# Icon Description automatically generated Costs Lawyer Standards Board

# Qualifying Experience Record

Qualifying Experience

Qualifying Experience is part of the training requirements for new Costs Lawyers. It is work undertaken in costs law and practice for a period equivalent to two years full-time, which allows the skills set out in the [Competency Statement](https://clsb.info/qualification/how-to-become-a-costs-lawyer/) to be practised under the supervision of a Qualified Person. The purpose of Qualifying Experience is to ensure that qualifying Costs Lawyers have the support, mentorship and oversight needed to meet the standards in the Competency Statement in a day-to-day working environment (Training Rule 5.2).

Qualifying Experience Record

This Qualifying Experience Record is used by the CLSB in determining whether you have met the requirements for Qualifying Experience, as set out in the [Training Rules](https://clsb.info/qualification/how-to-become-a-costs-lawyer/). You will need to submit your completed Qualifying Experience Record to the CLSB when you have finished your Qualifying Experience and are ready to have it assessed.

To complete this Qualifying Experience Record, you will need to provide at least one example of how you have practiced each of the skills in the [Competency Statement](https://clsb.info/qualification/how-to-become-a-costs-lawyer/)during your period of Qualifying Experience. You are encouraged to populate your Qualifying Experience Record with relevant examples throughout the course of your Qualifying Experience, to ensure all the necessary skills are covered by the end of the period.

On completion of this Qualifying Experience Record, you should share it with the Qualified Person who has supervised your Qualifying Experience, as they will be asked to endorse its accuracy in their Qualified Person Statement. We may check the information provided in your Qualifying Experience Record with your supervisor and/or your employer.

Please refer to the [Guidance Note](https://clsb.info/qualification/how-to-become-a-costs-lawyer/) on Qualifying Experience for information about when and how to submit this document to the CLSB.

**Personal data**

Personal data provided in this Qualifying Experience Record will be handled in accordance with the CLSB’s [Privacy Policy](https://clsb.info/privacy-policy/). By submitting this Qualifying Experience Record, you consent to the CLSB sharing your personal data with third parties for the purpose of verifying the information provided.

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| --- | --- | --- |
| **Your details** | | |
| Name |  | |
| Email address |  | |
| Current organisation |  | |
| CL number (if known) |  | |
| Date you commenced the Costs Lawyer Qualification |  | |
| **Your Qualifying Experience** | | |
| *Please list below all the organisations in which you carried out your Qualifying Experience. If you worked in more than three organisations, please add more rows as needed.* | | |
| Organisation 1 | | |
| Organisation name |  | |
| Your role title |  | |
| Brief description of the type of work you were undertaking |  | |
| Start date of Qualifying Experience |  | |
| End date of Qualifying Experience |  | |
| Qualified Person (supervisor) while working in this organisation  *Please give dates if more than one Qualified Person* | |  |

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| --- | --- | --- | --- | --- | --- |
| Organisation 2 | | | | | |
| Organisation name |  | | | | |
| Your role title |  | | | | |
| Brief description of the type of work you were undertaking |  | | | | |
| Start date of Qualifying Experience |  | | | | |
| End date of Qualifying Experience |  | | | | |
| Qualified Person (supervisor) while working in this organisation  *Please give dates if more than one Qualified Person* | | | |  | |
| Organisation 3 | | | | | |
| Organisation name |  | | | | |
| Your role title |  | | | | |
| Brief description of the type of work you were undertaking |  | | | | |
| Start date of Qualifying Experience |  | | | | |
| End date of Qualifying Experience |  | | | | |
| Qualified Person (supervisor) while working in this organisation  *Please give dates if more than one Qualified Person* | | | |  | |
| Did you work full-time throughout your Qualifying Experience? | YES/NO | | Was your period of Qualifying Experience continuous, without any periods of extended leave? | | YES/NO |
| If you answered NO to either of the above questions, please explain how your Qualifying Experience equates to two years of full-time work. | |  | | | |

