

Module Descriptor

Costs Pleadings and Other Process Documentation

Module Overview	
<p>To become a competent Costs Lawyer it is essential to have an understanding of all the necessary procedural steps in the recovery or challenge of costs. The module provides an overview of how costs law has developed as a distinct discipline and the emergence of the bases of assessment and between the parties costs. The module explores the types of costs order that may be made, the parties to proceedings and those who may represent parties in costs proceedings. This module provides an introduction to both the procedure and documentation applicable in costs assessment in the courts of England and Wales.</p>	
Aim	
<p>To enable Trainees to develop knowledge, understanding and critical awareness of what costs are and the pleadings and other process documentation required at each stage of the costs recovery process (legal aid and non-legal aid). By the end of the module trainees should be able to apply their knowledge to produce accurately drafted costs pleadings & other process documentation.</p>	
Module Size and Credits	
Academic Year:	2020
Credits:	15
Total Trainee study hours:	150
Learning Outcomes	
<p>Upon completion of this Module a Trainee should be able to: Upon completion of this Module a Trainee should be able to:</p> <ol style="list-style-type: none"> 1. Describe the development of the law on costs and the impact on the role of a Costs Lawyer 2. Critically discuss when an entitlement to costs may arise 3. Explain the process, required pleadings/documentation and content at all stages in costs matters. 4. Apply knowledge to produce accurately drafted costs pleadings & other process documentation. 	
Indicative Content	
Costs pleadings in legal aid	Filing timescales Requests for further information
Pleadings under prevailing CPR rules	Further information
Bill of costs	Costs budgets/statements of costs
Points of dispute	Applications
Points of reply	Interim & final certificates
Written submissions	Orders
Skeleton arguments	Appellant notices
Witness statements	Respondent notices

Filing methods

Assessment strategy

The intended learning outcomes will be assessed by an assignment, i.e the production of costs pleadings or documentation and a short piece of written work. Word limit 1000 words. Reassessment will require the completion of a similar piece of work. The grades for assignments from all modules in the unit will be accumulated (based on credit value) and will constitute 40% of the overall unit grade.

In addition to the assignments candidates must attend the compulsory seminar (viva) and pass the end of unit examination. The end of unit examination will further assess learning outcomes from all modules within the unit by an unseen synoptic paper constituting 60% of the overall unit grade.

Where students have been granted exemptions in relation to a module assignment their applications have been made on the basis they are confident that they could pass the assessment for any of the modules from which they applied for the exemption.

Pass requirements

The pass mark for all Assessment Components is 50%:

49% (inclusive) and below:	Fail
50% (inclusive) to 59% (inclusive):	Pass
60% (inclusive) to 69% (inclusive):	Pass with merit
70% (inclusive) and over:	Pass with distinction

Teaching and Learning

To enable Trainees to develop knowledge, understanding and critical awareness of the English legal system and introduce them to a range of legal resources available electronically and paper based to encourage and support their legal research and understanding.

Teaching, learning and assessment at ACL Training offers Trainees the ability to develop their knowledge, skills and competences through a curriculum that is purposely designed to provide both an exceptional learning experience and also engage them with relevant professional qualifications.

All modules will be available to Trainees via distance learning, supported by a learning management system which directs their study. All teaching, learning and assessment materials will be available to both staff and Trainees via the system in a consistent and user-friendly manner. Trainees will engage primarily via a number of learning opportunities in each module:

Knowledge & Understanding; is concerned with the analysis of academic theory and concepts to ensure Trainees have mastered a critical appreciation of current and relevant research in the subject area.

Application; brings the knowledge and understanding 'to life' by relating it to current practice. It takes a critical view of the theory and concepts as they are employed in the workplace in order to encourage Trainees to evaluate their application, significance and merit in practice.

Analysis & Problem Solving; requires Trainees to develop and demonstrate their essential analytical skills in order to respond to employer related problems by making a set of clearly evaluated recommendations.

Assessment is explicitly related to both the module and programme learning outcomes detailed

above.

Trainee activity and time spent on each activity comprises:

Online Tutorials	6 hours attendance and 6 hours preparation
Exam Prep	0
Coursework	20 hours
Compulsory Seminar	0
Materials/Activities	30
Self Guided Learning	88
Total Hours	150

Recommended Reading

Middleton, S., and Rowley, J. (2019) Cook on Costs. 2020 edn, LexisNexis Butterworths
Friston, M. (2018) Friston on Costs. Third edn, Oxford University Press

Useful Websites

www.lawcommission.justice.gov.uk
www.parliament.uk
www.legislation.gov.uk
www.justice.gov.uk

Required Equipment

Trainees must have access to the Internet, a word-processing package and a spreadsheet package.