

Evidence submission

Costs Lawyers and eligibility for judicial appointment

3 May 2024

a) Introduction

1. This evidence base is intended to demonstrate the case for amending the relevant legislation to enable Costs Lawyers to become eligible for judicial appointment. It sets out:
 - Evidence of Costs Lawyers' interest in judicial appointment;
 - Information about Costs Lawyers' specialist expertise and transferable skills that make them well-equipped for judicial appointment; and
 - Diversity data on the Costs Lawyer profession.

b) Background

2. Costs Lawyers are qualified legal professionals specialising in the law and practice of legal costs. Costs Lawyers are authorised to carry out three reserved legal activities (assuming those activities relate to legal costs): they have the right to conduct litigation, represent their clients in court and administer oaths. They are regulated by the Costs Lawyer Standards Board ('CLSB').
3. Eligibility for judicial roles was historically limited, largely, to solicitors and barristers. In 2008 and 2013¹, eligibility for certain judicial roles was extended to chartered legal executives and, in 2014, extended to registered patent attorneys and registered trade mark attorneys for specific roles relating to their expertise.² In June 2023, eligibility was expanded further to enable chartered legal executives to become Recorders and Upper Tribunal judges.
4. The CLSB is keen to see the current statutory eligibility requirements for judicial appointment expanded to include regulated Costs Lawyers. Costs Lawyers have deep expertise that would be valuable to the judiciary, not just in specialist roles such as Costs Judges, but across a range of judicial appointments. As well as making a positive contribution to the administration of justice, such a change is likely to have a similar impact on the Costs Lawyer profession, deepening its experience and increasing its attractiveness as a career. Further information about Costs Lawyers' expertise and skills can be found in section (c) of this submission.

¹ Judicial Appointments Order 2008 and Judicial Appointments (Amendments) Order 2013.

² Judicial Appointments (Amendment) Order 2014.

5. An initial exploratory conversation was held with the Ministry of Justice ('MoJ') in mid-October 2023. MoJ is actively looking at barriers to 'non-traditional' lawyers (i.e. not solicitors and barristers) entering the judiciary and one of its key objectives is to improve judicial diversity. The ability of Costs Lawyers to take up judicial roles would help the MoJ achieve both of these policy objectives.
6. MoJ advised that, to move this piece of work forward, Ministers would need evidence that Costs Lawyers would be interested in judicial appointment, alongside data on the diversity of the profession and further information about Costs Lawyers' skills and expertise. This information is set out in this document, alongside other evidence that supports the case for legislative amendment.

c) Costs Lawyers' transferable skills and expertise

i) *About Costs Lawyers*

7. Costs Lawyers are qualified legal professionals regulated by the CLSB.
8. Costs Lawyers specialise in the law and practice of legal costs. Examples of services that Costs Lawyers provide include:
 - Advocacy in costs matters, including representing clients in costs hearings and detailed assessment hearings.
 - Advising on the charging and recovery of legal costs and disbursements (such as fees paid to an expert, for example).
 - Advising on litigation funding.
 - Preparing costs budgets.
 - Preparing discussion documents to inform the court on budget issues.
 - Preparing schedules of costs.
 - Preparing bills of costs for provisional/detailed assessment by the court.
 - Preparing points of dispute on a bill of costs and replies.
 - Representing individuals in negotiations aimed at settling disputes about costs without the need for a court hearing, including mediation and arbitration.
 - Acting as an expert witness on legal costs matters.
 - Advising on legal aid costs.
 - Project management of legal spend.
 - Advise on retainers and fee arrangements between clients and their legal advisors.
9. Costs Lawyers are authorised to carry out three reserved legal activities (assuming those activities relate to legal costs): they have the right to conduct litigation, represent their clients in court and administer oaths.
10. Costs Lawyers are regulated by the CLSB and must comply with our regulatory rules and professional standards at all times. They must also follow our Code of Conduct for ethical behaviour, be covered by appropriate insurance and have a complaints procedure in place.

Clients of Costs Lawyers have the right to escalate a complaint to the Legal Ombudsman. The CLSB also has the power to take disciplinary action, through a fitness to practise regime, against Costs Lawyers who do not meet their professional obligations.

