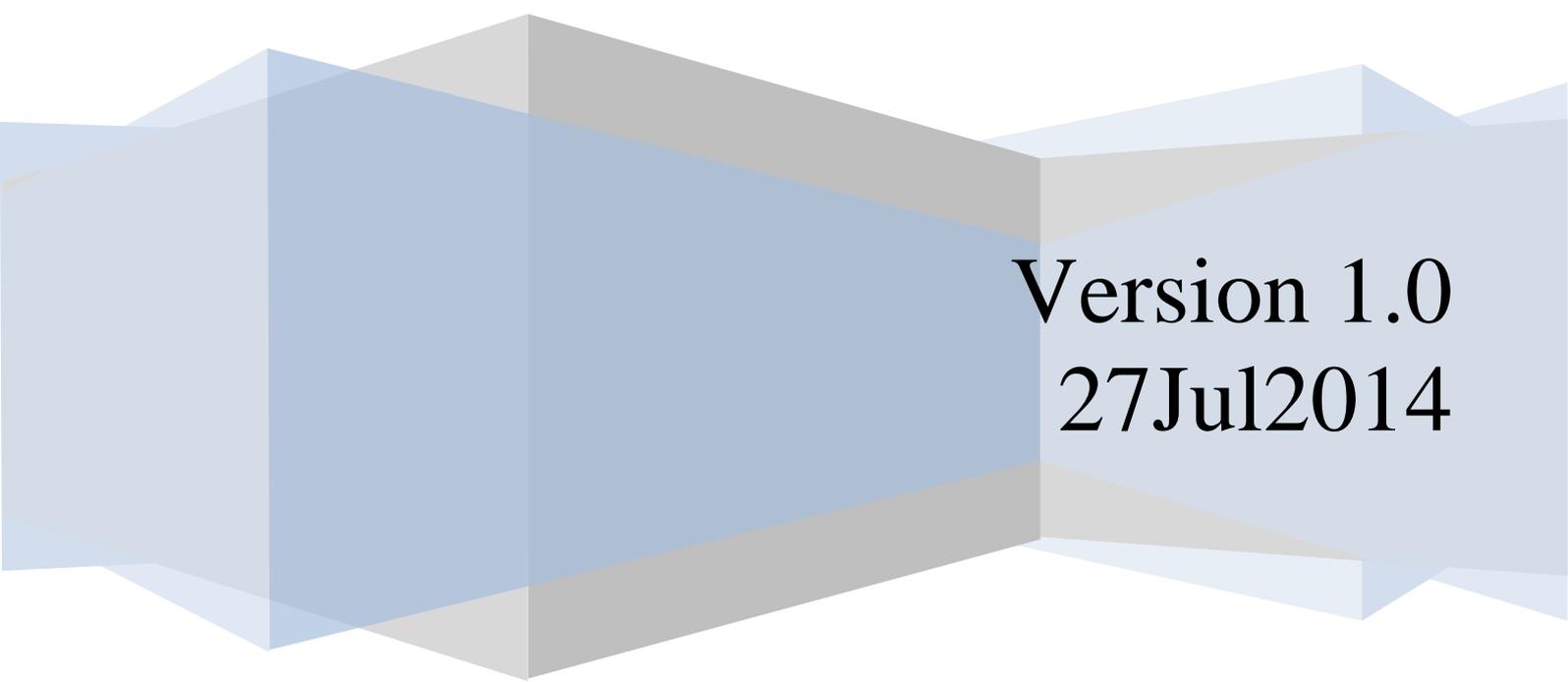


**Jackson Review of Civil Litigation Costs –
UTBMS Drafting Group**

EW-UTBMS

Civil Litigation J-Code Set Overview and Guidelines

Jackson Review Drafting Group



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DOCUMENT PURPOSE

The purpose of this document is to provide information on the EW-UTBMS Civil Litigation Code-Set (“the J-Code-Set”) and describe the use of these codes in practice, including how task and activity codes should be used together to completely describe the legal work being performed.

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OVERVIEW OF THE EW-UTBMS J-CODE-SET

This section provides an overview of the EW-UTBMS Civil litigation code-set (the J-Codes), and also puts it into the wider context of costs assessment. It includes the historical background of the code-set and the reasons for it being developed.

Background and History

The background of the J-code-set originates from the Review of Civil Litigation Costs in England and Wales conducted by Lord Justice Jackson at the request of the Master of the Rolls. One of the Review's recommendations was that a new format for bills of costs for assessment by the courts be prepared, to increase transparency of costs assessed by the courts AND consistency in the way costs are presented to judges across all courts in England and Wales.

For completeness, the recommendations regarding 'detailed assessment' from the Jackson Final Report are repeated below:

- *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.*

For the full report and further details, refer to the Jackson Final Report: page 471 Chapter 45 - Detailed Assessment (<http://www.judiciary.gov.uk/NR/rdonlyres/8EB9F3F3-9C4A-4139-8A93-56F09672EB6A/0/jacksonfinalreport140110.pdf>)

Lord Justice Jackson saw increased use of technology as a vital means of achieving these aims. Accordingly it is essential that any new format is capable of being produced and analysed electronically. At the same time it is recognised that the production and assessment of bills on paper will continue for some years.

If the advantages of the electronic production of bills are to be maximised it is important that a fee-earner's time entries should form the basis not only of a solicitor's bill to the client but also of any bill to be presented for assessment by the courts (subject to any adjustment required to comply with approved budgets and/or costs orders). Otherwise, as at present, every entry in a bill for assessment is simply a manual repetition of something that has already been input electronically in the firm's time recording system. If this duplication of effort is to be avoided, the same underlying codes have to be used by the firm's practice management or time recording system as are used in the preparation of bills for assessment. Since bills for assessment will all have to be presented in the same format, it is essential to develop a common set of codes which can be used to record entries in the time-recording system and from which both solicitor and client bills and bills for assessment can be generated.

Similar sets of codes have already been developed in the United States, though with a rather different purpose there. They have been developed there to provide a common language for e-billing, under which both the law firm and the client have systems using a common code set for respectively the delivery and analysis of bills. There are several such code sets, for use in different areas of practice, but they all go under the name UTBMS. Their development and

use is now supervised by the LEDES Oversight Committee (the “LOC”), a body with membership from a number of jurisdictions but particularly the US.

In response to the requirement of the Jackson Review to develop a new format for bills of costs for detailed assessment capable of taking advantage of new technology, the Association of Law Costs Draftsmen (now known as the Association of Costs Lawyers), established a working group of costs professionals, whose first report entitled “Modernising Bills of Costs” was produced in October 2011. The ACL’s report recommended that the possibility of adapting LOC UTBMS standard time recording codes for litigation in this jurisdiction should be investigated (paragraph 76). The ACL report can be seen by using the link given below: <http://www.costslawyer.co.uk/sites/default/files/11.10.11%20Report.pdf>

Following publication of the ACL’s report, Senior Costs Judge Master Hurst, asked Jeremy Morgan QC to initiate and chair a working group to move forward with the recommendations from the ACL report. Accordingly, a working group was set-up titled the ‘Jackson Review EW-UTBMS Development Steering Committee’ that consisted of Costs professionals and industry experts.

It was decided by the Steering Committee that UTBMS style codes could be utilised, but only if substantial adaptations were made in order to reflect the actual stages of the judicial process in England and Wales, and also map to the new precedent-H budget codes. Therefore the objectives of the Steering Committee became thus:

- Development of a new set of UTBMS style time recording codes for litigation cases in England and Wales, so that these could be recorded by law-firms and analysed by the courts.
- Designing a new format for bills of costs for detailed assessment which would set out the work done by reference to phases, tasks and activities.

The new EW-UTBMS litigation code-set for use in England and Wales (EW) has been developed by the Jackson Steering Committee – this has been done using a UTBMS framework and with guidance from the LEDES Oversight Committee in the UK (LOC-UK). It is anticipated the codes will be used in the following costs related stages of a case:

- The preparation of bills for detailed assessment at the end of the case.
- The preparation of bills for summary assessment either in the course of or at the end of a case.
- The preparation of costs budgets, which are the cornerstone of the Jackson Costs Management proposals.
- The comparison of bills with budgets.
- Recording time for the purposes of solicitor/client billing.

All these proposals concern only costs claims against unsuccessful opponents/Other Parties rather than bills from solicitors to their own clients. However the need for these to be synchronised has been explained above.

The use of the EW-UTBMS J-Codes

If the working group's proposals are agreed costs summarised to EW-UTBMS J-code-set standards will form an integral part of the new bill of costs and will be used by the judge to assess the costs.

The J-codes have (with specified exceptions) been formulated by reference to Precedent H and their application is for present purposes limited to cases in which Precedent H is used. After piloting they can be extended to apply to all civil litigation and to include particular categories of work not identified in Precedent H, for example family cases.

Purpose of the EW-UTBMS Civil Litigation Codes

The overarching benefit of the EW-UTBMS Civil litigation code-set will be to assist solicitors in providing the courts and other parties with information about the legal costs which they are claiming which will enable the courts and other parties to analyse those costs at different levels of detail, and compare actual costs to budgeted costs.

In the wider context, the purpose of the new EW-UTBMS code-set is listed below:

- To enable courts and other parties to easily perform analysis of costs and legal fees at different levels using the same set of data, including the comparison of actual costs to budgeted costs.
- To provide a conformity in costs breakdowns across the court system by providing a common set of 'Budgeting and Time Recording codes' and thus also enable consistency in costs breakdowns across the courts.
- To enable data in the form of Time Entries (including Task and Activity codes) to be entered just once into a solicitor's system, and from that it should be possible to produce cost reports and bills at different levels of detail for different purposes.
- To be intuitive enough for all organisations to easily adopt.
- To be compatible with existing time recording systems in terms of length and format.
- To enable and assist in the analysis of costs during the process of inter-parties cost recovery.

The Scope of the EW-UTBMS Civil Litigation Codes

It is recognised that there may be a difference in quantum between what is claimed back from the opposing side and the client-solicitor bill, but yet the same level of detail may still be required in both as one of the objectives of the Jackson reforms is synchronicity. However, it is not the purpose of the J-Codes to demarcate between recoverable and non-recoverable costs – the new model form Bill-of-Costs must be utilised for this purpose when it becomes available. Accordingly, this will enable an adjusting entry to be made to charges to clearly identify those not being claimed and the reason in a description.

Phases, Tasks and Activities – brief overview

The UTBMS Codes work at three different levels of generality. The highest level is the Phase. Examples are Pre-Action work and Disclosure. The intermediate level of generality is the Task. Each Phase has a number of Tasks. For example, the 'Issue / Statements of Case' Phase includes Tasks for Review of Other Party/Opponents' Statement of Case and Amendment of Statement of Case. The lowest level of generality is the Activity. Examples include Research and Communicate (with client). So an entry such as taking instructions on the Other Party/opponent's statement of case will be coded as the Activity (Communicate (with client)) under the Task (Review of Other Party(s)' Statement of Case) under the Phase (Issue / Statements of Case). This sounds cumbersome but of course each of the Phases, Tasks and Activities has its unique code, and each entry by the fee-earner is tied to the relevant codes. The result is that reports (bills) can be easily prepared summarising the costs incurred by Phase, which is all that is required for budgeting purposes and sometimes for summary assessment, or by Phase and Task or, for maximum detail, by Activities within each Task and Phase. A more detailed account of the Phases, Tasks and Activities appears below.

