

muckle<sup>LLP</sup>



Debt Recovery



## Every business benefits from prompt payment by its customers

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Fast and efficient debt recovery is an important part of financial management as it improves cash flow and increases profitability.

Our Debt Recovery Team can form an integral part of your credit control administration. We work with credit controllers and accounts departments on a daily basis to tackle debt as early and effectively as possible. We will maximise the prospects of full recovery and offer an experienced and effective bespoke personal service.

We have a competitive fixed price structure, strong links with the local enforcement officers and insolvency practitioners and the resource of the firm's dispute resolution solicitors to draw upon if necessary.

Our purpose is the rapid and efficient collection of your debts including difficult historic debts.



## Liberate B2C

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Our Debt Recovery Team works with software, Liberate B2C, which enables the process to be tracked by you from start to finish.

### What can it do for me?

- allows you to access your matters directly from [www.muckle-llp.com](http://www.muckle-llp.com) using your unique client password;
- provides you with a powerful new method of reviewing matters;
- lets you access your debt matters in a secure “real time” environment; and
- enables you to track the progress of any of your matters at any time, view selected transaction details, monitor events from letter before action stage to judgment or settlement and provide us with specific instructions.

## Legal 500

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## How we get your money back

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### What must you consider?

- Are your requests for payment being ignored?
- Why is the debt not being paid?
- What is the size of the debt?
- How old is the debt?
- Who ordered the goods or services and did you receive written confirmation of the order?
- Which terms and conditions apply?
- Whom did you invoice?
- Do you have other documents relating to the debtor such as the debtor's letterhead?
- You need to have the correct information about the debtor. It is vital that this information is correct because if you sue the wrong party your costs will increase and you will have to start a new action. The more information you are able to give us the better the prospect of receiving payment.

### What do we need?

- The Civil Procedure Rules and Protocols mean that the key documents to support your claim should be sent with the letter before claim. The court may disallow some or part of your costs if this is not done;
- Please send us copies of contracts, confirmation of orders, invoices, statements, dishonoured cheques, letters, telephone notes and anything else which may be relevant; and
- We will select the key documents to accompany the letter before claim.

### What next?

- Once you instruct us we then enter the details onto our computerised system and send a letter before claim giving the debtor 14 days to pay or 30 days if an individual;
- We send the debtor any invoices or documentation relating to the debt so that if the matter proceeds to court we can explain to the court that the debtor was given sufficient notice of the debt before proceedings were issued; and
- In a high proportion of cases the letter before claim produces payment of the debt in full or by instalments.





### And if that fails...

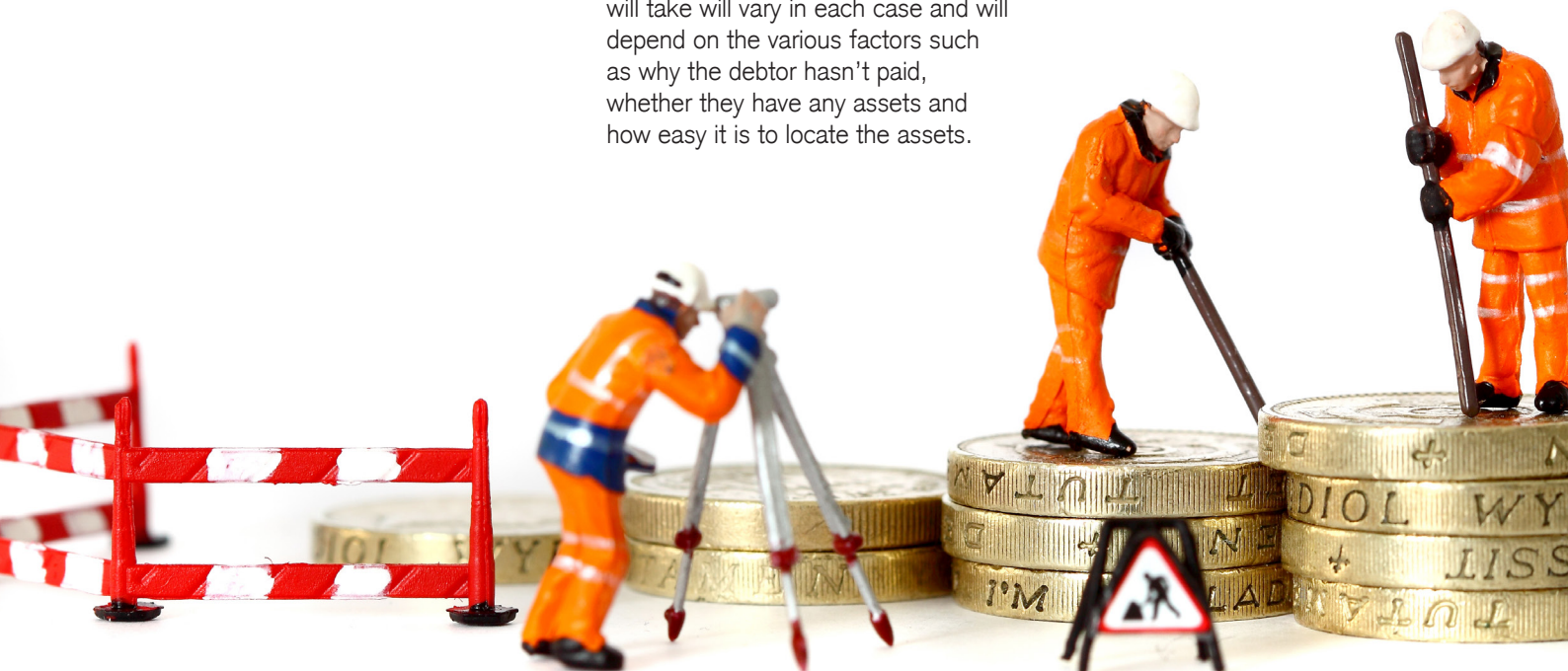
- If no satisfactory payment proposals are made then we will immediately obtain confirmation from you to start court proceedings;
- We prepare a claim form which must contain a statement of truth signed by you or authorised by you to confirm the debt is outstanding;
- The claim is issued and unless the debtor files a defence we are able to proceed straight to judgment; and
- In some circumstances you may be concerned about the solvency of the debtor. We can advise on the available options.

