

unlock funds for justice



Acting pro bono? Please seek pro bono costs

- **Pro bono costs are like an ordinary costs award**, but where a party had free legal representation.
- **When you win a civil case acting pro bono**, ask for a pro bono costs order under CPR 46.7.
- **The court orders** the losing side to pay the costs to the Access to Justice Foundation.
- **The Foundation passes the money on** to agencies giving free legal help to those in need.
- **Questions?** See our website or email costs@ATJF.org.uk.

THE
ACCESS
TO JUSTICE
FOUNDATION

Quick guide at www.ATJF.org.uk

The legal profession's charity to support
pro bono initiatives (charity no.1126147)

unlock funds for justice

Pro bono costs are like ordinary legal costs, but where a party had free legal representation. If a civil case is won with pro bono help, pro bono costs can be ordered by the court, or included in settlements.

The costs cover any period when free representation was provided, and even if only one of the lawyers acted for free (i.e. you can also seek normal costs for the fee-paid work). The amount is based on what a paying client would recover so it is important that all lawyers involved record their time.

The legislation (s.194 Legal Services Act 2007) requires the costs to be paid to the prescribed charity, the Access to Justice Foundation, set up by the Advice Services Alliance, Bar Council, CILEx and Law Society. The Foundation distributes the money to agencies and projects that give free legal help to those in need.

The advice and pro bono sector can help to unlock more of these funds by raising awareness of pro bono costs, and obtaining costs orders. Advice agencies responsible for obtaining pro bono costs can expect to receive up to 50% of sums recovered.

Quick guide for pro bono & advice agencies

- 1. In correspondence and negotiation** with the other side, consider highlighting your ability to obtain pro bono costs if you win. This may help settle the case, as they also have a costs risk.
- 2. If a settlement is reached**, the agreement can include the other side paying pro bono costs to the Foundation. Just like normally one side might recover their costs under a settlement.
- 3. If volunteer legal staff** work on a successful civil case, you can seek pro bono costs for their time, following the guidance on our website.
- 4. When placing a case with a pro bono lawyer**, ask the lawyer to seek a pro bono costs order under CPR 46.7. Give them the quick guide from our website.
- 5. Tell the Foundation** when you secure pro bono costs (costs@ATJF.org.uk).
- 6. Make a distribution preference**, asking the Foundation to direct funds recovered to your agency (costs@ATJF.org.uk).

Make sure all lawyers record their time

Full guidance: www.ATJF.org.uk
Questions? costs@ATJF.org.uk

THE
ACCESS
TO JUSTICE
FOUNDATION

The legal profession's charity to support
pro bono initiatives (charity no.1126147)