11. Costs Lawyers work for all types of clients, including individuals, small businesses, large businesses and other professionals. Individuals don't need to go through a solicitor or barrister to instruct a Costs Lawyer.
12. Costs Lawyers often work closely with solicitors and barristers. An individual might have already instructed a solicitor or barrister to conduct litigation, but a Costs Lawyer can assist where specialist costs advice is needed.
13. Some Costs Lawyers work as sole practitioners. Others work for costs law firms (i.e. firms specialising in costs law and practice) or in firms of solicitors. A small number of Costs Lawyers work in companies or government departments and advise their employer (rather than external clients) on costs matters.

ii) *Costs Lawyers' transferable skills and expertise*

14. Although the Costs Lawyer profession represents a small proportion of the legal profession in England and Wales, Costs Lawyers have a range of specialist and transferable skills that make them strong candidates for judicial appointment.³ Many of these skills and attributes align directly with the JAC's competency framework and the judicial skills and abilities framework, as shown in Annex 1.

Rights of audience

15. Costs Lawyers have rights of audience that are higher than those of solicitors and chartered legal executives without higher rights of audience. Provided that they are instructed to deal only with matters that relate to costs, Costs Lawyers may conduct proceedings and represent clients in any court or tribunal, including any criminal court or courts martial, the Supreme Court or the Privy Council where:
 - the proceedings are at first instance; or
 - the proceedings include an appeal below the level of the Court of Appeal or Upper Tribunal, are on a first appeal (other than in the Court of Appeal) and the appeal itself relates to costs; or
 - the proceedings do not fall within either of the categories above, but their instructions are limited to dealing with the costs of the proceedings; or
 - the court or tribunal grants permission for a Costs Lawyer to conduct proceedings or to represent a client (or both).

³ As of January 2024, there were 697 regulated Costs Lawyers on the CLSB register. This compares to around 160,000 solicitors, 17,000 barristers and around 21,000 CILEx lawyers, legal executives and other regulated legal professionals.

Specialist knowledge

16. In line with the [CLSB Competency Statement](#), regulated Costs Lawyers are expected to demonstrate sound understanding of the following:
- Civil litigation, including knowledge and understanding of the Civil Procedure Act 1997 and the Civil Procedure Rules.
 - Contract law.
 - Practice and procedure in specialist forums.
 - Legal aid.
 - Tort law.
 - Costs pleadings and process.
 - Lawyer-client relationship and funding arrangements, including specialist knowledge of the arrangements that govern costs in legal proceedings (such as solicitor retainers, costs indemnities and funding agreements, as well as the Solicitors Act 1974).
 - Professional standards and ethics.
17. Costs Lawyers also have specialist knowledge of other areas of law, depending on their individual practice areas. Costs Lawyers are also required to have a general understanding of the rules and procedure for employment, immigration, family and criminal litigation, given that Costs Lawyers may practise in any costs specialism once qualified. They are also required to have an understanding of the rules and procedure of the Supreme Court, Court of Protection and arbitral tribunals.
18. Costs Lawyers must also undertake ongoing continuing professional development, in line with the CLSB [CPD Rules](#) and [CPD guidance](#).
19. Costs Lawyers also provide costs training to other legal professionals, which demonstrates that they are regarded as experts in this specialist area by their peers in different branches of the profession.

Transferable skills

20. The [CLSB Competency Statement](#) requires Costs Lawyers to obtain and demonstrate the following skills, all of which are directly applicable and transferable to judicial appointment, as shown in Annex 1.
- **Advocacy.** Costs Lawyers have a right of audience on matters relating to costs. They are expected to have advocacy skills which they can deploy in assisting counsel or making submissions and applications themselves, while upholding their duty to the court in the administration of justice. Costs Lawyers will be able to apply rules and procedure, determine relevance and admissibility of evidence and arguments, think on their feet and deliver with confidence, always within the bounds of their ethical duties.

- **Relationship management.** Costs Lawyers must have the ability to build and manage constructive relationships with stakeholders of all kinds, as their work requires regular interaction and engagement with clients (including lay clients), colleagues and other members of the wider legal profession.
- **Case management.** Costs Lawyers are expected to manage their own caseload, prioritising tasks and managing cases at different stages of completion.
- **Self management.** Costs Lawyers typically work on cases that are demanding on personal resource – cognitive, emotional and physical. They engage with diverse clients ranging from those expert in adversarial communications to distressed individuals unfamiliar with the law. Costs Lawyers are adept at being able to effectively manage oneself and the demands of others to protect mental wellbeing, maintain expected quality of work output and avoid ethical failings.
- **Agile thinking.** Costs Lawyers will inevitably face issues with which they are unfamiliar, either because of changes in the law or due to a lack of experience. Like other legal professionals, Costs Lawyers adapt their approach depending on the circumstances and apply knowledge, ideas and technologies to novel situations. They are skilled at finding new ways of using existing knowledge and resources as well as undertaking legal research to further a client’s case. This skills helps to create confidence in relationships with clients and supervisors, and requires a knowledge of available resources and good verbal reasoning skills.
- **Effective communication.** Costs Lawyers are required to communicate concisely and accurately when advising clients – orally and in writing – and when working with colleagues. They must also adopt an effective, contextualised form and style of communication. They are also required to draft formal legal documents including bills of costs, points of dispute, replies and skeleton arguments.
- **Negotiation.** Costs Lawyers will regularly settle their cases out of court, through exchange of correspondence as well as calls and meetings. Costs Lawyers understand the principles of mediation, the different methods and styles of negotiation. They are skilled at identifying what motivates people and interacting constructively with others to find solutions to problems that align with those motivations, whilst adapting their own preferred, or default, style to the situation.