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| **Skills** | | |
| Each of the skills in the Competency Statement is set out below, together with the related positive behavioural indicators. Please provide evidence, by means of specific, practical and dated examples, of how you have practised each skill during your period of Qualifying Experience. Reflections on what you learned from the examples, including how you might further improve your skills in future, are encouraged. Please refer to the Competency Statement (at pages 7 to 13) for more information about the skills.  Please avoid disclosing any confidential client information or personal data in your examples. You should refer to clients in generic terms, such as “a self-represented litigant” or “a large insurance company”.  Below is a worked example of the kind of evidence you might provide, to give you an indication of the level of detail expected. Please feel free to include additional information or evidence, provide multiple examples, or format your evidence differently. This is intended to be a suggestion only.   |  |  | | --- | --- | | *Worked example* | | | *Effective communication*  *The ability to identify and use a method of communication that is appropriate for the circumstances in order to convey relevant information clearly* | *Positive behavioural indicators*   1. *Explains the complicated simply* 2. *Uses plain language and avoids jargon and abbreviated terms* 3. *Plans and structures drafting to aid the reader’s understanding* 4. *Is able to engage supervisors and colleagues on technical issues and provide sufficient and salient information for them to give helpful advice and feedback* 5. *Understands when and how to engage with different methods of communication* 6. *Adapts communication style to suit the situation and audience* | | *Evidence of practice:*  *In February 2022, I was asked by a partner in my team to assist with an instruction from a new client, which was a medium sized construction company. The client had engaged a firm of solicitors to defend a claim against it relating to breach of contract in a construction project. The client had recently been presented by the solicitors with a proposed litigation budget. The client did not have an in-house legal department and its Chief Operating Officer (who was responsible for giving instructions) had limited prior experience of commercial litigation, so he was not confident in assessing whether the proposed budget was reasonable or proportionate. My team was asked to advise the client directly on costs matters and strategy throughout the litigation – starting at the budgeting stage – and to act as an intermediary with the solicitors’ firm where necessary.*  *I attended an initial meeting with the client and the solicitors, along with the partner in my team. At that meeting the partner suggested that I act as the client’s point of contact for any day-to-day enquiries, and the client agreed. Two days later I received a call from the client who had some detailed questions on items in the budget. I was confident that I had the knowledge to answer those questions and I set about doing so as comprehensively as possible. Pleased with how the call had gone, I hung up the phone and recorded my time. However, the next morning the client called back to say he had been thinking further about the budget and had more questions. I was surprised when he asked me what were essentially the same questions as he had asked me the day before.*  *I began to ask questions of the client, to assess his understanding of the litigation process. I realised that I had explained things to my client using the language and assumed knowledge I would use when talking to a solicitor, and had therefore failed to fulfil my brief. I asked the client if I could get back to him later that day on his questions, and he agreed that was fine.*  *I sought advice from my supervisor, Jane, in our catch-up that afternoon. She suggested that I send the client my organisation’s guide to commercial litigation and some client-facing materials we had previously produced on costs strategy. I sent those documents to the client and arranged a time for a call. At the start of the call, I walked the client through the materials, pointing out aspects that were relevant to his organisation’s case. I asked if he had any questions and he had several, which I answered using plain but professional language, and then I asked again if he had any more questions. After that, we turned to the questions the client had originally called about and I took the same approach, using plain but professional language and referring back to the materials I had sent for context.*  *I continued working with the client for several months until the case settled in July 2022, at which point I also helped the partner advise on strategy relating to the settlement of inter partes costs and on the solicitors’ bills. At the end of the matter, the client emailed to thank me for the clarity of my advice and said he hoped to work with me again.*  *This experience allowed me to practice my communication skills and, in particular, flexing the style and content of my communication to suit the audience. Working in the law, it is easy to find myself speaking only with other lawyers, whether colleagues, instructing solicitors, lawyers on the other side of disputes, or in court. This matter gave me the opportunity to practice communicating complex ideas and advice to someone with high expectations and standards, but no legal experience. The advice from my supervisor also helped me navigate the situation confidently and I will remember in future to consider what resources are at my disposal to help me communicate with others.* | | | *Qualified Person (supervisor) at the time of this example:* | *Jane Smith, partner* | | | |
| **Your evidence** | | |
