



Your Litigation Demands and Needs Route Map

Finance, Funding and Insurance

Your solicitor should discuss with you what the overall cost of your legal dispute ('claim') is likely to be, both at the outset and (when appropriate) as your claim progresses.

The solicitor should also discuss with you whether the potential outcomes of your legal dispute will justify the expense or risk involved including, if relevant, the risk of you having to pay your opponent's costs.

With this in mind, the route map on the reverse of this document has been designed to assist you (and your solicitor) when determining your demands and needs. Here is an explanation of the conclusions/outcomes found overleaf:-

You appear to have no immediate need for finance, funding or insurance - whilst you have concluded there is no immediate need for cost transfer or risk transfer, your solicitor is obliged to revisit this as your claim progresses because your demands and needs might change over time. For example, a belligerent opponent can cause you to become 'fee fatigued'. Finance, funding and insurance can be applied for at any stage in the legal proceedings, albeit they are typically harder and more expensive to obtain the closer a claim gets towards trial.

You should apply for ATE insurance - an ATE insurance policy will pay your opponent's costs in the event your claim is not successful. It is possible to arrange an ATE policy with a deferred and conditional insurance premium. Deferred and conditional means the premium is paid at the end of the claim and only if you are successful. This means that, in the event of a loss, the insurer will pay the opponent's costs and you will have had the full benefit of protection without having had to pay any premium.

You should apply for finance - interest only secured loans are available for you if you seek assistance paying your solicitor's legal fees and your disbursements. Paying just the loan interest as the claim progresses offers a practical solution for those of you who can ordinarily afford to pay such costs. The loan will need to be repaid by you regardless of the outcome of your legal dispute.

You should apply for finance with finance protection insurance - see immediately above, however where you would prefer not to sacrifice the loan security offered to a lender, you can apply for finance protection insurance. Finance protection insurance will repay the loan capital in the event you are not successful in your claim, or if you are successful but you do not recover enough from your opponent to repay the loan capital in full.

You will need to apply for funding (with ATE insurance) You will need to apply for funding (with ATE insurance) - a litigation funder will invest in your claim in return for a share of your winnings in the event of success. The funder will insist that you obtain an ATE insurance policy. In the event of a loss the funder will have lost their money and the ATE insurance policy will discharge your liability to pay your opponent's costs. With litigation funding, you can avoid the immediate cost of paying your solicitor's legal fees and your disbursements and you will have no exposure to cost or risk in the event of a loss.

For more information call us on 01234 340266 or e-mail info@ulpltd.co.uk

