
Training Rules



15 February 2023 (version 5)

Costs Lawyer Standards Board

CLSB
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1. Purpose

- 1.1 Rule 1.1 of the CLSB's Practising Rules provides that no person shall be entitled to practise as a Costs Lawyer unless they have qualified as a Costs Lawyer in accordance with the Training Rules.
- 1.2 These Training Rules therefore establish the requirements for qualifying as a Costs Lawyer.

2. Definitions

Accredited Study Provider	A training provider accredited by the CLSB to deliver the Costs Lawyer Qualification
CLSB	Costs Lawyer Standards Board
Competency Statement	The CLSB's framework establishing the minimum level of competency required by a Costs Lawyer at the point of qualification
Costs Lawyer	A person who holds a practising certificate issued by the CLSB under the Practising Rules
Costs Lawyer Qualification	A course of study that meets the description in Rule 4
Qualifying Experience	A period of work experience that meets the requirements in Rule 5
Regulatory Arrangements	The Costs Lawyer Handbook, including the Code of Conduct, and associated CLSB guidance, policies and procedures
Scheme Handbook	The Accredited Study Provider Scheme Handbook, containing requirements and guidance for Accredited Study Providers, as published by the CLSB from time to time
Trainee	An individual who has commenced but not yet completed the process of qualifying as a Costs Lawyer

3. Requirements for qualification

3.1 In order to qualify as a Costs Lawyer, a Trainee must:

- (a) have successfully completed the Costs Lawyer Qualification; and
- (b) have completed, or be currently undertaking, two years of Qualifying Experience.

4. Costs Lawyer Qualification

4.1 The Costs Lawyer Qualification is a course of study in costs law and practice, which is delivered by an Accredited Study Provider. Its purpose is to develop and assess the knowledge and skills set out in the Competency Statement, to ensure that all Costs Lawyers meet the requisite standard of competency for authorisation.

4.2 The CLSB will consider an application from a training provider to become an Accredited Study Provider in line with the criteria and processes set out in the Scheme Handbook.

4.3 A list of Accredited Study Providers will be published on the CLSB's website.

4.4 Accredited Study Providers are responsible for:

- (a) considering applications to undertake the Costs Lawyer Qualification;
- (b) designing and delivering the relevant course material and assessments for the Costs Lawyer Qualification;
- (c) applying exemptions from elements of the Costs Lawyer Qualification; and
- (d) providing Trainees with evidence they have completed the Costs Lawyer Qualification,

in line with the provisions of the Scheme Handbook.

5. Qualifying Experience

5.1 Qualifying Experience is work undertaken in costs law and practice for a period of two years under the supervision of a Qualified Person. During the period of Qualifying Experience, the skills in the Competency Statement must be practised at work.

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- 5.2 The purpose of Qualifying Experience is to ensure that all 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.
- 5.3 For the purposes of this Rule, a Qualified Person is:
- (a) a Costs Lawyer; or
 - (b) another person who is authorised under the Legal Services Act 2007 to carry out the reserved legal activities of (at least) exercising a right of audience, conducting litigation and administering oaths.
- 5.4 The two year period of Qualifying Experience may be carried out while a Trainee is working toward completion of the Costs Lawyer Qualification, during the 12 months prior to them commencing the Costs Lawyer Qualification and/or after they have completed the Costs Lawyer Qualification.
- 5.5 Two years of Qualifying Experience means two years of full-time work experience, or equivalent. Part-time work will count toward Qualifying Experience on a pro rata basis. For example, if a Trainee consistently worked 2.5 days per week, it would take them four years to gain the requisite Qualifying Experience.
- 5.6 Qualifying Experience may be carried out in any organisation, under any role description or title, so long as the work undertaken relates primarily to costs law and practice and allows for the skills in the Competency Statement to be practised. An individual might gain Qualifying Experience by working, for example:
- (a) as a paralegal;
 - (b) as a costs draftsman;
 - (c) as a solicitor, barrister or chartered legal executive;
 - (d) as a Costs Lawyer (after completing the Costs Lawyer Qualification);
 - (e) in a firm of Costs Lawyers;
 - (f) in a solicitors' firm;
 - (g) as a sole practitioner;
 - (h) in-house in a business, charity or public body.

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- 5.7 The period of Qualifying Experience need not be continuous. It may be undertaken in multiple organisations or under the supervision of multiple Qualified Persons, so long as each Qualified Person meets the criteria in Rule 5.8 during the period in which they are providing supervision.
- 5.8 In order to work under the supervision of a Qualified Person:
- (a) the Qualified Person must have oversight of the supervised person's work on at least a monthly basis and provide feedback to the supervised person on that work;
 - (b) the Qualified Person must be notified of any complaints made about the supervised person's conduct and support the supervised person to handle such complaints appropriately;
 - (c) the Qualified Person must work in the same organisation as the supervised person, unless there is no such Qualified Person available (for example, where the supervised person is a sole practitioner) in which case a Qualified Person working in another organisation may provide supervision; and
 - (d) the Qualified Person must confirm the accuracy of the evidence provided to the CLSB by the supervised person to demonstrate that Qualifying Experience has been carried out.
- 5.9 After an individual has completed two years of Qualifying Experience, they must provide evidence of that Qualifying Experience to the CLSB, using the form prescribed by the CLSB from time to time.
- 5.10 In accordance with Rule 3.1(b), a Trainee need not have completed the full period of Qualifying Experience before they qualify as a Costs Lawyer. Rather, when they apply for their first practising certificate they must demonstrate that they have either completed or are currently undertaking Qualifying Experience.
- 5.11 Where a practising certificate is issued to a Costs Lawyer who is currently undertaking Qualifying Experience, a condition will be imposed upon their practising certificate to the effect that the Costs Lawyer must continue to undertake Qualifying Experience until the requisite two years of Qualifying Experience has been completed, at which point the Costs Lawyer may apply to the CLSB to have the condition removed. Upon being issued with a practising

certificate, the Costs Lawyer will become subject to the Regulatory Arrangements. Failure to comply with a practising condition could have consequences under the Regulatory Arrangements, in particular under the Practising Rules and the Disciplinary Rules and Procedures.

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