act 2007 (“LSA”) and replace all other training rules previously issued. These Rules apply to all Trainee Costs Lawyers.

Reference herein to Trainee Costs Lawyer shall include:

- those applying to become a Trainee Costs Lawyer; and
- those undertaking the training and qualification.

RULE 1: Aims & outcomes

1.1 The aims and outcomes of the Costs Lawyer training & qualification are annexed hereto.

RULE 2: Authorised study provider

2.1 Study to become a Costs Lawyer may only be undertaken with a study provider authorised by the CLSB (“Authorised Study Provider”).

RULE 3: Qualifying employment

3.1 There is no requirement that a Trainee Costs Lawyer be predominantly employed in costs law whilst undertaking study however 3 years relevant experience in costs law and practice is required before Costs Lawyer status can be achieved (see Rule 8).

RULE 4: Minimum age

4.1 The minimum age for a Trainee Costs Lawyer is 16.

RULE 5: Entry level qualifications

5.1 The minimum level of qualification for an Authorised Study Provider to accept a Trainee Costs Lawyer is as set out below, or equivalent:

- (a) four GCSEs at grade C or above, English and Maths being compulsory; or
- (b) two A level passes and 1 GSCE level to include English; or
- (c) three AS level passes to include either English or Maths; or

- (d) GNVQ at intermediate or advance level, provided a communications skills element is included; or
 - (e) passing a written aptitude test set by the Authorised Study Provider.
- 5.2 Documentary evidence of qualifications must be provided to the Authorised Study Provider before study can be commenced.

RULE 6: Application requirements

- 6.1 An application for study must be made to an Authorised Study Provider by 30 June in the year of intended study. Study will commence September of each year.
- 6.2 An application for study must provide all documentation and information as required by the Authorised Study Provider.
- 6.3 On an application for study and during the course of study a Trainee Costs Lawyer must declare any information that might affect their suitability to be a Trainee Costs Lawyer/Costs Lawyer which includes:
- (a) Any disciplinary action by any professional body.
 - (b) Any finding of cheating in exams or plagiarism during the course of study.
 - (c) If they are an un-discharged or discharged bankrupt.
 - (d) If they have entered into an individual Voluntary Arrangement under the Insolvency Act 1986, as amended.
 - (e) If they have entered into a partnership Voluntary Arrangement under the Insolvency Act 1986.
 - (f) If they have been a director of a company or member of an LLP which has been wound up or the subject of an administration order, administrative receivership or a voluntary arrangement under the Insolvency Act 1986.
 - (g) If they have been disqualified from being a company director.
 - (h) If they have been committed to prison on civil or criminal proceedings or have been convicted of an indictable offence (subject to the Rehabilitation of Offenders Act).
 - (i) If they Lack capacity within the meaning of the Mental Capacity Act 2005.
 - (j) If they have been removed from the office of charity trustee or trustee for a charity by an order within the terms of section 72(1)(d) of the Charities Act 1993.
 - (k) If they are or have been the subject of a money judgement which has been outstanding for more than 28 days.
 - (l) If they have been the subject of an order under section 43 of the Solicitors Act 1974.
 - (m) Any other matter that might reasonably be expected to be disclosed in affecting their fitness to study for the Costs Lawyer professional qualification.
- 6.4 In the event of any declarations under Rule 6.3 the Authorised Study Provider will consider the Trainee Costs Lawyers suitability and whether any conditions of study should be imposed.

- 6.5 The Authorised Study Provider may make any required checks including criminal records checks at any time to ensure the suitability of a Trainee Costs Lawyer.
- 6.6 Failure to disclose or the provision of misleading information on an application will be taken into account by the Authorised Study Provider when considering the suitability of a Trainee Costs Lawyer on application or subsequently.
- 6.7 A Trainee Costs Lawyer will be required to submit the contact details for two referees (one character, one professional).

RULE 7: Exemptions

- 7.1 Prevailing exemptions will be considered by an Authorised Study Provider in the event a Trainee Costs Lawyer has achieved any of the following qualifications during the previous 7 years:
 - Law degree
 - Law degree & certificate of completion of the Legal Practice Course (LPC)
 - The Bar Vocational Course (BVC)/Bar Professional Training Course (BFTC)
 - CILEx
- 7.2 Eligibility for exemptions will be checked by the Authorised Study Provider.

RULE 8: Work based qualifying experience

- 8.1 In addition to successfully completing the qualification a Trainee Costs Lawyer must also achieve 3 years relevant work experience in costs law and practice before they may apply to become a Costs Lawyer.
- 8.2 The required work based experience set out in Rule 8.1 may be achieved before, during or after the period of study and need not be continuous.
- 8.3 The Authorised Study Provider may undertake checks to ensure the required work based experience was achieved and was relevant.

Annexed hereto:

Costs Lawyer Training & Qualification (as referred to in Rule 1.1)

- Aims & outcomes
- Overview
- Unit 1
- Unit 2
- Unit 3