Appeals – Standalone Cases

It's important to note that appeals are to be treated as standalone cases.

The Connection between EW-UTBMS Codes and Precedent-H Budget Headings

The preparation of cost budgets using the Precedent H headings is one of the cornerstones of the Jackson Costs Management proposals. So too is the easy comparison of budgeted costs to actual costs.

The phase level headings and/or Tasks of the EW-UTBMS J-codes are aligned with the Precedent H budget headings, thus facilitating the easy creation of budgets and comparison of budgeted costs vs actual Costs.

The role of Phase codes and how they equate to Precedent-H Budget Headings

The task and activity codes will be input into the time recording system by lawyers as they record their time, or otherwise a spreadsheet can be used. Each task-code is associated with its phase level code. The phase name is generally equivalent to the Precedent-H budget heading (in some cases the task name is equivalent to precedent-H). Therefore, recording a task code when entering time enables actual costs to be summarised at a phase level, and these then compared to Precedent-H budgets.

PRECEDENT-H BUDGET CODE HEADINGS

For completeness and ease of reference, the Precedent-H budget headings are given below.

These equate substantially to the phase descriptions of the EW-UTBMS J-codes, except for CMC and PTR which are tasks within the Case Management Hearings phase, and Pre-action costs which is a task within the 'Initial and Pre-actions protocol work' phase.

There are also some phases within the EW-UTBMS J-Codes, which are not currently required in Precedent-H. These phases may be included in Precedent-H in the future, but the inclusion of J-Codes for these phases enables this work to be identified and captured at the time recording stage.

Pre-action costs
Issue / Statements of Case
CMC
Disclosure
Witness statements
Expert reports
PTR
Trial preparation
Trial
ADR / Settlement discussions
Contingent cost A: [explanation]
Contingent cost B: [explanation]

The EW-UTBMS J-Code-set to Precedent-H Mapping Table

For ease of reference, a J-Code to Precedent-H mapping table is provided below.

J-Code Phase and Task level mapping (as appropriate)				Precedent H Mapping
J-Code Phase	J-Code Phase Name	J-Code Task	J-Code Task Name	
JA00	Funding			<i>No equivalent at present</i>
JB00	Budgeting incl. costs estimates			<i>No equivalent at present</i>
JC00	Initial and Pre-action protocol work			Pre-action costs
JD00	ADR / Settlement			ADR / Settlement discussions
JE00	Issue / Statements of Case			Issue / Statements of case
JF00	Disclosure			Disclosure
JG00	Witness statements			Witness statements
JH00	Expert reports			Expert reports
JI00	Case and Costs Management Hearings			<i>No equivalent at present</i>
		JI10	Case Management Conference	CMC
		JI20	Pre Trial Review	PTR
		JI30	Costs Management Hearings	<i>No equivalent at present</i>
JJ00	Interim Applications and Hearings (Interlocutory Applications)			<i>No equivalent at present</i>
JK00	Trial preparation			Trial preparation
JL00	Trial			Trial
JM00	Costs Assessment			<i>No equivalent at present</i>

SUMMARY OF EW-UTBMS J-CODES

The code-set for phases, tasks and activity will be based on a 4x character code, in a similar way to the existing US-centric litigation code-set. This code length should be compliant with most software applications such as Time Recording and Billing systems. This also complies with the length of fields for task and activity codes in all the LEDES eBill formats.

The structure of the code-set is described below (from left to right):

- Code-set length - Char x4.
- Char1 - J: The prefix for the EW-UTBMS Litigation code-set.
- Char2 - Alpha letter: This identifies the phase group. An alpha letter was chosen because the number of phases is greater than a numeric digit would allow, and also the use of an alpha letter provides for future expansion should it be required. Note this differs from the US-Centric litigation code-set, as it uses a numeric digit to identify the phase group.
- Char3,4 - Numeric digits: This identifies the phase and task.
 - 00: Identifies the phase (the phase will always be 00 - JA00, JB00). Note, the US-centric code-set identifies the phase in a similar way, using numerics in the hundreds (i.e. L100, L200).
 - 01,02,03: Task (JA01, JA02/JB01, JB02)

J-CODES PHASE AND TASK SUMMARY

Given in the table below is a summary of the J-Code Phase and Task codes.

Phase/Task Code	Phase/Task Name
JA00	Funding
JA10	Funding
JB00	Budgeting incl. costs estimates
JB10	Budgeting - own side's costs
JB20	Budgeting - Precedent H
JB30	Budgeting - between the parties
JC00	Initial and Pre-action protocol work
JC10	Factual investigation
JC20	Legal investigation
JC30	Pre-action protocol (or similar) work
JD00	ADR / Settlement
JD10	Mediation
JD20	Other Settlement Matters
JE00	Issue / Statements of Case
JE10	Issue and Serve Proceedings and Preparation of Statement(s) of Case
JE20	Review of Other Party(s)' Statements of Case
JE30	Requests for Further Information
JE40	Amendment of Statements of Case
JF00	Disclosure
JF10	Preparation of the disclosure report and the disclosure proposal
JF20	Obtaining and reviewing documents
JF30	Preparing and serving disclosure lists
JF40	Inspection and review of the other side's disclosure for work undertaken after exchange of disclosure lists.
JG00	Witness statements
JG10	Taking, preparing and finalising witness statement(s)
JG20	Reviewing Other Party(s)' witness statement(s)
JH00	Expert reports
JH10	Own expert evidence
JH20	Other Party(s)' expert evidence
JH30	Joint expert evidence
JI00	Case and Costs Management Hearings
JI10	Case Management Conference
JI20	Pre Trial Review
JI30	Costs Management Conference

JJ00	Interim Applications and Hearings (Interlocutory Applications)
JJ10	Applications relating to originating process or Statement of Case or for default or summary judgment
JJ20	Applications for an injunction or committal
JJ30	Applications for disclosure or Further Information
JJ40	Applications concerning evidence
JJ50	Applications relating to Costs alone
JJ60	Permission applications
JJ70	All other types of application not covered by the categories above
JK00	Trial preparation
JK10	Preparation of trial bundles
JK20	General work regarding preparation for trial
JL00	Trial
JL10	Advocacy
JL20	Support of advocates
JL30	Judgment and post-trial activity
JM00	Costs Assessment
JM10	Preparing costs claim
JM20	Points of dispute, Replies and Negotiations
JM30	Hearings
JM40	Post Assessment Work (excluding Hearings)

Mapping of EW-UTBMS J-Codes to the US Centric UTBMS L-Codes

It is recognised that some international organisations may need to be aware of the nearest equivalent of the J-Codes to the US centric L-Code Litigation code-set. Therefore, to assist organisations in meeting this need, a mapping table has been included toward the end of this document.

PHASE CODE DESCRIPTION

The Phase codes are the highest level category in the EW-UTBMS J-Code hierarchy and represent the general stages that occur in different types of court cases, and the purpose of the phase is to contain a series of predefined task-steps. The phase code is not actually entered by Timekeepers at the point of recording the time entry, but Timekeepers need to be aware of the Phase in order to input the correct Task code. In computer systems that produce summary reports from the J-Code encoded time entries, the phase is 'inferred' by the 'task code' itself.

Phase Code	Phase Name	Phase Description
JA00	Funding	All work relating to reviewing funding options, securing funding and reports to funders during the life of the case.
JB00	Budgeting incl. costs estimates	All work throughout the life of the case relating to budgeting and costs management, excluding the 'costs assessment' and 'funding' related work and preparation for and attendance at any costs management hearing, all of which have discrete phases.
JC00	Initial and Pre-action protocol work	Work relating to the obtaining of instructions, identification of witnesses, dealing with locus and evidential issues, dealing with and identifying legal issues arising from the case and strategy, and dealing with any protocol related matters, if not covered elsewhere.
JD00	ADR / Settlement	Work that is directed to settlement including ADR
JE00	Issue / Statements of Case	Covers issue and acknowledgment of proceedings, Statements of Case and Further Information requests/responses. Includes taking instructions, making inquiries and searches, researching, drafting, editing, filing and all meetings and communications for the purpose of such documents.
JF00	Disclosure	Work relating to gathering and reviewing documents for potential disclosure, preparing disclosure lists and practical steps of disclosure.
JG00	Witness statements	Work that relates to the identification of potential witnesses and preparing their evidence for trial (excludes witness evidence in relation to interim applications).
JH00	Expert reports	Work that relates to the identification of potential experts and preparing their evidence for trial (excludes expert evidence in relation to interim applications).
JI00	Case and Costs Management Hearings	Work relating to such hearings and the preparation for them, including PTR and CMC's. This does not include interim applications heard at the same time.
JJ00	Interim Applications and Hearings (Interlocutory Applications)	Work covering all proposed and actual interim applications and hearings. Includes taking instructions, making inquiries, research, preparing and filing applications, supporting evidence and skeleton arguments including reviewing those of other parties whether or not a responsive document is served, preparing for and attending hearings and all meetings and communications for the purpose of such applications or hearings.
JK00	Trial preparation	Work for the preparation of the trial not included in the other phases.
JL00	Trial	Covers preparation for advocacy including written trial

		submissions and all other work from the first day on which a trial or appeal begins or, if settled, was due to begin.
JM00	Costs Assessment	Work related to the assessment or agreement of costs following trial or settlement of the underlying action

TASK CODE DESCRIPTION

The Task Code represents 'what' work is being done. It is the lower level code appearing under its respective Phase-Code heading. The task refers to a tangible piece of work done by a Fee Earner, and indeed this is what the Fee Earner will input when recording time. The code can be thought of as a category code to represent 'what' work is being performed.

Phase/Task Code	Phase/Task Name	Phase/Task Description
JA00	Funding	All work relating to reviewing funding options, securing funding and reports to funders during the life of the case.
JA10	Funding	All work relating to reviewing funding options and securing funding.
JB00	Budgeting incl. costs estimates	All work throughout the life of the case relating to budgeting and costs management, excluding the 'costs assessment' and 'funding' related work and preparation for and attendance at any costs management hearing, all of which have discrete phases.
JB10	Budgeting - own side's costs	Preparing budgets solely for the client and monitoring costs incurred for the purposes of any required variations. Performing budgetary work related to obtaining third party funding/ATE insurance.
JB20	Budgeting - Precedent H	Initially completing Precedent H - This task is confined to preparing and compiling the first budget required by the court in the form of Precedent H.
JB30	Budgeting - between the parties	Work on budgeting between the parties following initial completion of the first budget, including the monitoring of costs incurred against the budget and any applications for variation of a budget.
JC00	Initial and Pre-action protocol work	Work relating to the obtaining of instructions, identification of witnesses, dealing with locus and evidential issues, dealing with and identifying legal issues arising from the case and strategy, and dealing with any protocol related matters, if not covered elsewhere.
JC10	Factual investigation	Work required to understand the facts of the case including instructions from the client and the identification of potential witnesses
JC20	Legal investigation	Includes identification of the legal issues raised by the case facts and developing the strategy for the case.
JC30	Pre-action protocol (or similar) work	Communications at an initial stage in compliance with pre-action protocol including letters before action and responses.