Professional attributes

21. In addition to the above skills and expertise, Costs Lawyers must also develop the following eight professional attributes:

- **Self-sufficient** - Work independently and manage their own caseload.
- **Diligent** - Pay attention to detail and use the rigour of process.
- **Accountable** - Advocate for, and own, decisions, identify areas for self improvement and respond positively to feedback.

- **Curious** - Investigate legal issues, identify innovative solutions and apply different approaches in daily practice.
- **Proactive** - Seek out and analyse solutions before asking for guidance on their application or possible alternatives.
- **Professional** - Recognise and do the right thing, even when challenged, and respectfully support others to do the same.
- **Commercial** - Deal effectively with ambiguity and uncertainty, contextualise advice and provide risk assessment that extends beyond pure legal analysis.
- **Inclusive** - Be open to and learn from different perspectives, and foster equality and diversity within the profession and beyond.

d) Case for legislative amendment

i) *Positive impact on judicial diversity*

Making Costs Lawyers eligible to apply for judicial roles would meet the government, Judicial Appointments Commission ('JAC') and judiciary's objectives of increasing judicial diversity, as well as the regulatory objective set out in the Legal Services Act 2007 of "encouraging an independent, strong, diverse and effective legal profession."

22. Expanding eligibility to include Costs Lawyers would contribute towards:

- The JAC's [strategic aim 2](#): 'Attract well-evidenced applications from the widest range of high calibre candidates, supporting greater judicial diversity.'⁴
- The JAC's statutory duty to 'have regard to the need to encourage diversity in the range of persons available for judicial selection'.⁵
- Priority area 3 of the [Judicial Diversity Forum Action Plan](#), specifically the action for MoJ to 'work to review the barriers faced by professional groups such as legal academics and those regulated legal professions who are not currently eligible for judicial office.'⁶

23. The tables below show the diversity of the Costs Lawyer profession as at February 2024,⁷ and include comparison to the diversity of the solicitor,⁸ barrister⁹ and CILEX¹⁰ professions. Given the limitations of some of the available data, caution should be taken when making comparisons across the different professions. However, overall the figures show that the diversity of the regulated Costs Lawyer profession compares favourably with that of solicitors, barristers and chartered legal executives. By way of example:

- 8.7% of Costs Lawyers report having a disability, compared to 6% of solicitors, 5.1% of barristers and 4.4% of CILEX members;

⁴ [Judicial Appointments Commission Strategy 2020-23, Business Plan 2022-23](#).

⁵ [Constitutional Reform Act 2005](#), section 64.

⁶ [Judicial Diversity Forum – Priorities and Actions for 2024](#), published 11 January 2024.

⁷ These figures reflect 242 respondents, which represents 35% of the regulated Costs Lawyer profession.

⁸ [Diversity in law firms' workforce](#), Solicitors Regulation Authority, updated 10 January 2024.

⁹ [Diversity at the Bar Report 2023](#), Bar Standards Board, January 2024.

¹⁰ [CILEX Regulation Diversity Report 2021](#).

- 7.9% of Costs Lawyers identify as non-heterosexual, compared to 4% of solicitors, 4.4% of barristers and 3.2% of CILEx members;
- 86% of Costs Lawyers report attending a state school, compared to 64% of solicitors, 34% of barristers and 85.3% of CILEx members;
- 44% of Costs Lawyers report being the first in their family to attend university, compared to 30% of barristers and 29.9% of CILEx members.

Gender

Category	Costs Lawyers	Solicitors	Barristers	CILEx
Female	52.0%	53%	39.2%	76.9%
Male	44.6%	45%	57.3%	22.3%

Note: No information on gender was available for 2.2% of barristers.

