



## Legal help: where to go and how to pay

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This note sets out information about where to go to seek legal help or advice. Legal advice should ideally be given by a suitably qualified person with professional liability insurance.

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## A. How to find a Solicitor

### 1. The Law Society

The Law Society represents solicitors in England and Wales. Its website provides guidance on how to find a solicitor.<sup>1</sup> This includes information on what sources to use when looking for a solicitor, and details of solicitors who deal in specific areas of law e.g. personal injury or family law.

### 2. Library services

Local central reference libraries usually have a number of directories that give an alphabetical index of solicitors with addresses, an index of solicitors' firms and other organisations employing solicitors, and an index of employed solicitors and legal executives. Examples of such directories include:

- *Law Society's Directory of Solicitors and Barristers* published annually in July. This directory is compiled from the Law Society's databases of solicitors holding a practising certificate to compile its directory.
- The *Waterlow's Solicitors' and Barristers' Directory*. This provides comprehensive contact details for over 70,000 solicitors, barristers and legal professionals and ancillary organisations to the legal profession such as Notaries Public (authorised persons who can perform certain legal formalities such as drawing up contracts or deeds) and Legal Executives throughout the UK. Waterlow also provides an online searchable access to its Waterlow Legal Directories.<sup>2</sup> This provides access to directories for: solicitors, barristers, international firms, legal services, agency commissions, expert witnesses, investigating services and charities.

Many reference libraries also provide leaflets by the Law Society, Court Service and Legal Services Commission including: *A practical guide to Community Legal Service funding*, *Making a will*, *Choosing a Solicitor*, *Making a personal injury claim*, *Court fees*, and *Legal advice at the police station*.<sup>3</sup>

### 3. Websites

There are a number of helpful websites that give information on how to find a solicitor:

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<sup>1</sup> The Law Society <http://www.lawsociety.org.uk/choosingandusing/findasolicitor.law>

<sup>2</sup> <http://www.waterlowlegal.com/dirindex.htm>

<sup>3</sup> These leaflets are also available online at [http://www.legalservices.gov.uk/leaflets/lsc/prac-guide-cls\(apr\)03.html](http://www.legalservices.gov.uk/leaflets/lsc/prac-guide-cls(apr)03.html)  
<http://www.clsdirect.org.uk/legalhelp/leaflets.jsp?lang=en>  
<http://www.lawsociety.org.uk/choosingandusing/findasolicitor.law>[http://www.legalservices.gov.uk/leaflets/lsc/cds-ps-court\(apr\)03.html](http://www.legalservices.gov.uk/leaflets/lsc/cds-ps-court(apr)03.html)

- Delia Venables is an independent computer consultant in the legal field. Her website *List of Firms of Solicitors on the Web (UK)* contains links to other directories of solicitors and barristers, including UK and international directories, commercial law firms and general business-oriented directories.<sup>4</sup>
- The Institute of Chartered Accountants in England and Wales (ICAEW) Library and Information Service website<sup>5</sup> provides links to various sources of information including the *Solcictors.co.uk* website<sup>6</sup> which enables people to search for solicitors by postcode, and locate solicitors qualified in specific areas of law.

## **B. Help with paying for legal advice**

### **1. Community Legal Service Funding (formerly known as civil legal aid) and Criminal Defence Service Funding (formerly known as criminal legal aid)**

On 1 April 2000 the Legal Aid Board was replaced by the Legal Services Commission (LSC). The LSC has responsibility for two schemes – the civil scheme for funding civil cases as part of the Community Legal Service and the Criminal Defence Service (CDS) which provides advice and representation for people facing criminal charges. The LSC will only pay solicitors and other organisations to provide legal help if they can meet certain standards. Organisations which have met the Commission’s standards will display the CLS quality mark logo. Eligibility for civil and criminal legal aid is outlined in the leaflets:

- *A practical guide to Community Legal Service funding by the Legal Services Commission*<sup>7</sup>
- *A Practical Guide to Criminal Defence Services*<sup>8</sup>

The Community Legal Service also provide a telephone help line on 08453 434345.<sup>9</sup>

### **2. Fixed fee interview**

Some solicitors offer a set period (often half an hour) of legal advice free or at a fixed rate. This level of service covers work previously carried out under the advice and assistance or ‘green form’ scheme, and is not means tested.