JD00	ADR / Settlement	Work that is directed to settlement including ADR
JD10	Mediation	Work related to proposals for mediation, preparation and attendance at the mediation and any follow-up work.
JD20	Other Settlement Matters	Work that is directed to settlement including Part 36 and other offers and consequent negotiations (includes all forms of ADR other than mediation).
JE00	Issue / Statements of Case	Covers issue and acknowledgment of proceedings, Statements of Case and Further Information requests/responses. Includes taking instructions, making inquiries and searches, researching, drafting, editing, filing and all meetings and communications for the purpose of such documents.
JE10	Issue and Serve Proceedings and Preparation of Statement(s) of Case	Work related to effecting service, including dealing with process servers or the foreign process section. Work in preparation of claims, petitions and any other originating process, Statements of Case, Part 20 proceedings, including reviewing those of other parties whether or not a responsive document is served. Includes all work with counsel thereon and all dealings with client and others in connection therewith. In appeals includes Appellants' and Respondents' Notices and supporting skeleton arguments.
JE20	Review of Other Party(s)' Statements of Case	Considering Other Party(s)' Claim Form and Statements of Case.
JE30	Requests for Further Information	Preparing and considering requests for Further Information and responses thereto.
JE40	Amendment of Statements of Case	Preparing and considering amendments to originating process, Statements of Case, Part 20 proceedings. In appeals refers to amendments to Appellants' and Respondents' Notices and supporting skeleton arguments.
JF00	Disclosure	Work relating to gathering and reviewing documents for potential disclosure, preparing disclosure lists and practical steps of disclosure.
JF10	Preparation of the disclosure report and the disclosure proposal	Preparation of the disclosure report and the disclosure proposal to comply with obligations that came in on 1-April-2013 (applicable to both manual and e-disclosure). All Disclosure related work required for the CMC. Additionally, this task encompasses work such as determining the location of documents, letters to client re disclosure obligations and setting up client based disclosure teams.
JF20	Obtaining and reviewing documents	Obtaining and reviewing documents to determine relevance (applicable to both manual and e-disclosure).
JF30	Preparing and serving disclosure lists	Preparing and serving disclosure lists (applicable to both manual and e-disclosure).
JF40	Inspection and review of the other side's disclosure for work undertaken after exchange of disclosure lists.	Inspection and review of the other side's disclosure for work undertaken after exchange of disclosure lists (applicable to both manual and e-disclosure).

JG00	Witness statements	Work that relates to the identification of potential witnesses and preparing their evidence for trial (excludes witness evidence in relation to interim applications).
JG10	Taking, preparing and finalising witness statement(s)	Work involved in identifying appropriate witnesses, tracing and communicating with same, taking instructions for, preparing and serving witness statements or affidavits, preparing and serving witness summaries, preparing and serving any notices under Civil Evidence or similar Acts, preparing and serving witness summonses, including reviewing other materials for these purposes and all dealings with client, witnesses, inquiry agents, counsel, Other Party(s) and others in relation to own side witness statements.
JG20	Reviewing Other Party(s)' witness statement(s)	Considering Other Party(s)' witness statements, affidavits, witness summaries, Civil Evidence Act or similar notices, reviewing same in context of other evidence and material, considering strategy to deal with issues raised.
JH00	Expert reports	Work that relates to the identification of potential experts and preparing their evidence for trial (excludes expert evidence in relation to interim applications).
JH10	Own expert evidence	Identifying and interviewing experts and consultants (testifying or non-testifying), working with them, and developing expert reports. Reviewing case in the light of such evidence. Considering questions asked by Other Party(s) of own experts and experts' responses. Arranging experts' discussions. Considering reports of experts' discussions. Includes all communications or other work with counsel, and all communications with Other Party.
JH20	Other Party(s)' expert evidence	Considering Other Party(s)' expert evidence, preparing and asking questions of their experts, considering replies, reviewing case in light of such evidence.
JH30	Joint expert evidence	As [JH10] (own expert evidence) with appropriate modifications.
J100	Case and Costs Management Hearings	Work relating to such hearings and the preparation for them, including PTR and CMC's. This does not include interim applications heard at the same time.
J110	Case Management Conference	Work in preparing for and attending any Case Management Conference (excluding Costs Management)
J120	Pre Trial Review	Work in preparing for and attending any Pre Trial Review (excluding Costs Management).
J130	Costs Management Conference	Work in preparing for and attending any Costs Management Conference / Hearing including the hearing of any applications to vary a budget.

JJ00	Interim Applications and Hearings (Interlocutory Applications)	Work covering all proposed and actual interim applications and hearings. Includes taking instructions, making inquiries, research, preparing and filing applications, supporting evidence and skeleton arguments including reviewing those of other parties whether or not a responsive document is served, preparing for and attending hearings and all meetings and communications for the purpose of such applications or hearings.
JJ10	Applications relating to originating process or Statement of Case or for default or summary judgment	Includes applications as to service or jurisdiction, to strike out or amend all or part of a claim or Statement of Case, or for the variation of parties.
JJ20	Applications for an injunction or committal	Work performed related to applications for an injunction or committal.
JJ30	Applications for disclosure or Further Information	Work performed related to applications for disclosure or Further Information
JJ40	Applications concerning evidence	Work performed related to applications concerning evidence
JJ50	Applications relating to Costs alone	Includes applications for security for costs, costs capping and protective costs orders. Does not include budgeting or costs management orders which are dealt with at [JB40]. Does not include applications proceeding as to costs alone where a substantive application for some other relief has settled.
JJ60	Permission applications	All permission applications where permission to proceed is required, such as in judicial review proceedings or on appeal.
JJ70	Other applications	All other types of application not covered by the categories above.
JK00	Trial preparation	Work for the preparation of the trial not included in the other phases.
JK10	Preparation of trial bundles	Time spent identifying documents for inclusion in the trial bundles, working with the other parties to agree the trial bundles, preparing and updating the trial bundles.
JK20	General work regarding preparation for trial	All other time spent in preparing for and supporting a trial, including developing overall trial strategy, preparing own witnesses for trial, working on cross-examination, preparing opening and closing arguments, , identifying documents for use at trial, preparing demonstrative materials, making any physical arrangements for trial etc

JL00	Trial	Covers preparation for advocacy including written trial submissions and all other work from the first day on which a trial or appeal begins or, if settled, was due to begin.
JL10	Advocacy	Preparation by advocates of written and oral openings, closings or skeleton arguments; preparation for examination of witnesses; preparation of and for all applications made during trial; considering all submissions of other parties; attendance of advocates during trial. Includes all dealings by advocates with others (e.g. solicitors, clients, witnesses) for these purposes.
JL20	Support of advocates	Work by lawyers other than advocates relating to the above matters and all attendances at court on trial days including conferences or meetings before or after court and travel and waiting. Where there is a substantial gap between trial days, work should be allocated to whichever is the more appropriate of the Trial Preparation and Trial phases.
JL30	Judgment and post-trial activity	Considering draft judgments, preparing and considering any written responses to the court, submissions or skeleton arguments in relation to judgment or consequential orders, preparation for and attendance at hearings when reserved judgments handed down or consequential orders considered, all dealings relating to form of judgment or order. Includes all meetings and communications relating thereto.
JM00	Costs Assessment	Work related to the assessment or agreement of costs following trial or settlement of the underlying action
JM10	Preparing costs claim	Includes the reconciliation of the costs claimed to any approved budget in and the preparation of the bill of costs for detailed assessment
JM20	Points of dispute, Replies and Negotiations	Work on the formal procedural steps under CPR 47 following service of a bill of costs together with Part 36 and other offers to settle costs and consequent negotiations
JM30	Hearings	Includes preparation for and attendance at hearings for directions and interim certificate applications as well as the detailed assessment itself
JM40	Post Assessment Work (excluding Hearings)	Includes post-hearing calculations and all other work required to finalise the amounts due for principal, interest and the costs of the assessment

ACTIVITY CODE DESCRIPTION

The Activity Code represents 'how' the work was being done. The activity code-set is common to all tasks codes and is entered at the point of recording the time entry. These are the standard Activity codes as defined by LEDES.ORG and are common across all UTBMS code-sets (L-codes, P-codes, and C-codes).

The code-set given is the LEDES.ORG standard Activity code-set ratified in January 2013 (the latest version as at publication of this document). For ease of reference, the rescinded activity code is given in the end column. For completeness, all Activity codes from this latest version are given in the table, however the codes grayed-out are unlikely to be used in practice.

Note:

1: The term Discovery is the same as Disclosure, but the Activities will be anglicised when in their final form.

Activity Code	Activity Name	Activity Description	Previous Code
A101	Plan and prepare for	Any planning or preparation associated with a matter. Includes budgeting and case assessment services if these are allowed by the client.	A101
A102	Research	Any legal or factual research associated with the matter	A102
A103	Draft/Revise	Any drafting or revision or other preparation of documents or other material	A103
A104	Review/Analyze	Any review or analysis of documents or other material	A104
A105	Communicate (internally within legal team)	Any internal communications within firm.	A105
A106	Communicate (with client)	Any communication by letter, fax, email, telephone, meetings and conferences with client	A106
A107	Communicate (Other Party(s)/other outside lawyers)	Any communication by letter, fax, email, telephone, meetings and conferences with opposing counsel or other outside lawyers not representing the client	A107
A113	Communicate (witnesses)	Any communication by letter, fax, email, telephone, meetings and conferences with witnesses in the legal matter	
A114	Communicate (experts)	Any communication by letter, fax, email, telephone, meetings and conferences with experts associated with the legal matter	
A108	Communicate (other external)	Any communication by letter, fax, email, telephone, meetings and conferences with other external parties not already specified within these activity codes	A108
A109	Appear For/Attend	Any appearance for or attendance at a scheduled event related to the matter	A109
A110	Manage Data/Files/Documentation	Any handling of documents, files or data other than drafting, revising, reviewing or analysing.	A110

