



DEBT RECOVERY

At Birkwells we assist with debt recovery proceedings to help you takeaway some of the day-to-day hassle of pursuing outstanding business debts. Our expertise enables us to advise on a wide range of debt recovery processes, including statutory demands, winding up petitions or filing for bankruptcy of an individual.

WE CAN HELP WITH

- Letter Before Action (company)
- Letter of Claim (individual/sole trader)
- Issuing Legal Proceedings
- Judgment
- Enforcement
- Bankruptcy Proceedings
- Winding Up Proceedings

Below, you will find a link to a guide to our fee structure and anticipated disbursements. Please note that there will be further charges, on a time spent basis, in relation to the administration of the matter. This work will include collating all relevant information, handling payments received, communicating with the debtors and reporting to you.

This work will primarily be carried out by a paralegal.

We will keep you fully informed throughout every step and will ensure that you are aware of the costs involved with each stage of the process.

	Charges (plus VAT)	Disbursements (incl. VAT if applicable)
Letter before Action – Company (14 days' notice) with follow up telephone call	£450 (£250 for claims below £500)	
Letter of claim – individual/sole trader (30 days' notice) with follow up telephone call	£450 (£250 for claims below £500)	£2 bankruptcy search
Issue of Statutory Demand This can only be issued if the debt is not disputed, e.g. where there is a judgment or an admission of the debt.	£750	Process Server fees – approx. £180 plus VAT per attempt of service. If against an individual £2 land charges search.

Issuing of a Claim	Court fee	
Up to £300	£35	£450
£300 - £500	£50	£450
£500 - £1000	£70	£500
£1000 - £1500	£80	£600
£1500 - £3000	£115	£650
£3000 - £5000	£205	£750
£5000 - £10,000	£455	£850
£10,000 - £200,000	5% of claim	£975

Once the Court has served the claim the debtor has 14 days in which to file a defence or enter an acknowledgment. After the 14 day period has expired a request can be made to the court for judgment to be entered providing the debtor has not filed an acknowledgement or defence.

Issuing of a Claim	Court fee	
Request judgment If judgment is obtained but not paid then further action will be required to enforce payment.	£150	
Writ of Control – otherwise known as instructing a High Court Enforcement Office to seize goods. This depends on the debtor's ability to pay and whether there are any assets. Timescale is typically 8-12 weeks from instruction. Additional charges may be incurred. Timescale is typically 8-12 weeks from instruction. Additional charges may be incurred.	£300	Court fee £66 HCEO fee (payable if the warrant is not successful £90)
Warrant of Execution This may be applied for once judgment has been obtained but again recovery depends on the debtor's ability to pay and whether there are any assets.	£150	Court fee £110

Issuing of a Claim	Court fee	
Bankruptcy proceedings – (plus Court fee £280 and process server's fee up to £150 plus VAT, Deposit £990, Search fee £11, Agent for Hearing – depends on location)	£1,250 - £2,200	Court fee £280 Process server £180 Deposit £990 Search fee £11 Agent for Hearing – depends on location
Winding up – only application where the matter is determined at first Hearing and only where the debt is not disputed or if a Court judgment has been obtained which has not been set aside or appealed.	£1,250- £2,200	Court fee £280 Petition Deposit £1600 Process server £180 Advertisement in London Gazette £102 Agent fees for Hearing – depends on location
Enforcement of English judgment	£350 - £600	
Legal fees Our fees in connection with our debt recovery services will be based on the time spent on the matter and the following hourly rates (excluding VAT):	Hourly Rate	

Name	Status	
Supervising Partner	Solicitor	£325 - £450
Martin Wood	Recovery Manager	£200
Liz Fletcher	Case Manager	£125
Tina Weller	Case Manager	£125



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