Disability

Category	Costs Lawyers	Solicitors	Barristers	CILEx
Disability	8.7%	6%	5.1%	4.4%
No disability	90.9%	90%	57.4%	90.4%

Note: No information on disability was available for 35.3% of barristers.

Sexual orientation

Category	Costs Lawyers	Solicitors	Barristers	CILEx
Heterosexual	88.0%	89%	52.9%	88.4%
Non-heterosexual	7.9%	4%	4.4%	3.2%
Prefer not to say	3.7%	6%	4.7%	8.3%

Note: No information on sexual orientation was available for 37.9% of barristers and 0.1% of legal executives.

School background

Type of school

Category	Costs Lawyers	Solicitors	Barristers	CILEx
State-run or state-funded: selective on academic, faith or other grounds	20.7%	20%	34.0% attended a UK state school.	12.0%
State-run or state-funded: non-selective	65.3%	44%		73.3%
Independent or fee-paying school: bursary	4.1%	3%	19.4% attended a UK independent school.	1.6%
Independent or fee-paying school: no bursary	5.0%	18%		4.8%
Other type of school or attended school outside of the UK	3.3%	9%	5.0%	5.4%

Note: No information on type of school attended was available for 38.1% of barristers and 0.1% of legal executives.

First in family to go to university

Category	Costs Lawyers	Solicitors	Barristers	CILEx
Yes	44.0%	-	30.0%	29.9%
No	18.4%	-	25.3%	21.3%
Did not attend university	34.2%	-	-	43.4%

Notes: Information on the proportion of solicitors who were the first in their family to go to university was not available. No information on parental university background was available for 41.9% of barristers and 0.1% of legal executives.

ii) Costs Lawyers' interest in judicial appointment

24. The CLSB ran a survey of the profession to gauge Costs Lawyers' interest in judicial appointment. The survey was open from 13 December 2023 to 12 January 2024. The survey was publicised through the CLSB newsletter and on social media. It was also shared by the Association of Costs Lawyers ('ACL') in its newsletter and on its social media channels.

25. There were 85 responses to the survey. In summary:

- **85.9% of respondents (73 individuals) were practising Costs Lawyers regulated by the CLSB.** 7.0% (6 individuals) were practising costs advisors/draftspeople unregulated

by the CLSB, 2.4% (2 individuals) were students and 4.7% (4 individuals) gave their practising status as 'other'.

- **97.7% of respondents (83 individuals) thought that Costs Lawyers should be eligible for judicial appointment.** 2.4% (2 individuals) did not think that Costs Lawyers should be eligible.
 - Respondents in favour cited Costs Lawyers' specialist and unique technical expertise, advocacy experience, transferable skills, the diversity of the profession, and enthusiasm for costs law as a practice area, as reasons for expanding eligibility.
 - The two respondents who were not in favour were concerned that Costs Lawyers' with insufficient knowledge in areas of law other than costs would find transferring to the judiciary too challenging.

- 77.4% (65 individuals) were interested in part-time roles, 64.3% (54 individuals) in full time roles, and 54.8% (46 individuals) in Deputy District Judge roles. More respondents were interested in court roles than tribunal roles (51.2% (43 individuals) to 30.9% (26 individuals) respectively), which might reflect the current trend of Costs Lawyers having more exposure to court work than tribunal work under existing practice models.

- Regarding interest in particular judicial roles, 80.1% of respondents (68 individuals) were interested in Costs Judge roles, the highest of any answer option.

- When asked about what support they would like to see for prospective applicants, respondents frequently cited:
 - Training;
 - Professional networking opportunities (including with current judges);
 - Help with the application process;
 - Support from existing members of the judiciary (for example, work shadowing or mentoring).

- When asked about potential barriers or obstacles, respondents referred to:
 - Unconscious bias;
 - Prejudice/misperceptions of Costs Lawyers' experience or ability to carry out the role;
 - Lack of awareness of Costs Lawyers' skills and expertise;
 - Competition for roles from solicitors and barristers;
 - Academic and social barriers (e.g. lack of professional network or relevant post-qualification experience);
 - Lack of preparation for the application process.

