

NO WIN - NO FEE POLICY

It is our view, at Carroll & O'Dea, that every Australian has the right to legal representation, no matter what their financial circumstances. To ensure that legal representation is available to clients who would otherwise have been denied it due to their financial situation Carroll & O'Dea offers a No Win - No Fee arrangement under certain circumstances.

Our No Win - No Fee arrangement may be offered to clients in all areas of personal injury law. In appropriate cases and where this is practical a client may be required to contribute to the cost of some or all medico-legal and investigation reports as the case progresses.

It is noted that in most types of formal litigation, clients can be ordered to pay the Defendant's costs if the action fails and that it is a fundamental policy of the firm that during the course of the engagement process, clients must be fully and effectively informed as to the real limitations on the no-win-no-fee concept. It is also important to note that we will not and cannot act in any matter unless we are able to certify that there are reasonable prospects of success.

The Firm offers No Win - No Fee arrangement to clients on a case-by-case basis. Before the case is accepted on a No Win - No Fee basis, a Partner must be satisfied that:

- (a) The case has legal merit.
- (b) Without the No Win - No Fee arrangement the client may not be able to afford to take legal action.
- (c) The client is fully aware of any likely costs that may arise throughout the duration of the case.
- (d) The client is informed of the risk of paying the other party's costs should the claim be unsuccessful.

A No Win – No Fee arrangement is generally not available in non-personal injury cases however it may be offered at the discretion of a Partner. If the claim is successful the client will be charged legal fees, disbursements and costs paid on their behalf. These fees will be charged in accordance with a Cost Agreement which will be entered into at the commencement of proceedings and in such cases a success fee uplift may apply.