



Mediation : Fees, Costs and Expenses

(as at 1st February 2008)

Standard Mediator's Fee Structure

The standard fee structure comprises:

- (a) A basic mediation fee, covering pre-mediation organisation, advice, establishment of procedures, reading and preparation
- (b) A basic fee for a mediation day of up to 8 hours
- (c) An additional hourly rate for:
 - (i) additional reading or preparation time in excess of 3 hours per party
 - (ii) additional mediation time in excess of an 8-hour day
- (d) Related expenses or disbursements (such as venue charges, refreshments, travel) at cost

Fees under the standard structure vary according to the value and complexity of the claim. The following table assumes a two-party claim and provides general guidance; the clerks at **Ten Old Square** will be pleased to provide detailed assistance and quotations. Special arrangements can sometimes be negotiated for small cases.

Claim Category	Pre-mediation inc 3 hrs per party reading/preparation (£ per party)	Additional Hours preparation or mediation	Mediation Day (£ per party)
£50,000 or less	£300	£150 ph	£750
£50,000 - 250,000	£500	£150 ph	£1000
£250,000 - £1m	£750	£150 ph	£1500

Over £1m: negotiable

Other Fee Arrangements

If all parties prefer, fees can be quoted and charged at a standard hourly rate. This can be preferable if a specially designed process is appropriate, for example including preliminary meetings, reduced or expanded preparation time, or other process structures.

Terms

Liability

Unless otherwise agreed the Mediator's fees and expenses are payable by the parties in equal shares.

Payment

(i) **Main invoice**

This invoice is payable in full, as a precondition of the mediation taking place, not later than 5 working days in advance of the mediation. It will include fees agreed down to and including the mediation day plus estimated or incurred expenses.

(ii) **Balance invoice**

This will be issued after the mediation date and will include any additional time charges or expenses not included on the main invoice. It is payable in full within 30 days of issue. Any sums repayable will be repaid within 30 days of the mediation.

VAT

All sums are stated exclusive of VAT where applicable.

Expenses and Travel

Venue, refreshments or other disbursements are charged at cost. Travelling time in excess of 1 hour to and from the venue is charged at £30 p.h. plus expenses (car mileage at 45p/mile).

Postponement

If a mediation date is postponed and the mediation takes place on a rescheduled date, no cancellation fee is charged for a first postponement. The parties will be liable for any irrecoverable expenses incurred, and any additional preparation time for the rescheduled date will be charged at the agreed hourly rate for additional preparation. Further postponement may be treated as cancellation.

Cancellation

If notice of cancellation or withdrawal by any party is given to the Mediator (in writing or by fax or email) charges are as follows:

- (a) Given more than 5 working days before the mediation: irrecoverable expenses incurred; preparation work (including in this case pre-mediation advice, guidance and telephone calls to parties by the Mediator) at £100 ph
- (b) Given 5 or less working days before the mediation date: irrecoverable expenses incurred plus 75% of the mediation fees
- (c) Given less than 24 hours before the mediation is due to commence: irrecoverable expenses plus 90% of the mediation fees.

Late documents

If documents are submitted by any party after the agreed time so as to necessitate preparation over a weekend or public holiday or after 9 pm such preparation time will be regarded as doubled and the extra time charged to that party at the agreed rate for additional preparation time.

Interest

The right is reserved to charge interest from due date of payment to actual payment at 2% over the base rate of Lloyds TSB Bank plc, compounded quarterly.