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<sup>4</sup> <http://www.venables.co.uk/firms.htm>

<sup>5</sup> ICAEW Library and Information Service links page  
[http://www.icaew.co.uk/librarylinks/index.cfm?AUB=tb2i\\_35193,MNXI\\_11426](http://www.icaew.co.uk/librarylinks/index.cfm?AUB=tb2i_35193,MNXI_11426)

<sup>6</sup> <http://www.solicitors.co.uk>

<sup>7</sup> *A practical guide to Community Legal Service funding by the Legal Services Commission.*

[http://www.legalservices.gov.uk/leaflets/lsc/prac-guide-cla\(apr\)03.html](http://www.legalservices.gov.uk/leaflets/lsc/prac-guide-cla(apr)03.html)

<sup>8</sup> *A Practical Guide to Criminal Defence Services*

[http://www.legalservices.gov.uk/leaflets/lsc/prac-guide-cds\(apr\)03.html](http://www.legalservices.gov.uk/leaflets/lsc/prac-guide-cds(apr)03.html)

<sup>9</sup> [http://www.clsdirect.org.uk/legalhelp/tele\\_services.jsp?lang=en](http://www.clsdirect.org.uk/legalhelp/tele_services.jsp?lang=en)

### **3. Pro Bono legal help**

This is when legal assistance is provided free of charge for members of the public ineligible for legal aid, or charities and other non profit making organisations (particularly if there is a moral or public interest). A solicitor may give ‘pro bono’ assistance to Citizens Advice Bureaux or Law Centres.

### **4. Conditional Fee Agreements (CFAs) (also known as “no win, no fee agreements”)**

CFAs have been in use from 1998 for all non-family civil proceedings. The agreements are negotiated between the client and their solicitor. Depending on the individual terms of the agreement, the client may have some costs to pay. In certain circumstances the client can take out a special insurance policy to cover costs if unsuccessful. CFAs are subject to certain regulations.<sup>10</sup> The Department for Constitutional Affairs website provides a FAQ page giving information on how the agreements work at:

<http://www.dca.gov.uk/legalhelp/faq/litigation.htm>

### **5. Law Society**

The Law Society provides information on paying for legal services including: how solicitors calculate their fees; how to apply for free help through the legal aid scheme and the solicitors pro bono group; no win no fee arrangements; and legal expenses insurance.<sup>11</sup>

### **6. Legal expenses insurance**

Legal expenses insurance can cover the cost of some legal proceedings. Motor insurance policies and household contents insurance sometimes have legal expenses insurance attached to them. However many insurance policies will exclude certain kinds of legal actions, such as matrimonial disputes, or not meet the total cost of claims. The Law Society website provides some information on how they can be used.<sup>12</sup>

Motoring organizations such as the RAC and AA provide legal expenses insurance for road accidents and personal injury claims.<sup>13</sup> Insurance companies are now providing more personal legal protection policies usually as an ‘add-on’ to household insurances, but some companies provide ‘stand alone’ cover as Before the Event (BTE) and After the Event (ATE)

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<sup>10</sup> *The Conditional Fee Agreements (Miscellaneous Amendments) Regulations 2003* SI 2003/1240

<http://www.legislation.hmso.gov.uk/si/si2003/20031240.htm>

*The Civil Procedure (Amendment No. 2) Rules 2003* 2003/1241

<http://www.legislation.hmso.gov.uk/si/si2003/20031241.htm>

*The Access to Justice Act 1999 (Commencement No. 10) Order 2003* SI 2003/1242

<http://www.legislation.hmso.gov.uk/si/si2003/20031242.htm>

<sup>11</sup> <http://www.lawsociety.org.uk/choosingandusing/payingforservices.law>

<sup>12</sup> <http://www.lawsociety.org.uk/choosingandusing/payingforservices/expensesinsurance.law>

<sup>13</sup> <http://www.rac.co.uk/web/insurance/> <http://www.theaa.com/allaboutcars/legal/index.html>

policies associated with CFAs. These can help with legal costs for various types of actions including employment disputes, contract disputes and personal injury claims.<sup>14</sup>

### **C. Citizens Advice**

The Citizens Advice service provides free independent advice on a range of legal problems. All Citizens Advice Bureaux (CABs) in England and Wales and Northern Ireland belong to Citizens Advice, the national charity. Citizens Advice also maintains an information and advice website Adviceguide<sup>15</sup>, which includes up to date information on money matters; family issues; daily life (including consumer affairs) and the legal systems in England, Wales, Scotland and Northern Ireland. The website also has a search facility to locate a local CAB.