A112	Billable Travel Time	Travel time billed by the timekeeper when other billable services are not performed for the client. Includes time spent waiting associated with the matter when other billable services are not performed for the client.	DRI Code A112
A115	Medical Record and Medical Bill Management	Any services associated with the review, compilation, digesting, summary or processing of medical records or bills when performed in-house only	
A116	Training	Training services provided by the law firm or legal Supplier and billed as an hourly service. Typically technical or project training associated with eDiscovery.	
A117	Special Handling Copying/Scanning/Imaging (Internal)	Any special oversized copying, binding, scanning, imaging and photograph reproduction which requires manual handling	
A118	Collection-Forensic	For discovery and eDiscovery, the forensic acquisition and analysis of data that includes active files, deleted files and file fragments using specialized software or hardware	
A119	Culling & Filtering	For discovery and eDiscovery, activities associated with grouping and filtering documents for processing. Includes deduplication, deNIST*, etc. Excludes culling and filtering associated with the creation of a Privilege Log (A124). * National Institute of Standards & Technology list: has yearly list of "program files" that are removed from collection.	
A120	Processing	For discovery and eDiscovery, services associated with the processing of documents, images, files, etc. in a document collection. Includes OCR, importing/ingestion/overlay, exporting, file conversion and/or extraction when billed as a service. Excludes scanning (A117).	
A121	Review and Analysis	For discovery and eDiscovery, the inspection, review, consideration and analysis of documents and/or evidence. Includes coding and relevance issues. Excludes creation of privilege log (A124).	
A122	Quality Assurance and Control	Quality Assurance and Control activities associated with eDiscovery	
A123	Search Creation and Execution	For discovery and eDiscovery, creation and execution of electronic document searches irrespective of source of document collection. Excludes legal research (A102).	
A124	Privilege Review Culling and Log Creation	For discovery and eDiscovery, culling and review associated with the creation of a Privilege Log.	
A125	Document Production Creation and Preparation	For discovery and eDiscovery, the creation, export or delivery of a document production set including: creation of production export, metadata redaction, creation of delivery media and image branding. Excludes cost of printed	

		set (X101 or X102).	
A126	Evidence/Exhibit Creation and Preparation	For discovery and eDiscovery, the creation, export or delivery of trial evidence or exhibits including: creation of video clips and other demonstrative evidence from the collection.	
A127	Project Management	Discovery or eDiscovery project management services, including budgeting and case assessment of the project and quality assurance and control. Excludes legal project management of a matter.	
A128	Collection Closing Activities	Closing activities related to a Discovery or eDiscovery collection.	
A129	Communicate (with Outside Counsel)	Any communication by letter, fax, email, telephone, meetings and conferences with own-side Outside Counsel representing your client	A106
A111	Other		A111

EXPENSE CODE DESCRIPTION

Expense codes are used to categorise the different types of disbursements or costs that are paid out over the course of the case.

The codes always have the prefix of X followed by three digits, so the code is four characters in length. It is important to note that these are the standard Expense codes as defined by LEDES.ORG and are common across all UTBMS code-sets.

The code-set given is the LEDES.ORG standard Expense code-set ratified in January 2013 (the latest version as at publication of this document). For ease of reference, the rescinded expense code is given in the end column. For completeness, all Expense codes from this latest version are given in the table, however the codes grayed-out are unlikely to be used in practice.

Expense Code	Expense Name	Expense Description	Previous Code
X101	Copies/Hard Copy Prints/Printing-Black & White (Internal)	Any black & white copies, Hard Copy Prints, digital prints from images, printing or reprinting costs billed on a per page basis when that printing is performed in-house and not by an external Supplier	E101
X102	Copies/Hard Copy Prints/Printing-Colour (Internal)	Any colour copies, Hard Copy Prints, digital prints from images, printing or reprinting costs billed on a per page basis when that printing is performed in-house and not by an external Supplier	
X103	Copy Service (External)	Any black & white or colour copy, binding and reassembly charges when that service is performed by an external party and paid by the law firm or legal Supplier	E102
X104	Special Handling Copying/Scanning/Imaging (Internal)	Any special oversized copying, binding, scanning, imaging and photograph reproduction handled in-house which requires manual handling	
X105	Word Processing	Any in-house word processing fees. Excludes word processing associated with a Translation (X139).	E103
X106	Facsimile	Any facsimile charges	E104
X107	Telephone-Local	Any local telephone charges; if VOIP expense bill as a single line item as opposed to a per call charge.	E105
X108	Telephone-Long Distance	Any long distance telephone charges; if VOIP expense bill as a single line item as opposed to a per call charge.	
X109	Telephone-Mobile	Any mobile telephone charges	
X110	Conference Call/Video Call/Webinar Charges	Multi party communication whether by telephone, video or external	

X111	Online Legal Research	Any electronic legal research service charges, such as for LexisNexis or Westlaw	E106
X112	Delivery Services/Messengers	Any overnight delivery service like FedEx, UPS or DHL and messenger services including internal law firm or legal Supplier messenger services. Excludes Postal Service charges (X113).	E107
X113	Postage	Any costs for regular, certified and overnight mail through the Postal Service only, and costs for any mailings required by statute when sent through the Postal Service	E108
X114	Local Travel	Any ground transportation (taxi, bus, subway/underground), mileage and parking associated with local travel. Excludes billable travel time (A115). If client requires a more granular breakdown, law firm or legal Supplier should submit separate itemized expense line items.	E109
X115	Out-of-Town Travel	Any airfare, ground transportation (taxi, subway/underground, train), rental car, mileage, parking, and hotel associated with out-of-town travel. Excludes include billable travel time (A112). If client requires a more granular breakdown, law firm or legal Supplier should submit separate itemized expense line items.	E110
X116	Meals	Any meals, whether local or associated with travel, payable by the client	E111
X117	Court and Governmental Agency Fees	Any court or governmental agency fees,	E112
X118	Eviction Costs	Any other costs specifically associated with an eviction action not already provided for within the expense codes	
X119	Foreclosure Costs	Any other costs specifically associated with a foreclosure action not already provided for within the expense codes	
X120	Title Insurance Costs	Any Title Service, examination and abstract costs	
X121	Immigration Costs	Any costs associated with an immigration matter, including credentials evaluation, fixed expense allowance, etc., not already specified within these expense codes	
X122	Late Fees	Any late fee imposed by a governmental or quasi-governmental agency in any type of matter in order to have a document entered into record past the initial deadline. For IP matters, includes including Petition for Extension of Time and Information Disclosure Statement fees in the US. Excludes any late fee or finance charge on overdue legal bills.	E131

X123	Publication Costs	Any fees associated with publishing an official notice on the matter as required by statute. Excludes electronic or bound resource material purchased for use as a reference (X124) or legal research service costs (X111).	
X124	Publications/Books/Treatises	Costs for any publications, books or treatises Excludes LEXIS, Westlaw or similar online legal research service (X111)	
X125	ATE Premiums/Insurance	The cost of ATE (After the Event) Insurance to indemnify legal costs in the event the litigation or arbitration is unsuccessful	
X126	Witness Fees	Any sheriff or service fees and other costs associated with the testimony of a witness at court or in a similar legal proceeding	E114
X127	Deposition/Other Transcripts	Any transcript fee that is not a Trial Transcript	E115
X128	Trial Transcripts	Any court reporter and transcript fees associated with trial transcripts	E116
X129	Trial Exhibits	Costs for materials associated with the creation of or obtaining a copy of a Trial Exhibit	E117
X130	Medical Records Costs	Costs for obtaining copies of medical records	
X131	Medical Records Analysis	Any analysis, creation of a summary or digesting of medical records, when this task is outsourced to a third party and paid by the law firm or legal Supplier	
X132	Medical Record Service Provider Fees	Any third party medical record service provider fees billed as an expense as opposed to a service, when this task is outsourced to a third party and paid by the law firm or legal Supplier	
X133	Private Investigators, Investigative Reports and Investigation Fees	Any Private Investigator costs or the cost of any reports prepared by an investigator or in conducting an investigation Includes motor vehicle, Social Security, post office, skip/trace, background check and other similar types of investigative reports	E120
X134	Arbitrators/Mediators	Any Arbitrator/Mediator fees and any fees associated with the Arbitration/Mediation process	E121
X135	Local Solicitor Agents	Any local counsel fees paid directly by the law firm or legal Supplier	E122
X136	Appraiser/Appraisal Fees	Any Appraiser's fees, appraisal costs or cost of an appraiser's report	
X137	Consultants, Other Professionals or Foreign Lawyers	Excludes Expert Witnesses. This code is a catch-all for any experts, consultants or other Suppliers used in a matter where the types of services provided by the Supplier do not apply to any other code specified in this list	E119, E123
X138	Litigation Support Suppliers	Any litigation support or eDiscovery Supplier bill paid directly by the law firm or legal Supplier and passed through to the client for reimbursement	E118

X139	Translation	Any translation fees including the preparation and keyboarding (typing) of documentation. Excludes general word processing charges (X105).	E125
X140	Special Purpose Location/Office Rental	Any costs for special purpose war rooms, conference rooms, etc. for a matter or case; typically associated with a trial. Excludes general office rent or after-hours facilities charges.	
X141	Special Purpose Moving and Storage Fees	Any costs for moving and storage of physical objects; typically associated with a trial. Excludes internal data storage fees (X405).	
X142	Settlement Costs	Any settlement costs paid by the law firm or legal Supplier on behalf of the client that have not been prepaid by the client	
X143	Bank Fees	Any reimbursable bank fees associated with the matter. This type of expense is more typically reimbursed outside the US.	
X144	Expert Witness Charges	Any charge that an Expert Witness may levy in connection with providing expert evidence or statements to the court or in a similar legal proceeding.	E114
X145	Witness Expenses Incurred	Any costs that a Witness may incur in connection with appearing in court, or providing evidence or making statements to the court or similar legal proceeding.	E114
X146	Outside Counsel Charges (Local)	Any charge or fee that Outside Counsel may levy in representing the client in court, or in providing advice in connection with the case. This applies to Local Counsel only, based in the same jurisdiction as the court case itself.	E122
X147	Outside Counsel Charges (International)	Any charge or fee that International Outside Counsel may levy in representing the client in court, or in providing advice in connection with the case. This applies to International Counsel only, based in a jurisdiction other than the court case itself.	E122
X148	Process Server Fees	Any charge or fee that is associated with Process Serving and the serving of court papers and documents.	E123

TIMEKEEPER/LAWYER GRADE CODE DESCRIPTION

Given in the table below are the standard Timekeeper (Lawyer) grade mappings that law firms should use to map from their internal grade structure to the mappings required on Precedent H forms and the Summary Assessment of Costs.

The Timekeeper grade descriptions below taken from the SCCO guideline categories of seniority, as agreed between representatives of the Supreme Court Costs Office, the Association of District Judges and the Law Society:

Timekeeper Experience	Timekeeper Grade Code	Timekeeper Grade Description
PQE 8 years+	A	A: Solicitors with over eight years post qualification experience including at least eight years litigation experience.
PQE 7-8 years	B	B: Solicitors and legal executives with over four years post qualification experience including at least four years litigation experience.
PQE 5-6 years	B	
PQE 4-5 years	B	
PQE 3-4 years	C	
PQE 2-3 years	C	C: Other solicitors and legal executives and fee earners of equivalent experience. "Legal Executive" means a Fellow of the Institute of Legal Executives.
PQE 1-2 years	C	
PQE 0-1 years - newly qualified	C	
Trainee (year 2)	D	D: Trainee solicitors, paralegals and other fee earners.
Trainee (year 1)	D	
Paralegal	D	

EW-UTBMS CODE OVERVIEW AND GUIDELINE

EW-UTBMS Civil Litigation Code-Set – Guideline for understanding

In general, Uniform Task Based Management System codes (UTBMS) can be thought of as a set of category codes that are used to classify time and describe 'what' and 'how' a piece of legal work was performed.