Whilst the CLSB acknowledges that these barriers – or perceived barriers – may represent hurdles to appointment, we are also confident that many of them could be overcome through targeted, consistent and impactful communications to the profession about the opportunities available, 'mythbusting' activity to break down perceptions about careers in the judiciary and the application process, and support for aspiring applicants. This kind of work is currently underway in other parts of the

profession, for example through initiatives aimed at CILEx lawyers, and there are opportunities for sector collaboration here. Equally, the JAC is well-versed in managing communications that will encourage a wider diversity of applicants for judicial office, which would provide clear opportunities for partnership working.

e) Steps to success

26. As mentioned above, in our survey of regulated Costs Lawyers, when asked about what support they would like to see for prospective applicants for judicial roles, respondents most frequently cited:

- Training;
- Professional networking opportunities (including with current judges);
- Help with the application process;
- Support from existing members of the judiciary (for example, work shadowing or mentoring).

27. The CLSB's proposal has the full support of the ACL, which is the representative body and training provider for regulated Costs Lawyers. If Costs Lawyers become eligible for judicial appointments, the CLSB and ACL will work to deliver support for aspiring applicants.

28. The CLSB and ACL both have strong relationships with other approved regulators and representative bodies across the legal sector, which will help us to build a network of support for prospective applicants. We are well-placed to carry out activities such as: advertising suitable judicial vacancies in our regular newsletters for the profession; organising networking events for Costs Lawyers, to help them understand what a judicial career involves; sharing information from the JAC about the appointments process to enable Costs Lawyers to thoroughly prepare for making an application; and collaborating on existing initiatives.

29. In addition, because Costs Lawyers are under-represented as a profession within the judiciary, and given the diversity of regulated Costs Lawyers themselves, we would recommend that Costs Lawyers become eligible to apply to take part in the [Pre-application Judicial Education Programme](#) and [Judicial Work Shadowing Scheme](#). This would enable Costs Lawyers to further develop their understanding of the role and skills required of a judge, and help to level the playing field across all applicants.

f) Next steps

30. The CLSB believes that this evidence base makes a strong case for amending the relevant legislation to enable Costs Lawyers to be eligible for judicial appointment. We would welcome the opportunity to discuss next steps with the Ministry of Justice team.

g) Contact

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Annex 1 – Comparison of Costs Lawyers’ required knowledge and skills, with the requirements of the JAC Competency Framework and Judicial Skills and Abilities Framework¹¹

Costs Lawyers’ knowledge and skills¹²	Judicial Appointments Commission Competency Framework¹³	Judicial Skills and Abilities Framework
<p>Knowledge</p> <ul style="list-style-type: none"> - Sound understanding of the key concepts and general principles of civil litigation, practice and procedure in specialist forums, legal aid, contract law, tort law, costs pleadings and process, lawyer-client relationship and funding arrangements, and professional standards and ethics. - Detailed knowledge and understanding of civil litigation, contract law, costs pleadings and process, lawyer-client relationship and funding arrangements, and professional standards and ethics. - General understanding of the rules and procedure for employment, immigration, family and criminal litigation. - Understanding of the rules and procedure of the Supreme Court, Court of Protection and arbitral tribunals. - Specialist knowledge of individual practice areas. 	<p>Possessing and Building Knowledge: Possesses a detailed knowledge of own field of law and practice. Demonstrates an ability and willingness to learn new areas of law and procedure when required and develop professionally.</p> <ul style="list-style-type: none"> - Demonstrates a detailed knowledge of law and procedure in own field. - Demonstrates an ability to acquire further knowledge quickly, especially of unfamiliar or complex subject matter, by effectively using different information sources. - Keeps abreast of changes in law and new processes and procedures. - Pursues continuous learning and professional development, sharing relevant information and knowledge with others where possible. 	<p>Possessing and Building Knowledge: Possesses a detailed knowledge of a relevant jurisdiction, law and practice and demonstrates an ability and willingness to learn and develop professionally.</p> <ul style="list-style-type: none"> - Possesses a high level of expertise in chosen area or profession. - Possesses an appropriate and up to date knowledge of the relevant law and its underlying principles and procedure. - Shows an ability and willingness to learn and develop.

¹¹ [Judicial Skills and Abilities Framework](#)

¹² [CLSB Competency Statement, February 2022](#)

¹³ [JAC Competency Framework example](#)

