

## GUIDANCE ON FEES

The **initial fees** due, on lodging the Petition should be paid by sending 2 cheques, one for £254.40 (£212.00 + VAT) payable to “FBC Manby Bowdler LLP”, for the fees due to the Registry and the other for £51.00 (no VAT) payable to “Lichfield Diocesan Board of Finance”, for the fees due to the Chancellor.

The only exception to this fee is where there is a petition submitted for the interment of cremated remains in an existing family grave. In that instance a reduced fee of £60.00 is payable to “FBC Manby Bowdler LLP”.

### In most cases these will be the only fees payable

## ADDITIONAL FEES

However in some cases there will be **additional fees** payable which are prescribed in the Ecclesiastical Judges, Legal Officers and Others (Fees) Order 2020; this is a complex order to understand, but in summary the fees most usually applicable (including any VAT) are:

- **Written Representations:** If the Chancellor decides that he can decide the case on the basis of Written Representations, a further fee of £127.20 (£106.00 plus VAT) will be payable to “FBC Manby Bowdler LLP”. In addition a minimum fee £133.00 will be payable to the “Lichfield Diocesan Board of Finance” for the Chancellor’s fees for writing a judgment (see further below).
- **Directions for Hearings:**
  - If the Chancellor decides *on the basis of a review of the papers lodged* to direct that there should be a Hearing (whether in Open Court or not) to determine the Petition, then a fee of £130.80 (£109.00 plus VAT) is payable to “FBC Manby Bowdler LLP”; in addition a fee of £133.00 will be payable to the “Lichfield Diocesan Board of Finance”
  - If the Chancellor decides to hold a *hearing* to decide how to determine the case the fee payable will be £254.40 (£212.00 plus VAT); in addition, a fee of £133.00 will be payable to the “Lichfield Diocesan Board of Finance”. (In practice, it is very rare for a hearing to be required for the purpose of deciding this issue.)
- **Other Directions:** If at any point in the matter the Registrar gives directions in relation to the case *on the basis of the papers lodged* then a fee of £129.60 (£108.00 plus VAT) is payable to “FBC Manby Bowdler LLP”. (If a hearing is necessary, or if the directions are given by the Chancellor, then other fees are due, but such hearings are quite rare in practice).
- **Final Hearings:** If the Chancellor holds a Hearing to *determine the Petition itself*, (that is to say, not simply a directions hearing covered as above) then then a fee of £319.20 (£266.00 plus VAT) per half day or less, and £636.00 (£530.00 plus VAT) per day (for any hearing longer than half a day) is payable to “FBC Manby Bowdler LLP”. In addition a fee £333.00 or £668.00 respectively will be payable to the “Lichfield Diocesan Board of Finance” (depending on the length of any hearing).
- **Judgment:** a fee of £133.00 will be payable to the “Lichfield Diocesan Board of Finance” for each hour or part of an hour spent by the Chancellor in writing a formal judgment on a case. A minimum fee of £133.00 is payable, but in a complex case the fee could be significantly higher.
- **Additional work:** If, exceptionally, there is other work involved in the matter, then the Chancellor may direct that fees are payable to the Registry based on a rate of £176.40 (£147.00 plus VAT) per hour of time spent. We do not generally seek such payments unless the case is opposed or otherwise complex.

### Summary - fees

- ❖ For an *ordinary, unopposed matter*, which is completed on the basis of the petition alone, without the need for any further representations, the initial fees will be the only payment required : £254.40 (to the Registry) plus £51.00 (to the DBF) (in all £305.40);

- ❖ For a *more complex matter*, dealt with through written procedures, the fees are likely to be £385.20 (to the Registry) plus £184.00 (to the DBF) (in all £569.20) (this being the initial fee plus the written representations fee, including a basic fee for the preparation of a judgment as described above);
- ❖ For a more complex matter which is opposed, or otherwise proceeds to a hearing lasting half a day or less, on the basis of a direction based on a review of the papers, but without any preliminary directions hearing, the minimum fee payable would be £704.40 (to the Registry) plus £653.00 (to the DBF) (in all, £1,357.40); (this being the initial fee, plus the basic 'direction for a hearing' fee, the final hearing fee and a basic judgment fee).
- ❖ However, on still more complex matters the fees are likely to be significantly higher. It is not possible to give accurate fee estimates in advance, (for example it is impossible to know in advance how long a hearing will last, or how long it will take to write a judgment), but the Registry will offer guidance if requested.
- ❖ In appropriate cases the Registry may seek a payment on account in advance by way of security for costs; such requests may themselves require additional work and a hearing; but they are very rare indeed.