PHASE, TASK and ACTIVITY CODES

- **The Phase Code:** This is the highest level category in the coding hierarchy. In the J-Code and US-centric Litigation code-set, the purpose of the phase is to contain a series of predefined task-steps. So the phase is 'inferred' by the 'task code' itself. This is NOT entered at the point of recording the time entry.
- **The Task Code:** This represents more detail under the phase level in the coding hierarchy and describes '**what**' work is being done. This is entered at the point of recording the time entry.
- **The Activity Code:** This is a code intended to describe '**how**' work is accomplished (e.g., communicating, drafting). The activity code-set is common to all tasks codes and is entered at the point of recording the time entry. It's important to note that these are the standard Activity codes as defined by LEDES.ORG and are common across all UTBMS code-sets.

It is the combination of **Task-Code** and **Activity-Code** encoded by the Lawyer that describes a piece of work the lawyer has performed. The two codes will always be recorded together by the Lawyer at the point of entering the time entry. The task-code can be combined with any activity code as the activity code-set is common to all tasks codes.

To aid the understanding of the phases and tasks in the EW-UTBMS Judicial code-set, it helps to think of them as a hierarchy of category codes....

- **The Phase:** This always has the digit suffix of 00 and is at the top of the hierarchy (i.e. the phase will always be 00 - JA00, JB00). It can be thought of as a category heading for a set of tasks.
- **The Task:** This is a lower level code appearing under its respective phase heading, and always has the digit suffix greater than 00 (i.e. JA01, JA02 or JB10, JB20). The task refers to a tangible piece of work done by the Lawyer is what is entered when recording time.
- **The Activity:** This has a prefix of A followed by digits, and is four characters in length.

EXPENSE CODES

Expense codes are used to categorise the different types of disbursements or costs that are paid out over the course of the case.

The codes always have the prefix of X followed by three digits, so the code is four characters in length. It is important to note that these are the standard Activity codes as defined by LEDES.ORG and are common across all UTBMS code-sets.

EW-UTBMS code-set – Guideline for using

TASK and ACTIVITY CODES

The Task and Activity codes should both be input into the time recording system when entering time. To record the task code accurately, it is important to know the current stage of the case/matter, and if this is not known it is best to defer to the case/matter manager.

It is the lawyer's best judgement only that can be used to decide on the most appropriate code to use, so it is important that the lawyer performing the work makes the choice, rather than an assistant inputting the time on behalf of the lawyer.

Narratives must still be entered, as these are the lowest level of detail that the courts may need. The EW-UTBMS codes are not designed to replace narratives, but rather to enable the analysis of time.

In the EW-UTBMS code-set, it is important to note that it is the Task and Activity combination that fully describe the work being performed, and therefore both are mandatory. For example - communicating with the opponent (i.e the Other Party) or witnesses can only be expressed via use of the Activity codes. So if the court wanted to determine how much time was spent actually communicating with witnesses during witness statements stage of the case, the court would use both Task and Activity codes – JG10/A113 (Witness Statements - Taking, preparing and finalising witness statement(s)/Communicating with Witnesses).

For ease of reference, given below is a bullet list of guidelines to consider when using the EW-UTBMS:

- Enter both the Task AND Activity code when recording time.
- Be aware of the current stage of the case
- Lawyers to assign the codes and use best judgement to decide the most appropriate code.
- Time Narratives to be entered

EXPENSE CODES

Expense costs will be allocated to the appropriate EW-UTBMS expense code according to the type of disbursement/expense that has been incurred. This will need to be inserted onto the bill of costs, so that expenses can be analysed and assessed by the judge when awarding costs.

When deciding the appropriate EW-UTBMS expense code, the type of expense/disbursement incurred should be considered and compared to the nearest EW-UTBMS description.

The EW-UTBMS expense codes are comprehensive and cover most expense/disbursement types that are likely to be incurred by a lawyer or law firm.

The Benefits of Using the EW-UTBMS J-Code-Set (what they are good for).

There are several benefits gained from adopting the EW-UTBMS 'J-Code-Set', chief of which is compliance with the Jackson Review and greatly improving the courts ability to perform analysis on the costs given to them using standard models that rely on the codes being provided.

For completeness, the benefits from adopting and using the codes are listed below, including the benefits from a costs management perspective by virtue of the assistance the codes provide during costs assessment:

- Compliance with the requirements of the courts that will require detail costs to be presented using the standardised codes in the new Bill of Costs when it is developed.
- Ease of comparison between budgeted costs and actual costs, thus assisting courts in comparing budgeted to actual costs.
- Improved analysis capabilities – this being by virtue of having time entries encoded with Task and Activity codes that reflect the sequence of events of cases in the courts of England and Wales.
- Improved communication of costs information between various parties, by virtue of adopting standardised codes.
- Improved ability to justify fee costs due to the improved analysis capabilities by virtue of capturing time category data at the point on input.
- Improved ability to justify expense costs due to the improved analysis capabilities by virtue of categorising expenses as they are incurred into known expense types, as per EW-UTBMS expense codes.
- Enables standard analysis models/spreadsheets to be developed, as all parties adopt the EW-UTBMS codes. Thus making it easier to perform analysis on the Other party/opponent's costs, to ensure only appropriate costs are claimed.

EW-UTBMS CODES - IMPLEMENTATION NOTES

Lawyer Training

The remit of this document does not include the provision lawyer training. However it is recognised that many organisations will need to perform some training to staff in their legal departments. Given this, it was thought prudent to include a small section on training in the hope that it serves as a good framework on which to produce further and more in-depth training material. Please see training note and hints and tips for Lawyers below.

- **Record time in a prompt and regular manner and include the EW-UTBMS codes:** This will improve the accuracy of the time entries, as the work performed is still fresh in your mind. This approach will pay dividends at the point of costs assessment.
- **Record each task performed on a separate entry:** Each task should be recorded separately in order to ensure accuracy at the end of the case when assessing costs using the EW-UTBMS codes. Entering several tasks and narratives into a single time entry with only one EW-UTBMS code will skew the costs analysis and possibly delay the process.
- **Record meaningful time narrative:** The courts will have visibility of all time entries and narratives, and have the ability to analyse the times at various levels of granularity, including the most detailed level – individual time entries. Therefore be mindful of this when writing narratives.
- **Be aware of the phase of the case:** One of the key aspects to entering the correct task code for the work being performed is to be aware the phase which is being worked then selecting the appropriate task within that phase. If in doubt of the phase, seek clarification from the partner or case manager.
- **Enter both task and activity codes:** Both codes are required to facilitate the full analysis of costs at the point of costs assessment. The reason for this is that, with UTBMS, the task-code gives ‘what’ work was being performed, whilst the activity-code gives ‘how’ the work was performed, so both need to be entered when inputting the time entry.
- **Familiarity with the EW-UTBMS codes:** Take the time to look at the EW-UTBMS task and activity code-set in the entirety, to ensure familiarity with the codes. Consider how the codes work together. This will help when considering the appropriate task and activity codes for a piece of work.

Software Implementation

The implementation of the EW-UTBMS code-set into software applications should take minimal effort. The codes were designed using the UTBMS code-set framework that uses 4x Character codes, and thus should be compatible with the length of codes currently input by Lawyers into time recording systems when using other UTBMS code-sets.

Given the above, it is hoped that no software development will be needed in order to implement the EW-UTBMS Code-set. However, the codes will need to be manually keyed or imported into system databases of Time Recording systems.

Software Implementation – Guidance Notes Inclusion in software

It is hoped the guidance notes regarding UTBMS codes and understanding them are helpful. The consultation feedback has been positive and affirmed the usefulness of these sections. It is recommended that software developers or IT departments include these notes within the on-line systems and/or training schemes to make them readily available to their users. The sections are thus...

- EW-UTBMS Civil Litigation Code-Set – Guideline for understanding
- EW-UTBMS code-set – Guideline for using
- EW-UTBMS CODES - IMPLEMENTATION NOTES - Lawyer Training

EW-UTBMS J-Code - download file in pipe-delimited format.

To reduce implementation timeframes and avoid re-keying of the J-Code set phase and task codes into system databases, the codes are given in the table below with pipe delimiters (|). This should enable them to be easily copied into a spreadsheet or database file and converted into columns using the pipe character as the delimiter. In addition, the codes are available for download from the LEDES website (www.ledes.org) in pipe delimited format.

PhaseTask Code	PhaseTask Name	PhaseTask Description
JA00	Funding	All work relating to reviewing funding options, securing funding and reports to funders during the life of the case.
JA10	Funding	All work relating to reviewing funding options and securing funding.
JB00	Budgeting incl. costs estimates	All work throughout the life of the case relating to budgeting and costs management, excluding the 'costs assessment' and 'funding' related work and preparation for and attendance at any costs management hearing, all of which have discrete phases.
JB10	Budgeting - own side's costs	Preparing budgets solely for the client and monitoring costs incurred for the purposes of any required variations. Performing budgetary work related to obtaining third party funding/ATE insurance.
JB20	Budgeting - Precedent H	Initially completing Precedent H - This task is confined to preparing and compiling the first budget required by the court in the form of Precedent H.
JB30	Budgeting - between the parties	Work on budgeting between the parties following initial completion of the first budget, including the monitoring of costs incurred against the budget and any applications for variation of a budget.
JC00	Initial and Pre-Action Protocol Work	Work relating to the obtaining of instructions, identification of witnesses, dealing with locus and evidential issues, dealing with and identifying legal issues arising from the case and strategy, and dealing with any protocol related matters, if not covered elsewhere.
JC10	Factual investigation	Work required to understand the facts of the case including instructions from the client and the identification of potential witnesses
JC20	Legal investigation	Includes identification of the legal issues raised by the case facts and developing the strategy for the case.
JC30	Pre-action protocol (or similar) work	Communications at an initial stage in compliance with pre-action protocol including letters before action and responses.
JD00	ADR / Settlement	Work that is directed to settlement including ADR
JD10	Mediation	Work related to proposals for mediation, preparation and attendance at the mediation and any follow-up work.
JD20	Other Settlement Matters	Work that is directed to settlement including Part 36 and other offers and consequent negotiations (includes all forms of ADR other than mediation).
JE00	Issue / Statements of Case	Covers issue and acknowledgment of proceedings, Statements of Case and Further Information requests/responses. Includes taking instructions, making inquiries and searches, researching, drafting, editing, filing and all meetings and communications for the purpose of such documents.
JE10	Issue and Serve Proceedings and Preparation of Statement(s) of Case	Work related to effecting service, including dealing with process servers or the foreign process section. Work in preparation of claims, petitions and any other originating process, Statements of Case, Part 20 proceedings, including reviewing those of other parties whether or not a responsive document is served. Includes all work with counsel thereon and all dealings with client and others in connection therewith. In appeals includes Appellants' and Respondents' Notices and supporting skeleton arguments.
JE20	Review of Other Party(s)' Statements of Case	Considering Other Party(s)' Claim Form and Statements of Case.
JE30	Requests for Further Information	Preparing and considering requests for Further Information and responses thereto.
JE40	Amendment of Statements of Case	Preparing and considering amendments to originating process, Statements of Case, Part 20 proceedings. In appeals refers to amendments to Appellants' and Respondents' Notices and supporting skeleton arguments.
JF00	Disclosure	Work relating to gathering and reviewing documents for potential disclosure, preparing disclosure lists and practical steps of disclosure.
JF10	Preparation of the disclosure report and the disclosure proposal	Preparation of the disclosure report and the disclosure proposal to comply with obligations that came in on 1-April-2013 (applicable to both manual and e-disclosure). All Disclosure related work required for the CMC. Additionally, this task encompasses work such as determining the location of documents, letters to client re disclosure obligations and setting up client based disclosure teams.
JF20	Obtaining and reviewing documents	Obtaining and reviewing documents to determine relevance (applicable to both manual and e-disclosure).
JF30	Preparing and serving disclosure lists	Preparing and serving disclosure lists (applicable to both manual and e-disclosure).
JF40	Inspection and review of the other side's disclosure	Inspection and review of the other side's disclosure for work undertaken after exchange of disclosure lists. Inspection and review of the other side's disclosure for work undertaken after exchange of disclosure lists (applicable to both manual and e-disclosure).

