

“We’re fighting for you”

No Win No Fee

OR Expenses*

*Conditions apply

rct
RYANCARLISLETHOMAS
LAWYERS

Stringer
Clark
LAWYERS

We're on your side

Q What if you disagree with the legal costs we have charged you?

A If you dispute our legal fees you can:

- seek a costs review under Division 7 of the *Legal Profession Act 2004* (Costs Review by Costs Court) within 12 months of receiving our bill; or
- make a complaint to the Legal Services Commissioner under Chapter 4 of the *Legal Profession Act 2004* within 60 days after the legal costs are payable, or within 60 days after we give you an itemised bill requested by you; or
- seek to set aside the costs agreement under section 3.4.32 of the *Legal Profession Act 2004*.

Q What if you are unsuccessful?

A If your claim is unsuccessful, you may be ordered to pay some or all of the other party's legal costs and disbursements of defending your claim.

Applicable Law

The laws of Victoria apply in relation to legal costs for your claim.

Our offices

In 2007 Ryan Carlisle Thomas joined forces with leading regional law firm Stringer Clark to create Victoria's biggest legal network.

Ryan Carlisle Thomas offices

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No Win No Fee

OR Expenses

What you need to know about costs for your personal injury claim

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Personal injury claims WorkSafe Traffic injury claims Comcare Seacare
Accidents in public Asbestos Institutional abuse Family law Criminal charges
Wills & probate Employment & industrial law Equal opportunity Antidiscrimination
Superannuation claims Crimes compensation Small business advice

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Your rights

You have the right to:

- negotiate a costs agreement with us
- seek independent legal advice before agreeing to a costs agreement with us
- a cooling off period in the event that you enter into a conditional costs agreement with us
- be notified if there are any substantial changes to anything within this brochure (which constitutes a Disclosure Statement under the *Legal Profession Act 2004*)
- an estimate of total legal costs (if reasonably practical) or, if not, to a range of estimates and an explanation of the major variables that may affect total legal costs.
- a written report on the progress of your claim when you reasonably request it from us (we may charge you for the report)
- receive a bill from us
- request an itemised bill from us within 30 days of us giving you a lump sum bill
- request a written report on legal costs incurred to date (or since the last bill) in relation to your claim

“We like to put our money where our mouth is”

Your questions answered

Q What is “No Win No Fee OR Expenses” at RCT and Stringer Clark?

A At Ryan Carlisle Thomas and Stringer Clark, we like to “put our money where our mouth is”. If we advise you that your claim is likely to have a *successful outcome*, we are willing to risk our legal fees AND the out of pocket expenses we incur on your behalf, on our assessment being correct.

Under our “No Win No Fee OR Expenses” arrangement, we will waive our legal fees and the out of pocket expenses we incur on your behalf if you don’t have a *successful outcome*. Out of pocket expenses here may include medical report fees, court fees and many other expenses that the other firms would typically require you to reimburse in the event that the case was lost.

After considering your claim:

If we reasonably believe a *successful outcome* is likely for you:

- we are willing to offer you a “No Win No Fee OR Expenses” arrangement.

This means that unless we achieve a *successful outcome* for your claim, we will not charge you any fees or out of pocket expenses.

You will only be required to pay our fees after a *successful outcome* has been achieved.

If we **don’t** reasonably believe a *successful outcome* is likely for you:

- we will advise you **not** to proceed with your claim
- we **won’t** offer you a “No Win No Fee OR Expenses” arrangement.

But if you still want to proceed with the claim, we may act on your behalf but it will not be on a “No Win No Fee OR Expenses” basis.

“No Win No Fee OR Expenses” is a conditional costs agreement. That is, you only pay for our legal services if your claim has a *successful outcome*.

Q What is a *successful outcome*?

A A *successful outcome* is when you will end up receiving:

- an amount of money, after payment of all liabilities you have in relation to your claim – including liabilities to us, another party to your claim or anyone else; or
- A benefit or entitlement under a statutory scheme.

Q How will your legal costs be calculated?

A Our fees will be calculated on the relevant prescribed court scale, as in force on the date of settlement or taxation of costs. If you would like a copy of the relevant scale, please let us know.

Our first letter to you will further explain this and provide you with an estimate of your total legal costs.

Q What is a success or uplift fee?

A A success or uplift fee is a percentage amount, of up to 25%, we are permitted to charge you for professional fees, above the relevant prescribed court scale if your claim has a *successful outcome*. This fee reflects the risk we take in running your claim on a “No Win No Fee OR Expenses” basis – that we may not receive payment for the work we perform if your claim is not successful.

We do not, in any case, take a percentage of the settlement we achieve for you. The amount relates to your professional fees only.

Disbursements

Disbursements are out of pocket expenses related to the investigation, preparation or hearing of your claim. For example, fees charged by barristers, costs of medical reports, court filing and hearing fees, photocopying etc.

Other lawyers

We may need to engage a barrister, or another lawyer, to provide specialist advice for your claim. Before incurring such a disbursement, we will discuss the engagement with you and provide you with details of their fees.

Q Will your legal costs be covered by the other party?

A If your claim is successful, the other party may be ordered to pay a portion of your legal costs and disbursements. Orders for costs rarely cover the full amount of your legal costs.

Q When will you be billed?

A You will be billed at the finalisation of your claim and your legal costs will be deducted from your settlement money.

Q Who can you contact to discuss your legal costs?

A If you have any concern about legal costs in relation to your case, please speak to our Managing Partner, Ron Pearce, on (03) 9238 7800 or email rpearce@rct-law.com.au