### **D. Law Centres**

Law Centres were set up to help people access free independent legal advice within their local community. They are staffed by lawyers and non-lawyers with different ranges of experience. Their main areas of work include: welfare rights; immigration and nationality; housing and homelessness; employment rights; sex and race discrimination. However they may cover other areas of work depending on the concerns of the local community such as: education; crime; and children's rights. The Law Centres Federation (LCF) was established in 1978 and acts as a co-ordinating body for Law Centres in the UK.

The LCF staff team provides an initial point of contact for those seeking information and advice, both within the movement, outside agencies and to the general public. The LCF also encourages the setting up of Steering Committees to establish new Law Centres by providing practical developmental support and advice. Law Centres provide free legal advice and representation to the poorest and most disadvantaged members of society. The movement mainly practices in what is loosely termed Social Welfare Law. There are at present 57 Law Centres, 22 of which are in London.<sup>16</sup>

The Law Centres Federation website provides information on what services Law Centres provide, how to set up Law Centres and has a searchable database to find local Law Centres at: <http://www.lawcentres.org.uk/>. Details of Law Centres can also be found in local telephone directories.

### **E. Trade unions**

Trade unions may provide legal help and assistance to their members as part of their membership. Unions have their own solicitors who can be part of the union, or part of a firm used by the union. The areas in which they can provide legal advice and assistance include

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<sup>14</sup> DAS Legal Expenses Insurance Company LTD <https://www.das.co.uk/faq.asp>

<sup>15</sup> <http://www.adviceguide.org.uk/>

<sup>16</sup> <http://www.lawcentres.org.uk/>

employment law; personal injury (accidents at work and outside); criminal law; immigration; wills; conveyancing and medical negligence. Individual unions have their own websites giving information on the legal services they provide and contact details. Many unions provide a free telephone help line to deal with any type of legal problem.

## **F. Access to legal advice in specific areas**

### **1. Small claims**

Small claims are dealt with by County Courts. They are sometimes referred to as Small Claims Courts. The claims can result from:

- Bad workmanship
- Damage to property
- Road traffic accidents
- Personal injury
- Goods not supplied
- Faulty goods

The claims can be up to £5,000 or less (or £1,000 or less if the claim is for personal injury or bad housing repairs). There are time restrictions on issuing a claim. Information guidance leaflets on how to make a claim can be found on the Court Service website.<sup>17</sup>

### **2. Insolvency and bankruptcy**

The Insolvency Service is an executive service of the Department of Trade and Industry. The service provides information on what to do the case of individual and corporate insolvency. It also gives information on redundancy payments when an employer is insolvent. The Insolvency Service website contains guidance and leaflets on personal bankruptcy,<sup>18</sup> including:

#### *[A guide to bankruptcy](#)*

Information about bankruptcy and its alternatives

#### *[When will my bankruptcy end?](#)*

Information about how long your bankruptcy will last

#### *[What will happen to my home?](#)*

Information about your home

#### *[What will happen to my pension?](#)*

This leaflet only applies to bankruptcies where the petition was presented before 29 May 2000

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<sup>17</sup> [http://www.hmcourts-service.gov.uk/courtfinder/forms/ex307\\_0405.pdf](http://www.hmcourts-service.gov.uk/courtfinder/forms/ex307_0405.pdf)

<sup>18</sup> <http://www.insolvency.gov.uk/guidanceleaflets/Guides.htm>

### *Can my bankruptcy be cancelled?*

Information about getting your bankruptcy cancelled (annulled)

### *What happens when you are interviewed by the Official Receiver's office*

Information about the process and timescale of a bankruptcy or compulsory liquidation.

For general enquiries on insolvency matters you can contact the Insolvency Service Central Enquiry Line on 0207 291 6895; or e-mail: [Central.Enquiryline@insolvency.gsi.gov.uk](mailto:Central.Enquiryline@insolvency.gsi.gov.uk)<sup>19</sup>

## **G. Websites**

There are a number of websites which provide access to legal advice and assistance with links to leaflets and guidance. Some websites provide lists of organisations that can help resolve disputes without going to court, or free access to legal advice.