<ul style="list-style-type: none"> - Ongoing continuing professional development, in line with the CLSB CPD Rules and CPD guidance. 		
<p>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.</p> <ul style="list-style-type: none"> - Applies relevant knowledge of civil and other litigation effectively. - Is rigorous in knowing all key issues in a case and the parties’ arguments in relation to them. - Draws out the strengths and weaknesses of each party’s case. - Is able to think on their feet and respond to opposing arguments and questions. - Presents arguments in a structured and accessible manner, making use of relevant evidence. - Knows when to seek advice from or instruct counsel. - Is professional and courteous, and acts in accordance with the etiquette of the particular forum. - Takes instructions from the client during proceedings if novel issues arise. - Recognises the boundaries of their rights of audience relating to costs. - 	<p>Exercising Judgement: Demonstrates integrity and applies independence of mind to make incisive, fair and legally sound decisions.</p> <ul style="list-style-type: none"> • Quickly identifies and applies the relevant law and procedure correctly in deciding and progressing the case. • Demonstrates independence of mind. • Makes decisions clearly and in a considered and confident way, especially in challenging complex situations. • Ensures fairness; demonstrates integrity and acts without bias or prejudice. 	<p>Exercising Judgement: Demonstrates integrity and applies independence of mind to make incisive, fair and legally sound decisions.</p> <ul style="list-style-type: none"> - Makes timely and appropriate decisions. - Exercises sound judgement and common sense. - Reaches clear, reasoned decisions objectively, based on relevant law and findings of fact. - Demonstrates integrity and independence of mind. - Does not exercise bias or prejudice.
<p>Relationship management: The ability to build and manage constructive relationships with stakeholders of all kinds.</p>	<p>Working and Communicating with Others: Values diversity and shows sensitivity to the different needs of individuals, groups and</p>	<p>Working with Others: Conducts proceedings appropriately, values diversity and shows</p>

<ul style="list-style-type: none"> - Is empathetic to the needs and motivations of those they interact with. - Manages client expectations – explains process, cost and timeframe, including factors that could affect these, and updates as necessary. - Develops good working relationships with colleagues. - Engages with opponents in a professional and constructive manner, regardless of how others conduct themselves. - Recognises that colleagues and clients may have different attitudes and perspectives and can manage these effectively. 	<p>communities. Demonstrates effective communication skills and builds rapport effectively.</p> <ul style="list-style-type: none"> - Establishes authority and demonstrates courtesy, inspiring respect and confidence in others, while providing direction and appropriate strategies to maintain control and defuse tension, encouraging parties to reach agreement where appropriate. - Listens attentively to ensure a fair opportunity to all parties to present their case whilst ensuring the efficient disposal of the proceedings. - Shows an awareness of the importance of diversity, takes an anti-discriminatory approach and demonstrates sensitivity to the particular needs of different individuals, communities and groups. - Communicates effectively and succinctly both orally and in writing in a manner that ensures understanding by other. 	<p>empathy and sensitivity in building relationships.</p> <ul style="list-style-type: none"> - Manages hearings through fair and objective direction and intervention. - Has an awareness of the diversity of the communities which the courts and tribunals serve. - Works constructively with others to encourage co-operation and collaboration when needed. - Treats people with respect, sensitivity and in a fair manner without discrimination; ensuring the requirements of those with differing needs are properly met. - Maintains effective relationships, demonstrating the appropriate balance between formality and informality in hearings and with all contacts. - Is able to recognise and deal appropriately with actual or potential conflicts of interest. <p>Communicating Effectively: Demonstrates good oral and written communication skills and authority.</p> <ul style="list-style-type: none"> - Establishes authority and inspires respect and confidence. - Remains calm and authoritative even when challenged. - Explains relevant legal or procedural information in language that is succinct, clear and readily understood by all.
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		<ul style="list-style-type: none"> - Asks clear, concise, relevant and understandable questions. - Willing to listen with patience and courtesy.
<p>Case management. The ability to anticipate, respond to and proactively drive the progress of all cases the Costs Lawyer is working on.</p> <ul style="list-style-type: none"> - Applies legal knowledge and skills to all cases effectively. - Keeps to schedule – sticks to agreed processes for ongoing file review, diarises and meets important deadlines. - Understands the value of process and abides by it, even if routine/repetitive. - Plans ahead for work involved on a file – estimates time involved and considers impact on existing caseload and other members of the team. - Regularly informs stakeholders of ongoing costs and file progress as well as potential issues and problems. - Liaises with the client on routine matters and, where appropriate, more substantive technical issues. - Is able to work without constant supervision. 	<p>Managing work efficiently: Works and plans effectively to make the best use of resources available.</p> <ul style="list-style-type: none"> - Effectively manages time and other resources, prioritising tasks and obligations to ensure efficient completion of workload, both in and out of court. - Takes responsibility for own workload, resolving problems independently but seeking advice and offering assistance to others when appropriate. - Demonstrates resilience, responding calmly and flexibly to changing circumstances and pressure. - Utilises available resources, including the latest technology, to carry out the role in the most efficient way. 	<p>Managing Work Efficiently: Works effectively and plans to make the best use of resources available.</p> <ul style="list-style-type: none"> - Runs trials/hearings effectively to facilitate a fair and efficient conclusion. - Prioritises effectively and minimises delays and irrelevancies. - Shows ability to work at speed and under pressure. - Deals effectively with case management. - Undertakes necessary preparatory work.
<p>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.</p>	<p>Working and Communicating with Others: Values diversity and shows sensitivity to the different needs of individuals, groups and communities. Demonstrates effective</p>	<p>Working with Others: Conducts proceedings appropriately, values diversity and shows empathy and sensitivity in building relationships.</p>