| 1. Relationship management  The ability to build and manage constructive relationships with stakeholders of all kinds | Positive behavioural indicators   1. Is empathetic to the needs and motivations of those they interact with 2. Manages client expectations – explains process, cost and timeframe, including factors that could affect these, and updates as necessary 3. Develops good working relationships with colleagues 4. Engages with opponents in a professional and constructive manner, regardless of how others conduct themselves 5. Recognises that colleagues and clients may have different attitudes and perspectives and can manage these effectively | |
| Evidence of practice: | | |
| Qualified Person (supervisor) at the time of this example: | |  |
| 2. Case management  The ability to anticipate, respond to and proactively drive the progress of all cases the Costs Lawyer is working on | Positive behavioural indicators   1. Applies legal knowledge and skills to all cases effectively 2. Keeps to schedule – sticks to agreed processes for ongoing file review, diarises and meets important deadlines 3. Understands the value of process and abides by it, even if routine/repetitive 4. Plans ahead for work involved on a file – estimates time involved and considers impact on existing caseload and other members of the team 5. Regularly informs stakeholders of ongoing costs and file progress as well as potential issues and problems 6. Liaises with the client on routine matters and, where appropriate, more substantive technical issues 7. Is able to work without constant supervision | |
| Evidence of practice: | | |
| Qualified Person (supervisor) at the time of this example: | |  |
| 3. Self management  The ability of a Costs Lawyer to recognise their own emotions, limitations and doubts, understand how these could influence their conduct, and manage their behaviour accordingly | Positive behavioural indicators   1. Takes responsibility for own professional decisions and notifies supervisors of mistakes quickly 2. Maintains a professional boundary with clients 3. Is able to motivate to work alone, albeit with supervision, on long projects 4. Recognises when to seek help and guidance (e.g. when working beyond competence or having difficulty managing workload) 5. Is confident to say when they do not agree or challenge something they do not understand 6. Is able to deal with situations involving another’s negligence or dishonesty (e.g. on the part of an instructing lawyer) 7. Reflects on their own performance and takes action where needed | |
| Evidence of practice: | | |
| Qualified Person (supervisor) at the time of this example: | |  |
| 4. Agile thinking  The ability of a Costs Lawyer to adapt their approach depending on the circumstances and apply knowledge, ideas and technologies to novel situations | Positive behavioural indicators   1. Deploys legal research resources efficiently and effectively 2. Proactively keeps own legal knowledge and skills up to date 3. Uses initiative to research a point and present it to their supervisor 4. Recommends a range of options to the client 5. Is able to identify new ways of approaching an issue which might be beneficial to the client or practice (e.g. the application of an innovative technology) 6. Draws on a range of sources, techniques and ideas to develop solutions to problems 7. Can tackle large problems by breaking them down into constituent parts 8. Seeks the input of colleagues on new approaches 9. Can adapt approach in a tight timescale | |
| Evidence of practice: | | |
| Qualified Person (supervisor) at the time of this example: | |  |
| 5. Effective communication  The ability to identify and use a method of communication that is appropriate for the circumstances in order to convey relevant information clearly | Positive behavioural indicators   1. Explains the complicated simply 2. Uses plain language and avoids jargon and abbreviated terms 3. Plans and structures drafting to aid the reader’s understanding 4. Is able to engage supervisors and colleagues on technical issues and provide sufficient and salient information for them to give helpful advice and feedback 5. Understands when and how to engage with different methods of communication 6. Adapts communication style to suit the situation and audience | |
| Evidence of practice: | | |
| Qualified Person (supervisor) at the time of this example: | |  |
| 6. Negotiation  The ability to identify what motivates people and then interact constructively with others to find solutions to problems that align with those motivations | Positive behavioural indicators   1. Is able to recognise the approach being taken by the other side and respond accordingly 2. Identifies the most appropriate forum for settlement depending on the case, issues, client and opponent 3. Can spot irrelevant issues and deal with them appropriately 4. Understands the client’s motivations – agrees a negotiating strategy with the client that is aligned to that client’s individual needs 5. Can employ basic mediation skills and recognises when to instruct a professional mediator or other third party | |
| Evidence of practice: | | |
| Qualified Person (supervisor) at the time of this example: | |  |
| 7. Advocacy  The ability to present orally a reasoned argument that conveys the strengths of a client’s case within the framework of the forum’s rules | Positive behavioural indicators   1. Applies relevant knowledge of civil and other litigation effectively 2. Is rigorous in knowing all key issues in a case and the parties’ arguments in relation to them 3. Draws out the strengths and weaknesses of each party’s case 4. Is able to think on their feet and respond to opposing arguments and questions 5. Presents arguments in a structured and accessible manner, making use of relevant evidence 6. Knows when to seek advice from or instruct counsel 7. Is professional and courteous, and acts in accordance with the etiquette of the particular forum 8. Takes instructions from the client during proceedings if novel issues arise 9. Recognises the boundaries of their rights of audience relating to costs | |
| Evidence of practice: | | |
| Qualified Person (supervisor) at the time of this example: | |  |