

15 November, 2007

Dear Sir/Madam

Notifying counsel of the fees in a Magistrates' Court trial estimated to last four or more days

[A COPY OF THIS LETTER MUST BE SENT TO YOUR CASE AUDITOR]

R v *[DEFENDANT'S NAME]*

I am writing concerning the fees to be paid in the above named case.

The document 'Terms of Appointment' sets out in detail the fee scheme under which counsel will be paid and what is expected from counsel in the preparation of the case and invoicing of fees. A copy of the Very High Cost Case Fee Scheme 'Terms of Appointment' is available at www.cps.gov.uk/publications/finance/highcasefees.html

The reviewing lawyer has determined the refresher and hourly rate to be paid for preparation by applying the Fee Selection Criteria at Annex A of the Terms of Appointment document. The hourly rate has been determined at *[RATE]* and the refresher rate determined at *[RATE]*.

The reviewing lawyer has determined that it should take counsel no more than *[HOURS]* hours to prepare the case. If counsel believes this estimate to be unreasonable, counsel should contact the reviewing lawyer within 5 days. There is an ongoing duty on counsel to notify the reviewing lawyer if the level of work required to prepare the case exceeds the original estimate as communicated in writing by the reviewing lawyer.

The size and complexity of the case does not require a Case Plan or Stage Plan to be completed. Counsel should keep full and detailed work records of all work undertaken. An Excel spreadsheet template available from the CPS can be used for this purpose. If the amount of work required to prepare the case increases significantly, the reviewing lawyer may determine that preparation should be managed using a Stage Plan. This matter will be kept under continuing review.

The fees will be audited and paid at the end of the case. Counsel will be paid the hourly rate for work properly and reasonably undertaken as recorded in the work record.

If counsel is unwilling to undertake work in the terms outlined above and in accordance with the Terms of Appointment document, please return the papers to me within 7 days of the date of this letter.

I should be grateful if you would acknowledge receipt of this letter.

Yours faithfully

Reviewing Lawyer