

Suggested draft Pro Bono Costs Order

This suggested draft Pro Bono Costs Order is provided to assist with drafting and is not intended to fetter a court's judgment as to any order it makes.

IN THE _____ COURT

BETWEEN

C

[Claimant]

and

D

[Defendant]

UPON [trial/application by C/D]

AND UPON HEARING [solicitor/counsel for C and solicitor/counsel for D]

IT IS ORDERED:

1. [Terms of substantive order].
2. **Under Section 194 Legal Services Act 2007, [C/D] do make a payment [summarily assessed at £_____] [OR of an amount to be determined by detailed assessment if not agreed] to The Access to Justice Foundation.**

Dated:

Drafting notes:

When making a Pro Bono Costs Order, the amount (per CPR 44.3C) is the equivalent to all [or, if part, specify which part] of the costs [C/D] would have been ordered to pay [C/D] in respect of the [case/application/etc] had the representation of [C/D] not been provided free of charge. The assessment can be summary, detailed, or if Part 45 applies by reference to the relevant fixed costs.

The order should provide for payment directly to the prescribed charity, *The Access to Justice Foundation*. Within 7 days of receipt, the pro bono assisted party must send a copy of the order to the Foundation (to PO Box 64162, London WC1A 9AN; or email a scanned copy to enquiries@atjf.org.uk).

For further guidance see www.accesstojusticefoundation.org.uk