### **1. The Legal Service Commission**

The Legal Services Commission provides access to telephone advice lines and various self help leaflets:

As part of the government's drive to improve access to justice, the Legal Services Commission (LSC) is funding telephone advice lines in particular areas of England and Wales where few sources of publicly funded advice are currently available. The services cover a number of topics of law, such as Debt, Education, Employment, Housing and Welfare Benefits. Free advice is available for people who are financially eligible for public funding.<sup>20</sup>

The LSC website also has a set of Public Information Leaflets including:

#### *The Community Legal Service* (which is also available in [Welsh](#))

This provides a brief overview of the help available through the Community Legal Service.

#### *A Practical Guide to Community Legal Service funding by the Legal Services Commission*

This leaflet provides a detailed summary of the levels of service funded by the LSC in civil matters including information on financial eligibility, contributions and the statutory charge.

#### *Criminal Defence Services at the Police Station and in Court*

This leaflet provides brief information on receiving legal advice and assistance at a police station and in court under the Criminal Defence Service.

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<sup>19</sup> <http://www.insolvency.gov.uk/bankruptcy/whatisbankruptcy.htm>

<sup>20</sup> Telephone advice project  
[http://www.legalservices.gov.uk/civil/innovations/developing\\_cls.asp#Phone%20Advice%20Pilot](http://www.legalservices.gov.uk/civil/innovations/developing_cls.asp#Phone%20Advice%20Pilot)

### *A Practical Guide to Criminal Defence Services*

This leaflet provides detailed information on types of services, financial eligibility and contributions (where applicable) under the Criminal Defence Services.

### *Paying back the Legal Services Commission - the statutory charge*

This leaflet provides a brief guide to the operation of the statutory charge.

### *Customer Services*

This leaflet gives information on LSC's complaints procedures.

### *Representations*

This leaflet provides a guide to making representations about the issue of funding certificates in LSC funded cases.<sup>21</sup>

## **2. Community Legal Services Direct (formerly JustAsk)**

This website provides information and links to various sources of help and legal advice including a searchable directory of approved solicitors, advice agencies and information providers leaflets on key areas of law, such as Employment, Welfare Benefits and Debt and on alternatives to going to court; a searchable database of approved websites containing helpful legal information; and a calculator to enable you to work out if you may be entitled to CLS-funded help (formerly known as civil legal aid)<sup>22</sup>.

## **3. The Department for Constitutional Affairs (DCA)**

The DCA website contains links to various other legal sites:

Here you will find a number of useful links, including the [Legal Information Institutes \(LII\)](#), and a number of [International Legal sites](#). There are also a large number of useful links to organisations within the [United Kingdom & Northern Ireland](#), on a wide variety of topic areas of interest to individuals and professionals.<sup>23</sup>

## **4. The Law Society**

The Law Society website provides links to Customer Guides on with dealing with common legal problems, in plain English and in a number of other languages. The guides include: *Using a solicitor*; *Setting up a home with your partner*; *Getting a divorce* and *Making a will*.<sup>24</sup>

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<sup>21</sup> <http://www.legalservices.gov.uk/public/help/leaflets.asp>

<sup>22</sup> <http://www.clsdirect.org.uk/index.jsp>

<sup>23</sup> <http://www.dca.gov.uk/links/legal.htm>

<sup>24</sup> <http://www.lawsociety.org.uk/choosingandusing/commonlegalproblems.law>

## H. Useful addresses

**Citizens Advice :** <http://www.citizensadvice.org.uk/>

Citizens Advice  
Myddelton House  
115-123 Pentonville Road  
London N1 9LZ

**Law Centres:** <http://www.lawcentres.org.uk>

The Law Centres Federation  
Duchess House  
18-19 Warren Street  
London W1T 5LR  
Tel: 020 7387 8570  
Fax: 020 7387 8368

**Bar Pro Bono Unit:** <http://www.barprobono.org.uk/navigare/home.html>

289-293 High Holborn  
London WC1V 7HZ  
Tel: 020 7611 9500  
Fax: 020 7611 9505

**The Legal Services Commission:** <http://www.legalservices.gov.uk>

Head Office  
85 Grays Inn Road  
London WC1X 8TX  
Tel: 020 7813 0000

**The Law Society:** <http://www.lawsoc.org.uk>

Head Office  
113 Chancery Lane  
London WC2A 1PL  
Tel: 020 7242 1222  
Fax: 020 7831 0344

The Solicitors Pro Bono Group (SPBC): [solicitors@probonogroup.org.uk](mailto:solicitors@probonogroup.org.uk)

1 Pudding Lane  
London EC3R 8AB  
Tel: 0870 777 5601  
Fax: 0870 777 5722