JG00 Witness statements Work that relates to the identification of potential witnesses and preparing their evidence for trial (excludes witness evidence in relation to interim applications).
JG10 Taking, preparing and finalising witness statement(s) Work involved in identifying appropriate witnesses, tracing and communicating with same, taking instructions for, preparing and serving witness statements or affidavits, preparing and serving witness summaries, preparing and serving any notices under Civil Evidence or similar Acts, preparing and serving witness summonses, including reviewing other materials for these purposes and all dealings with client, witnesses, inquiry agents, counsel, Other Party(s) and others in relation to own side witness statements.
JG20 Reviewing Other Party(s)' witness statement(s) Considering Other Party(s)' witness statements, affidavits, witness summaries, Civil Evidence Act or similar notices, reviewing same in context of other evidence and material, considering strategy to deal with issues raised.
JH00 Expert reports Work that relates to the identification of potential experts and preparing their evidence for trial (excludes expert evidence in relation to interim applications).
JH10 Own expert evidence Identifying and interviewing experts and consultants (testifying or non-testifying), working with them, and developing expert reports. Reviewing case in the light of such evidence. Considering questions asked by Other Party(s) of own experts and experts' responses. Arranging experts' discussions. Considering reports of experts' discussions. Includes all communications or other work with counsel, and all communications with Other Party.
JH20 Other Party(s)' expert evidence Considering Other Party(s)' expert evidence, preparing and asking questions of their experts, considering replies, reviewing case in light of such evidence.
JH30 Joint expert evidence As [JH10] (own expert evidence) with appropriate modifications.
JI00 Case and Costs Management Hearings Work relating to such hearings and the preparation for them, including PTR and CMC's. This does not include interim applications heard at the same time.
JI10 Case Management Conference Work in preparing for and attending any Case Management Conference (excluding Costs Management)
JI20 Pre Trial Review Work in preparing for and attending any Pre Trial Review (excluding Costs Management).
JI30 Costs Management Conference Work in preparing for and attending any Costs Management Conference / Hearing including the hearing of any applications to vary a budget.
JJ00 Interim Applications and Hearings (Interlocutory Applications) Work covering all proposed and actual interim applications and hearings. Includes taking instructions, making inquiries, research, preparing and filing applications, supporting evidence and skeleton arguments including reviewing those of other parties whether or not a responsive document is served, preparing for and attending hearings and all meetings and communications for the purpose of such applications or hearings.
JJ10 Applications relating to originating process or Statement of Case or for default or summary judgment Includes applications as to service or jurisdiction, to strike out or amend all or part of a claim or Statement of Case, or for the variation of parties.
JJ20 Applications for an injunction or committal Work performed related to applications for an injunction or committal.
JJ30 Applications for disclosure or Further Information Work performed related to applications for disclosure or Further Information
JJ40 Applications concerning evidence Work performed related to applications concerning evidence
JJ50 Applications relating to Costs alone Includes applications for security for costs, costs capping and protective costs orders. Does not include budgeting or costs management orders which are dealt with at [JB40]. Does not include applications proceeding as to costs alone where a substantive application for some other relief has settled.
JJ60 Permission applications All permission applications where permission to proceed is required, such as in judicial review proceedings or on appeal.
JJ70 Other applications All other types of application not covered by the categories above
JK00 Trial preparation Work for the preparation of the trial not included in the other phases.
JK10 Preparation of trial bundles Time spent identifying documents for inclusion in the trial bundles, working with the other parties to agree the trial bundles, preparing and updating the trial bundles.
JK20 General work regarding preparation for trial All other time spent in preparing for and supporting a trial, including developing overall trial strategy, preparing own witnesses for trial, working on cross-examination, preparing opening and closing arguments, , identifying documents for use at trial, preparing demonstrative materials, making any physical arrangements for trial etc
JL00 Trial Covers preparation for advocacy including written trial submissions and all other work from the first day on which a trial or appeal begins or, if settled, was due to begin.
JL10 Advocacy Preparation by advocates of written and oral openings, closings or skeleton arguments; preparation for examination of witnesses; preparation of and for all applications made during trial; considering all submissions of other parties; attendance of advocates during trial. Includes all dealings by advocates with others (e.g. solicitors, clients, witnesses) for these purposes.
JL20 Support of advocates Work by lawyers other than advocates relating to the above matters and all attendances at court on trial days including conferences or meetings before or after court and travel and waiting. Where there is a substantial gap between trial days, work should be allocated to whichever is the more appropriate of the Trial Preparation and Trial phases.
JL30 Judgment and post-trial activity Considering draft judgments, preparing and considering any written responses to the court, submissions or skeleton arguments in relation to judgment or consequential orders, preparation for and attendance at hearings when reserved judgments handed down or consequential orders considered, all dealings relating to form of judgment or order. Includes all meetings and communications relating thereto.
JM00 Costs Assessment Work related to the assessment or agreement of costs following trial or settlement of the underlying action
JM10 Preparing costs claim Includes the reconciliation of the costs claimed to any approved budget in and the preparation of the bill of costs for detailed assessment
JM20 Points of dispute, Replies and Negotiations Work on the formal procedural steps under CPR 47 following service of a bill of costs together with Part 36 and other offers to settle costs and consequent negotiations
JM30 Hearings Includes preparation for and attendance at hearings for directions and interim certificate applications as well as the detailed assessment itself
JM40 Post Assessment Work (excluding Hearings) Includes post-hearing calculations and all other work required to finalise the amounts due for principal, interest and the costs of the assessment

DEVELOPMENT NOTES

Guiding Development Principles and Constraints

For informational purposes, given below is a list of guidelines that served to help in the development of the new EW-UTBMS code-set.

The initial draft was produced by using a combination of three elements:

- The existing US centric code set
- Precedent H budget codes,
- Expert knowledge of the litigation work done in England and Wales.

Thereafter, in subsequent draft iterations, the principles detailed below guided the development:

- **The ultimate use of the codes:** The ultimate use of the codes is by the courts in the assessment of case costs by the judge. This final purpose was referred to frequently during the drafting process – how will judges want the data to be presented when assessing costs.
- **Realistic:** The codes should realistically reflect the stages of cases processed by the courts of England and Wales, and also accurately reflect the work performed in these cases, without compromising the principle of simplicity.
- **Simplicity:** The J-code set must be simple in construction and straightforward to use, without compromising accuracy and reality. This includes limiting the total number of codes to a manageable level.
- **Ease of use:** The codes should be easy to remember and intuitive to use in practice.
- **Single Point Data Capture:** Data should be entered just once into a solicitor's system and from that, it should be possible to produce reports at different levels of granularity for different purposes.
- **Compatibility:** The length of the codes must be compatible with solicitors' in-house systems for e-billing, practice management, time-recording and financial reporting, and LEDES eBill formats. Likewise, the same applies to limiting the number of codes used to categorise time to just Task and Activity. This is to avoid the effort in software development that would otherwise be required by many organisations.
- **Existing UTBMS Litigation code:** The existing US-Centric UTBMS Litigation code-set (L-code-set) served as a convenient model on which to develop the new EW-UTBMS Litigation code-set (J code-set), as this was originally developed using very similar guidelines. However, the number of phases in the EW-UTBMS J-code-set is greater than the US counterpart, and exceeds the maximum number of phase groupings allowed by a numeric digit, hence the use of a character to identify phase grouping.
- **Task and Activity:** A piece of work performed in litigation in England and Wales can only be fully described, and thus assessed, by capturing 'what' was being done and how it was done. The EW-UTBMS J-code-set is therefore dependent on utilising both Task and Activity codes to fully categorise a piece of work.

The constraints of Precedent-H Budget Headings

One of the development constraints of the EW-UTBMS J-code-set, was that phase headings (in some cases tasks) must align with the Precedent-H budget headings, thus enabling the easy comparison of budgeted costs to actual incurred costs by the courts or other parties that need to compare these costs.

EW-UTBMS code-set was designed using the Precedent-H budget headings as a starting point, then considering the different cases dealt with by the judiciary and the different stages involved with each of these cases, and then analysing these to coalesce this information into a generic and practical classification of work performed to produce a code-set structure of Phases, Tasks and Activities.

Principal Team Member Details

Given in the table below are the details principal team members of the Jackson Review EW-UTBMS Code Set Development Project, including the role within this project.

Core Drafting Team			
Name	Phone/email	Team Role	Organization: Responsibility
Jeremy Morgan QC		Project Sponsor. Oversight and Direction	39 Essex Street Chambers: Barrister
Andy Ellis		Principal Advisor	Practico: Costs Lawyer and member of ACL sub-committee
Ilona Groark		Principal Advisor	Herbert Smith: Solicitor, assistant to Jackson LJ during his Review
David Nelson	O: 020 8255 7902 M: 07957 362194 David.nelson@pat hfindereconsultin g.com	Project Coordinator	Pathfinder eConsulting Ltd: LOC Director, Project Manager and eBilling subject matter expert.
Steering Committee			
Name	Phone	Team Role	Organization/Responsibility
Alexander Hutton QC		Project Sponsor. Oversight and Direction (taking over from Jeremy Morgan)	Hailsham Chambers
Mark Garnish		Expert Advisor	Tikit: for LSSA
Richard Benn		Expert Advisor	Costs Master
Master Leonard		Expert Advisor	The Judiciary: Cost Judge
Andrew Dey		Expert Advisor	Barclays: Legal Operations Director
Bryan King		Expert Advisor	BK Legal IT Solutions: eBilling Specialist.
Patrick Collins		Expert Advisor	Curtis, Mallet-Prevost, Colt and Mosle LLP: Finance Director
Debbie Burke		Expert Advisor	Deborah Burke Costing Limited: Costs Lawyer
Derek Boyd (incelaw.com)		Expert Advisor	Ince & Co LLP
Mark Rawlinson		Expert Advisor	iDraft LLP: Partner
Richard Susskind		Expert Advisor	Adviser to Jackson LJ on IT matters
Roger Jackson		Expert Advisor	Cognito: Representative of LSSA
Stuart Whittle		Expert Advisor	Weightmans LLP
Tony Guise		Expert Advisor	Guise Solicitors: Partner. Representing the Law Society of England and Wales.

Participants and Organisations Involved and Consulted

Given below are the details of organisations participating in the consultation stage of the EW-UTBMS development and ask to provide feedback.

