



The Law Society

**Law Society survey on the Legal Services Commission's Family
Funding Consultation**

Results of an online survey conducted in February 2009

SUPPORTING
solicitors

Introduction

The Ministry of Justice and the Legal Services Commission published a consultation at the end of December which proposed fixed fees for work in private family law from the issue of proceedings to final hearing and a Family Advocacy Scheme for both solicitors and barristers for both private and public family law.

The Law Society's online survey gathered estimates from practitioners of the effects of the proposed fees on family and children work.

Total responses: 191

Detailed results

1. In which of the following LSC regions is your main office?

Option	Number of answers	Percentage of total answers
<i>South</i>	50	26
<i>London</i>	50	26
<i>North</i>	46	24
<i>Midlands</i>	35	18
<i>Wales</i>	9	5

2. Should the Law Society continue to argue for hourly rates (except for simple matters) or accept fixed fees?

Option	Number of answers	Percentage of total answers
<i>Continue to argue for hourly rates</i>	165	89
<i>Accept fixed fees as a significant part of the LSC payment mechanism</i>	21	11

3. Do you agree that private law family fees should be based on the four supra-regions with London uplift for Levels 3 and 4?

Option	Number of answers	Percentage of total answers
<i>Yes – have four supra regions and London uplift</i>	88	47
<i>No – have national fees</i>	78	42
<i>Don't know</i>	21	11

4. If bolt-ons were allowed, there would be a lower standard fee and it might be more difficult to escape hourly rates in time consuming cases. Do you think bolt-ons should apply?

Option	Number of answers	Percentage of total answers
No	156	82
Yes	34	18

5. If yes, tick all that apply

Option	Number of answers	Percentage of total answers
<i>Language difficulties</i>	25	29
<i>Mental health</i>	24	28
<i>International aspects</i>	22	25
<i>Associated criminal proceedings</i>	16	18

6. Should the advocacy fees be national or regional?

Option	Number of answers	Percentage of total answers
<i>National</i>	111	59
<i>Regional</i>	76	41

7. The Law Society asked firms submitting bills in the last week of January to calculate what they would have received under the proposed system and to indicate whether the proposed fees are higher or lower.

Option	Number of answers	Percentage of total answers
<i>Lower</i>	154	94
<i>Higher</i>	10	6