<ul style="list-style-type: none"> - Takes responsibility for own professional decisions and notifies supervisors of mistakes quickly. - Maintains a professional boundary with clients. - Is able to motivate to work alone, albeit with supervision, on long projects. - Recognises when to seek help and guidance (e.g. when working beyond competence or having difficulty managing workload). - Is confident to say when they do not agree or challenge something they do not understand. - Is able to deal with situations involving another's negligence or dishonesty (e.g. on the part of an instructing lawyer). - Reflects on their own performance and takes action where needed. 	<p>communication skills and builds rapport effectively.</p> <ul style="list-style-type: none"> - Establishes authority and demonstrates courtesy, inspiring respect and confidence in others, while providing direction and appropriate strategies to maintain control and defuse tension, encouraging parties to reach agreement where appropriate. - Listens attentively to ensure a fair opportunity to all parties to present their case whilst ensuring the efficient disposal of the proceedings. - Shows an awareness of the importance of diversity, takes an anti-discriminatory approach and demonstrates sensitivity to the particular needs of different individuals, communities and groups. - Communicates effectively and succinctly both orally and in writing in a manner that ensures understanding by others. 	<ul style="list-style-type: none"> - Manages hearings through fair and objective direction and intervention - Has an awareness of the diversity of the communities which the courts and tribunals serve - Works constructively with others to encourage co-operation and collaboration when needed. - Treats people with respect, sensitivity and in a fair manner without discrimination; ensuring the requirements of those with differing needs are properly met. - Maintains effective relationships, demonstrating the appropriate balance between formality and informality in hearings and with all contacts. - Is able to recognise and deal appropriately with actual or potential conflicts of interest. <p>Communicating Effectively: Demonstrates good oral and written communication skills and authority.</p> <ul style="list-style-type: none"> - Establishes authority and inspires respect and confidence. - Remains calm and authoritative even when challenged. - Explains relevant legal or procedural information in language that is succinct, clear and readily understood by all. - Asks clear, concise, relevant and understandable questions.
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		<ul style="list-style-type: none"> - Willing to listen with patience and courtesy.
<p>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.</p> <ul style="list-style-type: none"> - Deploys legal research resources efficiently and effectively. - Proactively keeps own legal knowledge and skills up to date. - Uses initiative to research a point and present it to their supervisor. - Recommends a range of options to the client. - 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). - Draws on a range of sources, techniques and ideas to develop solutions to problems. - Can tackle large problems by breaking them down into constituent parts. - Seeks the input of colleagues on new approaches. - Can adapt approach in a tight timescale 	<p>Exercising Judgement: Demonstrates integrity and applies independence of mind to make incisive, fair and legally sound decisions</p> <ul style="list-style-type: none"> - Quickly identifies and applies the relevant law and procedure correctly in deciding and progressing the case. - Demonstrates independence of mind. - Makes decisions clearly and in a considered and confident way, especially in challenging complex situations. - Ensures fairness; demonstrates integrity and acts without bias or prejudice. <p>Assimilating and Clarifying Information Quickly assimilates information to identify essential issues, develops a clear understanding and clarifies uncertainty where necessary.</p> <ul style="list-style-type: none"> - Identifies, and ensures the focus remains on, the relevant issues. - Effectively assimilates and processes large amounts of information from multiple sources. - Critically analyses information and applies appropriate weight to it in order to reach a reasoned decision. - Clarifies own understanding and information. 	<p>Exercising Judgement: Demonstrates integrity and applies independence of mind to make incisive, fair and legally sound decisions.</p> <ul style="list-style-type: none"> - Makes timely and appropriate decisions. - Exercises sound judgement and common sense. - Reaches clear, reasoned decisions objectively, based on relevant law and findings of fact. - Demonstrates integrity and independence of mind. - Does not exercise bias or prejudice. <p>Assimilating and Clarifying Information Quickly assimilates information to identify essential issues, develops a clear understanding and clarifies uncertainty through eliciting and exploring information.</p> <ul style="list-style-type: none"> - Possesses the ability to quickly absorb, recall and analyse information, facts and legal argument. - Identifies and focuses on the real issues; is not lost in irrelevant detail. - Properly applies appropriate legal rules and principles to the relevant facts. - Is able to weigh evidence in order to decide the facts of a case.