Participants	Organisation
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Other Contacts and information

Organisations	
Judiciary of England and Wales	http://www.judiciary.gov.uk
Ministry of Justice (MoJ)	http://www.justice.gov.uk
SRA	http://www.sra.org.uk/home/home.page
Law Society	http://www.lawsociety.org.uk
ACL	www.associationofcostslawyers.co.uk
LEDES	http://www.ledes.org
UTBMS Codes	http://www.utbms.com
Information	
Jackson Review of Civil Litigation Costs: Final Report	http://www.judiciary.gov.uk/publications-and-reports/review-of-civil-litigation-costs/reports/civil-litigation-costs-review-final-report
Initial ACL Report	http://www.costslawyer.co.uk/sites/default/files/11.10.11%20Report.pdf
Precedent H Guidance	http://www.justice.gov.uk/courts/procedure-rules/civil/pdf/update/new-precedent-h-guidance.pdf
Civil Procedure Rules (CPR)	http://www.justice.gov.uk/courts/procedure-rules/civil
Civil Procedure Rules - Statutory Instrument 2013	http://www.legislation.gov.uk/ukxi/2013/515/pdfs/ukxi_20130515_en.pdf

GLOSSARY OF TERMS

Given in the table below are the definitions of the abbreviations and acronyms used within this document.

ACL	<p>Association of Costs Lawyers The Association of Costs Lawyers is the representative body for Costs Lawyers. Today's ACL is a solely representative body, promoting the interests of Costs Lawyers to the legal profession, the Government and the public.</p> <p>Until October 2011, the ACL both represented and regulated its members. In 2007, the organisation was appointed as a statutory authorised regulator under the Legal Services Act. As part of its compliance with the requirements of the Act, the ACL delegated its regulatory work to the newly-formed Costs Lawyer Standards Board.</p>
SRA	Solicitors Regulation Authority
LEDES	<p>Legal Electronic Data Exchange Standard – The standard eBilling file formats intended to be used by the legal industry for the electronic exchange of invoice information.</p> <p>At the most basic level, this is a text file and the information within it is equivalent to a detailed paper invoice, but with the data arranged in the file according to the LEDES layout.</p> <p>The LEDES eBill file formats are governed and maintained by the LOC (LEDES Oversight Committee)</p>
UTBMS	<p>Uniform Task Based Management System - is a budgeting and billing system designed to provide corporate clients and law firms with meaningful cost information on legal services.</p> <p>These codes are an international standard, and can be thought of as category codes used for budgets and analysis of time and expenses. They appear at line item level within legal eBills.</p> <p>The UTBMS codes are governed and maintained by the LOC (LEDES Oversight Committee). For more information, visit www.UTBMS.com</p>
LOC	<p>The LEDES Oversight Committee ("LOC") is an international, voluntary not-for-profit organization responsible for setting global standards for the exchange of billing and other information between legal organizations, outside counsel and other legal Suppliers.</p> <p>The LOC is comprised of legal industry representatives and is charged with creating and maintaining open standard formats for the electronic exchange of billing and other information between corporations and law firms. For more information, visit www.LEDES.org.</p>
XML	Extensible Markup Language – The internet standard approach for the exchange of information.
ASCII	American Standard Code for Information Interchange
SAR	Solicitors Accounting Rules
Phase	The UTBMS Phase Code: This is the highest level category in the coding hierarchy. Each phase contains a series of tasks. This is NOT entered at the point of recording the time entry.
Task	The UTBMS Task Code: A discreet unit of work and a member of a phase group – it describes 'what' work is being done. This is entered at the point of recording the

	time entry.
Activity	Activity Code: This is a code intended to describe ' how ' work is accomplished.
Expense	Expense Code: This is a code intended to categorize an in-house service expense or disbursement and thus enable analysis to be performed on them.
Disbursement	This is normally a cost incurred that is external to the organization paying for it.

MAPPING TABLE: J-CODE to L-CODE EQUIVALENT

Given in the table below is the mapping of the EW-UTBMS J-Code tasks to the nearest equivalent from the US centric L-Code Litigation code-set.

This mapping has been provided to cater for the possibility that some international organisations may need to be aware of the nearest equivalent tasks codes from either code-set, as they may be involved in multi-jurisdictional cases and/or may need to analyse time on their back-office systems using a single code-set.

It must be stressed that the mapping is not exact, as in several instances there is not a one-to-one relationship across both code-sets. Additionally, the phase mapping is not possible as the stages in the judicial process are significantly different in England and Wales.

J-Code Task Code	J-Code Phase/Task Name	L-Code Task Code	L-Code Phase/Task Name
JA00	Funding	n/a	#N/A
JA10	Funding	None	#N/A
JB00	Budgeting incl. costs estimates	n/a	#N/A
JB10	Budgeting - own side's costs	L150	Budgeting
JB20	Budgeting - Precedent H	L150	Budgeting
JB30	Budgeting - between the parties	L150	Budgeting
JC00	Initial and Pre-action protocol work	n/a	#N/A
JC10	Factual investigation	L110	Fact Investigation/Development
JC20	Legal investigation	L120	Analysis/Strategy
JC30	Pre-action protocol (or similar) work	L160	Settlement/Non-binding ADR
JD00	ADR / Settlement	n/a	#N/A
JD10	Mediation	L160	Settlement/Non-binding ADR
JD20	Other Settlement Matters	L160	Settlement/Non-binding ADR
JE00	Issue / Statements of Case	n/a	#N/A
JE10	Issue and Serve Proceeding and Preparation of Statement(s) of Case	L210	Pleadings
JE20	Review of Other Party(s)' Statements of Case	L210	Pleadings
JE30	Requests for Further Information	L310	Written Discovery
JE40	Amendment of Statements of Case	L210	Pleadings
JF00	Disclosure	n/a	#N/A
JF10	Preparation of the disclosure report and the disclosure proposal	L320	Document Production
JF10	Obtaining and reviewing documents	L320	Document Production
JF30	Preparing and serving disclosure lists	L320	Document Production
JF40	Inspection and review of the other side's disclosure for work undertaken after exchange of disclosure lists.	L320	Document Production
JG00	Witness statements	n/a	#N/A

JG10	Taking, preparing and finalising witness statement(s)	L330	Depositions
JG20	Reviewing Other Party(s)' witness statement(s)	L410	Fact Witnesses
JH00	Expert reports	n/a	#N/A
JH10	Own expert evidence	L130	Experts/Consultants
JH20	Other Party(s)' expert evidence	L420	Expert Witnesses
JH30	Joint expert evidence	L130	Experts/Consultants
J100	Case and Costs Management Hearings	n/a	#N/A
J110	Case Management Conference	L230	Court Mandated Conferences
J120	Pre Trial Review	L230	Court Mandated Conferences
J130	Costs Management Conference	L230	Court Mandated Conferences
JJ00	Interim Applications and Hearings (Interlocutory Applications)	n/a	#N/A
JJ10	Applications relating to originating process or Statement of Case or for default or summary judgment	L240	Dispositive Motions
JJ20	Applications for an injunction or committal	L220	Preliminary Injunctions/Provisional Remedies
JJ30	Applications for disclosure or Further Information	L250	Other Written Motions and Submissions
JJ40	Applications concerning evidence	L430	Written Motions and Submissions
JJ50	Applications relating to Costs alone	L430	Written Motions and Submissions
JJ60	Permission applications	L250	Other Written Motions and Submissions
JJ70	Other applications	L250	Other Written Motions and Submissions
JK00	Trial preparation	n/a	#N/A
JK10	Preparation of trial bundles	L440	Other Trial Preparation and Support
JK20	General work regarding preparation for trial	L440	Other Trial Preparation and Support
JL00	Trial	n/a	#N/A
JL10	Advocacy	L450	Trial and Hearing Attendance
JL20	Support of advocates	L440	Other Trial Preparation and Support
JL30	Judgment and post-trial activity	L460	Post-Trial Motions and Submissions
JM00	Costs Assessment	n/a	#N/A
JLM0	Preparing costs claim	L460	Post-Trial Motions and Submissions
JM20	Points of dispute, Replies and Negotiations	L460	Post-Trial Motions and Submissions
JM30	Hearings	L460	Post-Trial Motions and Submissions
JM40	Post Assessment Work (excluding Hearings)	L460	Post-Trial Motions and Submissions

	Uniform Task Based Management System - UTBMS	
	England and Wales	
	EW-UTBMS Civil Litigation Code Set – Overview and Guidelines	

J-CODE TABLE – QUICK SUMMARY CHEAT SHEET

The J-Codes are repeated in condensed form in the table below – the purpose of this is to enable this page to be printed out for ease of reference.

Phase/ Task Code	Phase/Task Name	Phase/Task Description
JA00	Funding	All work relating to reviewing funding options, securing funding and reports to funders during the life of the case.
JA10	Funding	All work relating to reviewing funding options and securing funding.
JB00	Budgeting incl. costs estimates	All work throughout the life of the case relating to budgeting and costs management, excluding the 'costs assessment' and 'funding' related work and preparation for and attendance at any costs management hearing, all of which have discrete phases.
JB10	Budgeting - own side's costs	Preparing budgets solely for the client and monitoring costs incurred for the purposes of any required variations. Performing budgetary work related to obtaining third party funding/ATE insurance.
JB20	Budgeting - Precedent H	Initially completing Precedent H - This task is confined to preparing and compiling the first budget required by the court in the form of Precedent H.
JB30	Budgeting - between the parties	Work on budgeting between the parties following initial completion of the first budget, including the monitoring of costs incurred against the budget and any applications for variation of a budget.
JC00	Initial and Pre-action protocol work	Work relating to the obtaining of instructions, identification of witnesses, dealing with locus and evidential issues, dealing with and identifying legal issues arising from the case and strategy, and dealing with any protocol related matters, if not covered elsewhere.
JC10	Factual investigation	Work required to understand the facts of the case including instructions from the client and the identification of potential witnesses
JC20	Legal investigation	Includes identification of the legal issues raised by the case facts and developing the strategy for the case.
JC30	Pre-action protocol (or similar) work	Communications at an initial stage in compliance with pre-action protocol including letters before action and responses.
JD00	ADR / Settlement	Work that is directed to settlement including ADR
JD10	Mediation	Work related to proposals for mediation, preparation and attendance at the mediation and any follow-up work.
JD20	Other Settlement Matters	Work that is directed to settlement including Part 36 and other offers and consequent negotiations (includes all forms of ADR other than mediation).
JE00	Issue / Statements of Case	Covers issue and acknowledgment of proceedings, Statements of Case and Further Information requests/responses. Includes taking instructions, making inquiries and searches, researching, drafting, editing, filing and all meetings and communications for the purpose of such documents.
JE10	Issue and Serve Proceedings and Preparation of Statement(s) of Case	Work related to effecting service, including dealing with process servers or the foreign process section. Work in preparation of claims, petitions and any other originating process, Statements of Case and Part 20 proceedings. Includes all work with counsel thereon, client and others in connection therewith. In appeals includes Appellants'

