

You + Your Children

**FIXED
FEE**

Providing certainty about the cost of your case



Professional advice, simply stated.

Barcan+Kirby

Why choose Barcan+Kirby

Professional advice, simply stated

Barcan+Kirby's specialist family solicitors have a wealth of knowledge and experience in dealing with all aspects of family law.

We understand that cost is often an important consideration for our clients, which is why we've introduced our fixed fee range. Our charges are open and transparent, meaning you'll know how much you'll need to pay from the start with no hidden extras.

Our area of expertise include:

- + Family
- + Buying + selling
- + Wills, trusts + probate
- + Employment
- + Commercial
- + Medical negligence
- + Personal injury
- + Dispute resolution
- + Court of Protection



The fixed fee package made all the difference. I knew from the start what the costs would be and extra costs were explained to me from the outset. It was so much easier, knowing that the financial burden of the divorce was taken away so I could focus on finding a positive outcome.



"Any relationship breakdown that involves children needs to be dealt with in the most efficient and compassionate way possible. We'll always try to resolve your case through negotiation or mediation, but never at the expense of protecting the interests of the children involved."

Jim Gridley Family Partner



You + your children fixed fee

Our policy is to always be upfront, open and transparent about the cost of our legal services. Within this document, you'll find clear information about what is – and what isn't – included in our fixed fee packages.

By choosing one of our fixed fee packages, you'll benefit from:

- + Knowing exactly how much your legal fees will be from the start
- + Paying a fixed fee for the work on your case, rather than being charged an hourly rate
- + Having a solicitor with the same objective as you; getting the case resolved as quickly and efficiently as possible
- + Transparency of fees – you'll know exactly what your costs will be, depending on how much of our services you use
- + Control over the cost of your legal advice

What we will do for you

Our specialist family team can help you reach agreement or find a solution to a number of issues regarding your children, such as:

- + Where your child should live
- + Whether your child should see their other parent and, if so, what the arrangements should be
- + Limiting the steps a parent can take with your child, e.g. not allowing them to attend the child's school or taking a child from a parent's care
- + Any other issues regarding your child's upbringing, such as changing their name or choice of school

You are eligible for a fixed fee package if:

- + You and your co-habitee have combined assets of less than £300,000
- + You and your co-habitee have a gross income from all sources of less than £40,000 and your spouse/civil partner earns less than £50,000

If you have income or assets above these levels, we may still be able to offer you a tailored fixed fee package. Call us on 0117 325 2929 to speak to a member of our team.



The five stages fixed fee

Stage one Initial advice + limited negotiation

Our aim at this stage is to help you negotiate and make arrangements for your children with your ex-partner.

Included as part of the fixed fee package:

- + One meeting with your family lawyer
- + Up to ten telephone calls or letters made to try and resolve the matter. We call this a "case work hour"
- + A referral to mediation. If appropriate, mediation must be undertaken before issuing court proceedings concerning children. An additional fee will be payable to the mediators

What are the costs?

The cost of stage one is £380 + VAT.

Stage two Initial advice + complex negotiations

Our aim at this stage is to help you come to an agreement with the other parent/carer on more complex negotiations regarding your children.

Included as part of the fixed fee package:

- + Up to three meetings and letters for up to six months

What are the costs?

The cost of stage two is £1,100 + VAT.

Stage three Court application to initial hearing

If you've not managed to reach an agreement through negotiation or mediation, we will issue proceedings on your behalf.

Included as part of the fixed fee package:

- + One meeting with your family lawyer to discuss the problem and agree a plan
- + Preparing the court application
- + Issuing court proceedings, fixing a first hearing and notifying your ex-partner
- + Attending and representing you at the first court hearing
- + Negotiating with the other side to try and reach a settlement and liaising with CAFCASS on your behalf

What are the costs?

The cost of stage three is £1,350 + VAT.