<p>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.</p> <ul style="list-style-type: none"> - Explains the complicated simply. - Uses plain language and avoids jargon and abbreviated terms. - Plans and structures drafting to aid the reader’s understanding. - Is able to engage supervisors and colleagues on technical issues and provide sufficient and salient information for them to give helpful advice and feedback. - Understands when and how to engage with different methods of communication. - Adapts communication style to suit the situation and audience. 	<p>Working and Communicating with Others: Values diversity and shows sensitivity to the different needs of individuals, groups and communities. Demonstrates effective communication skills and builds rapport effectively.</p> <ul style="list-style-type: none"> - Establishes authority and demonstrates courtesy, inspiring respect and confidence in others, while providing direction and appropriate strategies to maintain control and defuse tension, encouraging parties to reach agreement where appropriate. - Listens attentively to ensure a fair opportunity to all parties to present their case whilst ensuring the efficient disposal of the proceedings. - Shows an awareness of the importance of diversity, takes an anti-discriminatory approach and demonstrates sensitivity to the particular needs of different individuals, communities and groups. - Communicates effectively and succinctly both orally and in writing in a manner that ensures understanding by others. 	<p>Working with Others: Conducts proceedings appropriately, values diversity and shows empathy and sensitivity in building relationships.</p> <ul style="list-style-type: none"> - Manages hearings through fair and objective direction and intervention. - Has an awareness of the diversity of the communities which the courts and tribunals serve. - Works constructively with others to encourage co-operation and collaboration when needed. - Treats people with respect, sensitivity and in a fair manner without discrimination; ensuring the requirements of those with differing needs are properly met. - Maintains effective relationships, demonstrating the appropriate balance between formality and informality in hearings and with all contacts. - Is able to recognise and deal appropriately with actual or potential conflicts of interest. <p>Communicating Effectively: Demonstrates good oral and written communication skills and authority.</p> <ul style="list-style-type: none"> - Establishes authority and inspires respect and confidence.

		<ul style="list-style-type: none"> - Remains calm and authoritative even when challenged. - Explains relevant legal or procedural information in language that is succinct, clear and readily understood by all. - Asks clear, concise, relevant and understandable questions. - Willing to listen with patience and courtesy.
<p>Negotiation - The ability to identify what motivates people and then interact constructively with others to find solutions to problems that align with those motivations.</p> <ul style="list-style-type: none"> - Is able to recognise the approach being taken by the other side and respond accordingly. - Identifies the most appropriate forum for settlement depending on the case, issues, client and opponent. - Can spot irrelevant issues and deal with them appropriately. - Understands the client's motivations – agrees a negotiating strategy with the client that is aligned to that client's individual needs. - Can employ basic mediation skills and recognises when to instruct a professional mediator or other third party. 	<p>Exercising Judgement Demonstrates integrity and applies independence of mind to make incisive, fair and legally sound decisions</p> <ul style="list-style-type: none"> - Quickly identifies and applies the relevant law and procedure correctly in deciding and progressing the case. - Demonstrates independence of mind. - Makes decisions clearly and in a considered and confident way, especially in challenging complex situations. - Ensures fairness; demonstrates integrity and acts without bias or prejudice. <p>Assimilating and Clarifying Information Quickly assimilates information to identify essential issues, develops a clear understanding and clarifies uncertainty where necessary.</p> <ul style="list-style-type: none"> - Identifies, and ensures the focus remains on, the relevant issues. 	<p>Exercising Judgement: Demonstrates integrity and applies independence of mind to make incisive, fair and legally sound decisions.</p> <ul style="list-style-type: none"> - Makes timely and appropriate decisions. - Exercises sound judgement and common sense. - Reaches clear, reasoned decisions. objectively, based on relevant law and findings of fact. - Demonstrates integrity and independence of mind. - Does not exercise bias or prejudice. <p>Assimilating and Clarifying Information Quickly assimilates information to identify essential issues, develops a clear understanding and clarifies uncertainty through eliciting and exploring information.</p> <ul style="list-style-type: none"> - Possesses the ability to quickly absorb, recall and analyse information, facts and legal argument. - Identifies and focuses on the real issues; is not lost in irrelevant detail.

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