		and Respondents' Notices and supporting skeleton arguments.
JE20	Review of Other Party(s)' Statements of Case	Considering Other Party(s)' Claim Form and Statements of Case. Includes reviewing those of other parties whether or not a responsive document is served and all dealings with Other Party.
JE30	Requests for Further Information	Preparing and considering requests for Further Information and responses thereto.
JE40	Amendment of Statements of Case	Preparing and considering amendments to originating process, Statements of Case, Part 20 proceedings. In appeals refers to amendments to Appellants' and Respondents' Notices and supporting skeleton arguments.
JF00	Disclosure	Work relating to gathering and reviewing documents for potential disclosure, preparing disclosure lists and practical steps of disclosure.
JF10	Preparation of the disclosure report and the disclosure proposal	Preparation of the disclosure report and the disclosure proposal to comply with obligations that came in on 1-April-2013 (applicable to both manual and e-disclosure). All Disclosure related work required for the CMC. Additionally, this task encompasses work such as determining the location of documents, letters to client re disclosure obligations and setting up client based disclosure teams.
JF20	Obtaining and reviewing documents	Obtaining and reviewing documents to determine relevance (applicable to both manual and e-disclosure).
JF30	Preparing and serving disclosure lists	Preparing and serving disclosure lists (applicable to both manual and e-disclosure).
JF40	Inspection and review of the other side's disclosure for work undertaken after exchange of disclosure lists.	Inspection and review of the other side's disclosure for work undertaken after exchange of disclosure lists (applicable to both manual and e-disclosure).
JG00	Witness statements	Work that relates to the identification of potential witnesses and preparing their evidence for trial (excludes witness evidence in relation to interim applications).
JG10	Taking, preparing and finalising witness statement(s)	Work involved in identifying appropriate witnesses, tracing and communicating with same, taking instructions for, preparing and serving witness statements or affidavits, preparing and serving witness summaries, preparing and serving any notices under Civil Evidence or similar Acts, preparing and serving witness summonses, including reviewing other materials for these purposes and all dealings with client, witnesses, inquiry agents, counsel, Other Partys and others in relation to own side witness statements.
JG20	Reviewing Other Party(s)' witness statement(s)	Considering Other Party(s) witness statements, affidavits, witness summaries, Civil Evidence Act or similar notices, reviewing same in context of other evidence and material, considering strategy to deal with issues raised.
JH00	Expert reports	Work that relates to the identification of potential experts and preparing their evidence for trial (excludes expert evidence in relation to interim applications).
JH10	Own expert evidence	Identifying and interviewing experts and consultants (testifying or non-testifying), working with them, and developing expert reports. Reviewing case in the light of such evidence. Considering questions asked by Other Party(s) of own experts and experts' responses. Arranging experts' discussions. Considering reports of experts' discussions. Includes all communications or other work with counsel, and all communications with Other Party.
JH20	Other Party(s)' expert evidence	Considering Other Party(s)' expert evidence, preparing and asking questions of their experts, considering replies, reviewing case in light of such evidence.
JH30	Joint expert evidence	As [JH10] (own expert evidence) with appropriate modifications.
JI00	Case and Costs Management Hearings	Work relating to such hearings and the preparation for them, including PTR and CMC's. This does not include interim applications heard at the same time.

J110	Case Management Conference	Work in preparing for and attending any Case Management Conference (excluding Costs Management)
J120	Pre Trial Review	Work in preparing for and attending any Pre Trial Review (excluding Costs Management).
J130	Costs Management Conference	Work in preparing for and attending any Costs Management Conference / Hearing including the hearing of any applications to vary a budget.
JJ00	Interim Applications and Hearings (Interlocutory Applications)	Work covering all proposed and actual interim applications and hearings. Includes taking instructions, making inquiries, research, preparing and filing applications, supporting evidence and skeleton arguments including reviewing those of other parties whether or not a responsive document is served, preparing for and attending hearings and all meetings and communications for the purpose of such applications or hearings.
JJ10	Applications relating to originating process or Statement of Case or for default or summary judgment	Includes applications as to service or jurisdiction, to strike out or amend all or part of a claim or Statement of Case, or for the variation of parties.
JJ20	Applications for an injunction or committal	Work performed related to applications for an injunction or committal.
JJ30	Applications for disclosure or Further Information	Work performed related to applications for disclosure or Further Information
JJ40	Applications concerning evidence	Work performed related to applications concerning evidence
JJ50	Applications relating to Costs alone	Includes applications for security for costs, costs capping and protective costs orders. Does not include budgeting or costs management orders which are dealt with at [JB40]. Does not include applications proceeding as to costs alone where a substantive application for some other relief has settled.
JJ60	Permission applications	All permission applications where permission to proceed is required, such as in judicial review proceedings or on appeal.
JJ70	Other applications	All other types of application not covered by the categories above.
JK00	Trial preparation	Work for the preparation of the trial not included in the other phases.
JK10	Preparation of trial bundles	Time spent identifying documents for inclusion in the trial bundles, working with the other parties to agree the trial bundles, preparing and updating the trial bundles.
JK20	General work regarding preparation for trial	All other time spent in preparing for and supporting a trial, including developing overall trial strategy, preparing own witnesses for trial, working on cross-examination, preparing opening and closing arguments, , identifying documents for use at trial, preparing demonstrative materials, making any physical arrangements for trial etc
JL00	Trial	Covers preparation for advocacy including written trial submissions and all other work from the first day on which a trial or appeal begins or, if settled, was due to begin.
JL10	Advocacy	Preparation by advocates of written and oral openings, closings or skeleton arguments; preparation for examination of witnesses; preparation of and for all applications made during trial; considering all submissions of other parties; attendance of advocates during trial. Includes all dealings by advocates with others (e.g. solicitors, clients, witnesses) for these purposes.
JL20	Support of advocates	Work by lawyers other than advocates relating to the above matters and all attendances at court on trial days including conferences or meetings before or after court and travel and waiting. Where there is a substantial gap between trial days, work should be allocated to whichever is the more appropriate of the Trial Preparation and Trial phases.
JL30	Judgment and post-trial activity	Considering draft judgments, preparing and considering any written responses to the court, submissions or skeleton

		arguments in relation to judgment or consequential orders, preparation for and attendance at hearings when reserved judgments handed down or consequential orders considered, all dealings relating to form of judgment or order. Includes all meetings and communications relating thereto.
JM00	Costs Assessment	Work related to the assessment or agreement of costs following trial or settlement of the underlying action
JM10	Preparing costs claim	Includes the reconciliation of the costs claimed to any approved budget in and the preparation of the bill of costs for detailed assessment
JM20	Points of dispute, Replies and Negotiations	Work on the formal procedural steps under CPR 47 following service of a bill of costs together with Part 36 and other offers to settle costs and consequent negotiations
JM30	Hearings	Includes preparation for and attendance at hearings for directions and interim certificate applications as well as the detailed assessment itself
JM40	Post Assessment Work (excluding Hearings)	Includes post-hearing calculations and all other work required to finalise the amounts due for principal, interest and the costs of the assessment

ACTIVITY CODE TABLE – QUICK SUMMARY CHEAT SHEET

The Activity code-set is repeated in condensed form in the table below – the purpose of this is to enable this page to be printed out for ease of reference.

Activity Code	Activity Name	Activity Description	Previous Code
A101	Plan and prepare for	Any planning or preparation associated with a matter. Includes budgeting and case assessment services if these are allowed by the client.	A101
A102	Research	Any legal or factual research associated with the matter	A102
A103	Draft/Revise	Any drafting or revision or other preparation of documents or other material	A103
A104	Review/Analyze	Any review or analysis of documents or other material	A104
A105	Communicate (internally within legal team)	Any internal communications within firm.	A105
A106	Communicate (with client)	Any communication by letter, fax, email, telephone, meetings and conferences with client	A106
A107	Communicate (Other Party(s)/other outside lawyers)	Any communication by letter, fax, email, telephone, meetings and conferences with opposing counsel or other outside lawyers not representing the client	A107
A113	Communicate (witnesses)	Any communication by letter, fax, email, telephone, meetings and conferences with witnesses in the legal matter	
A114	Communicate (experts)	Any communication by letter, fax, email, telephone, meetings and conferences with experts associated with the legal matter	
A108	Communicate (other external)	Any communication by letter, fax, email, telephone, meetings and conferences with other external parties not already specified within these activity codes	A108
A109	Appear For/Attend	Any appearance for or attendance at a scheduled event related to the matter	A109
A110	Manage Data/Files/Documentation	Any handling of documents, files or data other than drafting, revising, reviewing or analysing.	A110
A112	Billable Travel Time	Travel time billed by the timekeeper when other billable services are not performed for the client. Includes time spent waiting associated with the matter when other billable services are not performed for the client.	DRI Code A112
A115	Medical Record and Medical Bill Management	Any services associated with the review, compilation, digesting, summary or processing of medical records or bills when performed in-house only	
A116	Training	Training services provided by the law firm or legal Supplier and billed as an hourly service. Typically technical or project training associated with eDiscovery.	
A117	Special Handling Copying/Scanning/Imaging (Internal)	Any special oversized copying, binding, scanning, imaging and photograph reproduction which requires manual handling	
A118	Collection-Forensic	For discovery and eDiscovery, the forensic acquisition and analysis of data that includes active files, deleted files and file fragments using specialized software or hardware	
A119	Culling & Filtering	For discovery and eDiscovery, activities associated with grouping and filtering documents for	

		processing. Includes deduplication, deNIST*, etc. Excludes culling and filtering associated with the creation of a Privilege Log (A124). * National Institute of Standards & Technology list: has yearly list of "program files" that are removed from collection.	
A120	Processing	For discovery and eDiscovery, services associated with the processing of documents, images, files, etc. in a document collection. Includes OCR, importing/ingestion/overlay, exporting, file conversion and/or extraction when billed as a service. Excludes scanning (A117).	
A121	Review and Analysis	For discovery and eDiscovery, the inspection, review, consideration and analysis of documents and/or evidence. Includes coding and relevance issues. Excludes creation of privilege log (A124).	
A122	Quality Assurance and Control	Quality Assurance and Control activities associated with eDiscovery	
A123	Search Creation and Execution	For discovery and eDiscovery, creation and execution of electronic document searches irrespective of source of document collection. Excludes legal research (A102).	
A124	Privilege Review Culling and Log Creation	For discovery and eDiscovery, culling and review associated with the creation of a Privilege Log.	
A125	Document Production Creation and Preparation	For discovery and eDiscovery, the creation, export or delivery of a document production set including: creation of production export, metadata redaction, creation of delivery media and image branding. Excludes cost of printed set (X101 or X102).	
A126	Evidence/Exhibit Creation and Preparation	For discovery and eDiscovery, the creation, export or delivery of trial evidence or exhibits including: creation of video clips and other demonstrative evidence from the collection.	
A127	Project Management	Discovery or eDiscovery project management services, including budgeting and case assessment of the project and quality assurance and control. Excludes legal project management of a matter.	
A128	Collection Closing Activities	Closing activities related to a Discovery or eDiscovery collection.	
A129	Communicate (with Outside Counsel)	Any communication by letter, fax, email, telephone, meetings and conferences with own-side Outside Counsel representing your client	A106
A111	Other		A111