



Pre-litigation process

Step One

Preliminary Checks

Upon receiving the account, we will do all the checks required to ensure that the contract is enforceable. We will check the following -

That the business is still trading and active with companies house.

There are no current proposals to dissolve said business and if so, that immediately we object to such with companies house and prevent dissolution (this is often granted for 6 months) for us to actively chase.



Step Two

Intital Letter

We send out our first letter (along with a scanned copy sent via email). This gives them 7 days to respond. We will actively chase the debtor through telephone calls. We generally try to get payment in full, however, where this is not viable, we will accept payment plans for up until 4 months. If the debtor wishes for a payment plan beyond this date, we will request permission from our client before accepting. This continues for approximately 28 days before the next step.



Step Four

Once we feel we have exhausted all pre-legal options, we will then look at whether or not we should close this account or begin the formal legal procedure required.

This will include the likely chance of winning the case, the assets of the business and if they currently have any outstanding judgement orders.

We will then send an overview of our views on the case and the associated costs.

At this point you may choose to close the account with Cristen-Dex LLP. There is no charge for the work carried out prior to stage 5, unless payment is received.

If payment is received, we simply charge our 10%-15% commission.



Step Three

Formal Letter of Claim

The next step we take is issuing our formal Letter of Claim (Also known as Letter Before Action).

This is regardless of whether we will be proceeding with issuing a County Court Summons.

The formal letter of claim is approximately 3 pages long and is sent in compliance with the Civil Procedure Rules.

We must allow the debtor 21 days to respond before issuing any claim. This is often when we get the most response and following this letter, many of the debtors either pay in full or set up a payment plan.

Litigation Process

Step Four

In the event of a Judgement Order being obtained and no payment being made, then with our clients approval, we will instruct our Bailiffs on the clients behalf. In doing so, we agree to the Bailiffs terms and conditions on the clients behalf. This does include a £66 'Transfer up' fee and if the Bailiffs have to abort the case, then there is a £75 (+VAT) abortive fee. This is paid directly to the Bailiffs.

Step One

We charge a standard fee of £35 (+VAT) as a disbursement fee to issue the claim through the County Court and all the subsequent legal paperwork (ie the claim, responses to defences and court bundles). The client is responsible for the county court submission fee and a trial hearing fee (if the claim is defended and judgment is not obtained by default). We will invoice the client a pro-forma invoice for these costs. The submission fee is payable upon the claim being submitted and the hearing fee is only payable if/when we get to that stage. These are paid directly to the courts.

Step Three

If a judgement order is obtained, we will then send a letter before enforcement (7 days notice). This consists of a copy of the judgment order and notice that the case will be transferred to the bailiffs if they fail to pay.

Step Two

If the client requests a legal representative from Cristen-Dex LLP to attend Court on their behalf, the only fee which will be incurred is travel expenses. We charge 0.45p (+VAT) per a mile to travel to and from a court hearing. However, in the event of a Judgement Order being obtained by the claimant, travel expenses can be passed directly onto the defendant. Only in the event that a Judgement Order is not obtained does this become payable by the client. In the event Judgement is not obtained at a court hearing, Cristen-Dex LLP does not accept any liability for such and this does not give rise to a refund request on the court disbursement fee, court fees, and trial hearing fees.