There is a court fee payable in addition to the above fee. If your ex-partner has issued court proceedings against you, our fee remains the same. In this situation our fixed fee package will include a meeting with your lawyer, drafting a response to the application and attending the first hearing with you.

Additional hearings are not covered within this stage and will be charged separately.

Stage four **Dealing with court** **proceedings after** **the first hearing**

If your case is not resolved at the first hearing, we will deal with the ongoing proceedings on your behalf.

Included as part of the fixed fee package:

- + Preparing your evidence/ written statement to put before the court
- + Advice on the CAFCASS Officer's report, its contents and recommendations
- + Representation at one review and directions hearing at court
- + Letters and telephone calls plus any other preparation to advance your case

What are the costs?

The cost of stage four is £1,350 + VAT. Additional hearings are not covered within this stage and will be charged separately.

Stage five **Concluding court** **proceedings –** **the final hearing**

If you're unable to reach agreement, the court will decide the case at what is called a final hearing. It is rare for cases to proceed as far as this stage as most cases settle before this point is reached.

Included as part of the fixed fee package:

- + Producing and updating statements on your behalf
- + Preparing the case for the final hearing – this includes drafting case summaries, chronologies, preparing bundles for the court, preparing witness templates and agreeing which witnesses are needed
- + Choosing and instructing an advocate or barrister to represent you at the final hearing
- + Arranging for you to meet your barrister or our in-house advocate for you to discuss your case



Many thanks again for all your help with my case – you have been a pleasure to work with and I have appreciated how gracious, thoughtful and thorough you are in your work.

What are the costs?

The cost of stage five is £1,500 + VAT. You'll also need to pay the advocate's or barrister's fees.

Representation by the advocate or barrister at the final hearing will be on a quotation basis, depending on the level of complexity, the level of seniority required and the number of days that will be spent in court. Cases generally cost between £750 and £1,200 per day + VAT.

What is not covered by our fixed fees

Our fixed fee packages have been designed to offer you an affordable, manageable solution. However, in order to keep costs low, it's important that we assess your case to ensure that it's suitable for this type of package.

To do this we offer all new clients a free 30 minute interview, during which we'll consider your case, offer some preliminary advice and let you know whether you can use a fixed fee package.

The fixed fee packages outlined in this brochure only cover the essential steps involved in cases involving children. Any work that goes beyond this won't be included as part of our fixed fee service, therefore you may want to consider paying at an hourly rate.

Cases covered are those in the family proceedings (magistrates') court and county court at district judge level in Bristol and South Gloucestershire. If your case is outside of this court, we may be able to offer you a tailored fixed fee. Call our team on 0117 325 2929 to discuss further.

We will review the suitability of the package for you at the end of each stage. We also reserve the right to remove the case from the fixed fee package if the circumstances of the case change – for example, protracted correspondence or complex issues.

Some cases will fall outside the fixed fee packages, such as where there are serious allegations of significant domestic violence, child abuse cases and cases where "fact finding hearings" are needed.

Cases with an international element, child abduction cases and enforcement of orders are also excluded from the package.

Our fixed fee packages don't cover work in connection with divorce or financial issues arising from the relationship breakdown.

Also excluded are associated expenses, such as fees for issuing applications, interpreter's fees, reports from experts such as psychologists and psychiatrists, drug testing, paternity testing and fees charged by the police for copies of their records.

If it's likely that you'll incur additional charges, we'll discuss these with you and always obtain a number of quotes.

Payment

Our aim is to make the cost of legal services affordable and manageable for all. If you use our services at stage one, you'll need to pay at the start of your case. Stages two, three, four and five can be paid in two instalments – 50% plus the court fee cost at the start of the stage with the balance paid within one calendar month or within 14 days of a court hearing, whichever is sooner.

Once you enter a fixed fee stage, the entire fee becomes payable. If you decide not to complete a stage, we will charge you the full fixed fee or at our hourly rate, whichever is the lower.

The hearings covered within stages three and four are direction hearings only.

To find out more about our fixed fee packages, contact a member of our team today.

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