**Funding a Claim**

Most of our clients wish to enter into a No Win – No Fee Agreement (properly called a “Conditional Fee Agreement” – “CFA” for short) with us and indeed over 94% of all personal injury claims are funded this way.

By entering into a CFA you agree to pay the costs which we incur in pursuing your case but only if you win, that is, you are successful in recovering compensation from the Defendant/the Insurers. If you do not win or if we have to withdraw your claim, for example if there is a lack of supporting evidence, you will not have to pay us anything.

Although you agree to pay the costs if you do win, the usual rule in English Law is that, “costs follow the event” which means that if you are successful in recovering compensation, then the Defendant/its Insurers will pay our costs.

Costs are a matter of negotiation and failing negotiation, a Court process called “Detailed or Provisional Assessment”, when the Costs Judge sitting in the local County Court will decide how much by way of costs the Defendant/its Insurers are required to pay.

As solicitors we are entitled to charge what is known as a “Success Fee” of up to 100% of our costs. Unlike other costs, the Success Fee (except in very limited types of cases) cannot be recovered from the Defendant/Insurers and therefore must be taken from any damages that you are awarded. The purpose of the Success Fee is to compensate us for the risk we take in that, if your claim is not successful, we do not get paid for the work that we have done. However, the maximum Success Fee that we can charge is 100% of our basic costs, and whether the Success Fee is 100% or less, it cannot exceed 25% of the damages that you recover (excluding damages for future loss). Therefore you can be assured that you will retain 75% of your total damages as a minimum.

In many types of cases these days, the amount of costs recoverable from the Defendant/Insurers are fixed by the Court Rules. The costs are calculated in accordance with formulae depending upon the type of cases for example whether the accident arises from a road traffic accident or work place accident, and the amount of compensation recovered. Again the fixed costs are paid by the Defendant/Insurers in addition to the compensation recovered.

There are other types of funding arrangement which we can enter into with you. These funding arrangements include: