



JUDICIARY OF
ENGLAND AND WALES

30 July 2014

In Sir Rupert Jackson's Review of Civil Litigation Costs: Final Report (Final Report), there were the following two recommendations arising from Chapter 45 of the report:

106. A new format of bills of costs should be devised, which will be more informative and capable of yielding information at different levels of generality.

107 Software should be developed which will (a) be used for time recording and capturing relevant information and (b) automatically generate schedules for summary assessment or bills for detailed assessment as and when required. The long term aim must be to harmonise the procedures and systems which will be used for costs budgeting, costs management, summary assessment and detailed assessment.

In October 2011 the Association of Costs Lawyers (ACL) produced a report "Modernising Bills of Costs" as part of the implementation of those recommendations. That report recommended investigating whether the Uniform Task-Based Management System (UTMBS) operated by Legal Electronic Data Exchange Standard (LEDES) could be adapted for use in producing a new Bill of Costs. The UTMBS consists of standard time recording codes for litigation.

Senior Costs Judge Peter Hurst asked Jeremy Morgan QC to set up a working group, known as the "Jackson Review EW-UTMBS Development Steering Committee" to take forward the proposal in the ACL Report. That working group, now chaired by Alexander Hutton QC, has carried out a detailed review and recommended adapting the codes in the existing UTBMS into new "J-Codes" which have been formulated for an UTMBS for use in England and Wales (EW-UTMBS). Developing the J-Codes to capture time-recording information is an essential aspect of the implementation of the recommendations in the Final Report.

We understand that the next step is for the LEDES Oversight Committee to ratify the J-Codes. Ratification will facilitate the development of J-Code based time recording software compatible with the new Bill of Costs. We look forward to hearing that this further step has taken place so that the recommendations in the Final Report can be fully implemented. We are grateful to all those involved in this important task.

Lord Dyson
Master of the Rolls

Lord Justice Jackson

Senior Costs Judge Hurst