### What happens if the debt is disputed?

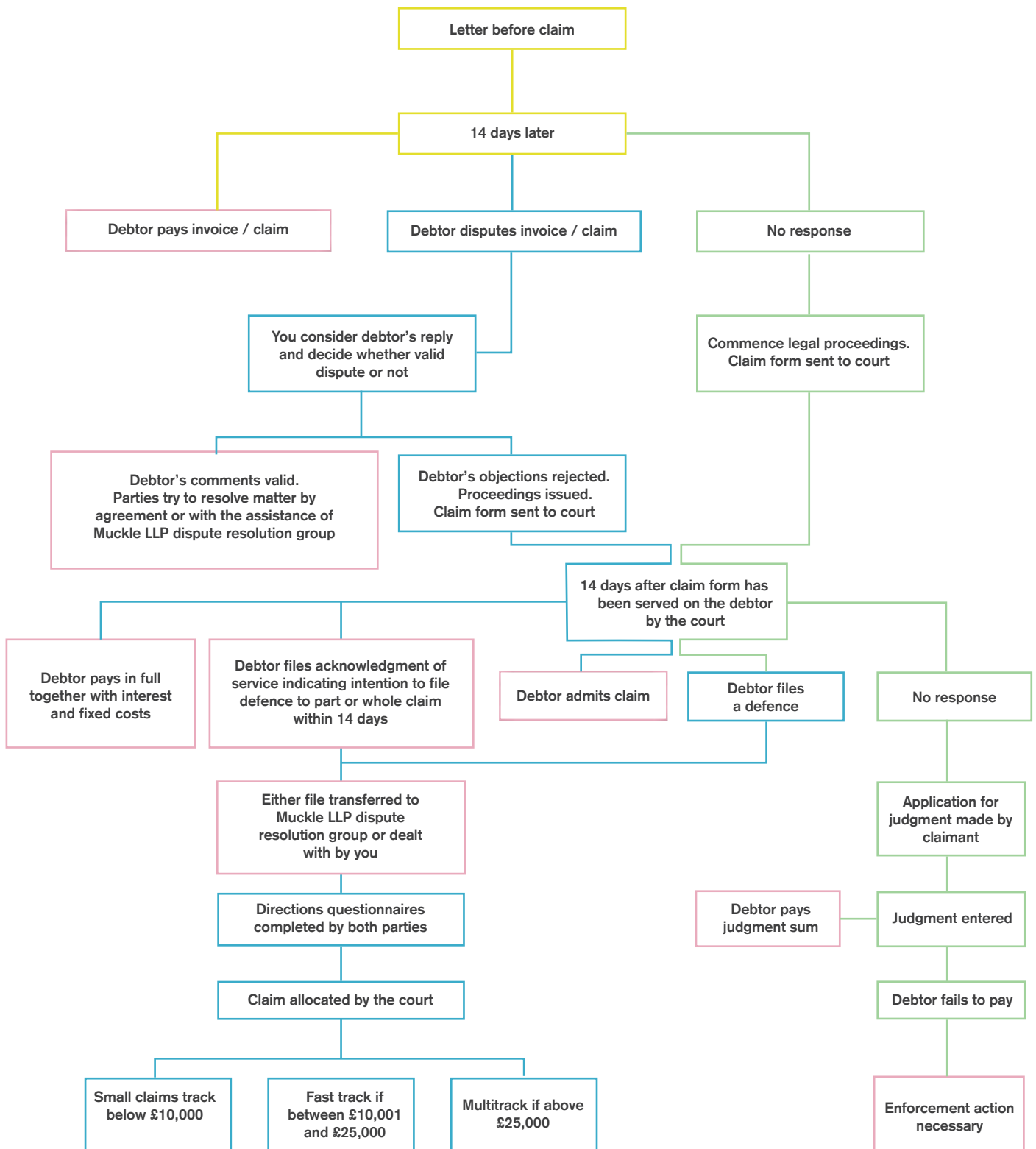
- If the debtor disputes the claim at any point, we will discuss any further work required with you and provide you with revised advice about costs if necessary, which could be on a fixed fee (e.g. if a one off letter is required), or an hourly rate if more extensive work is needed).

### Timescales

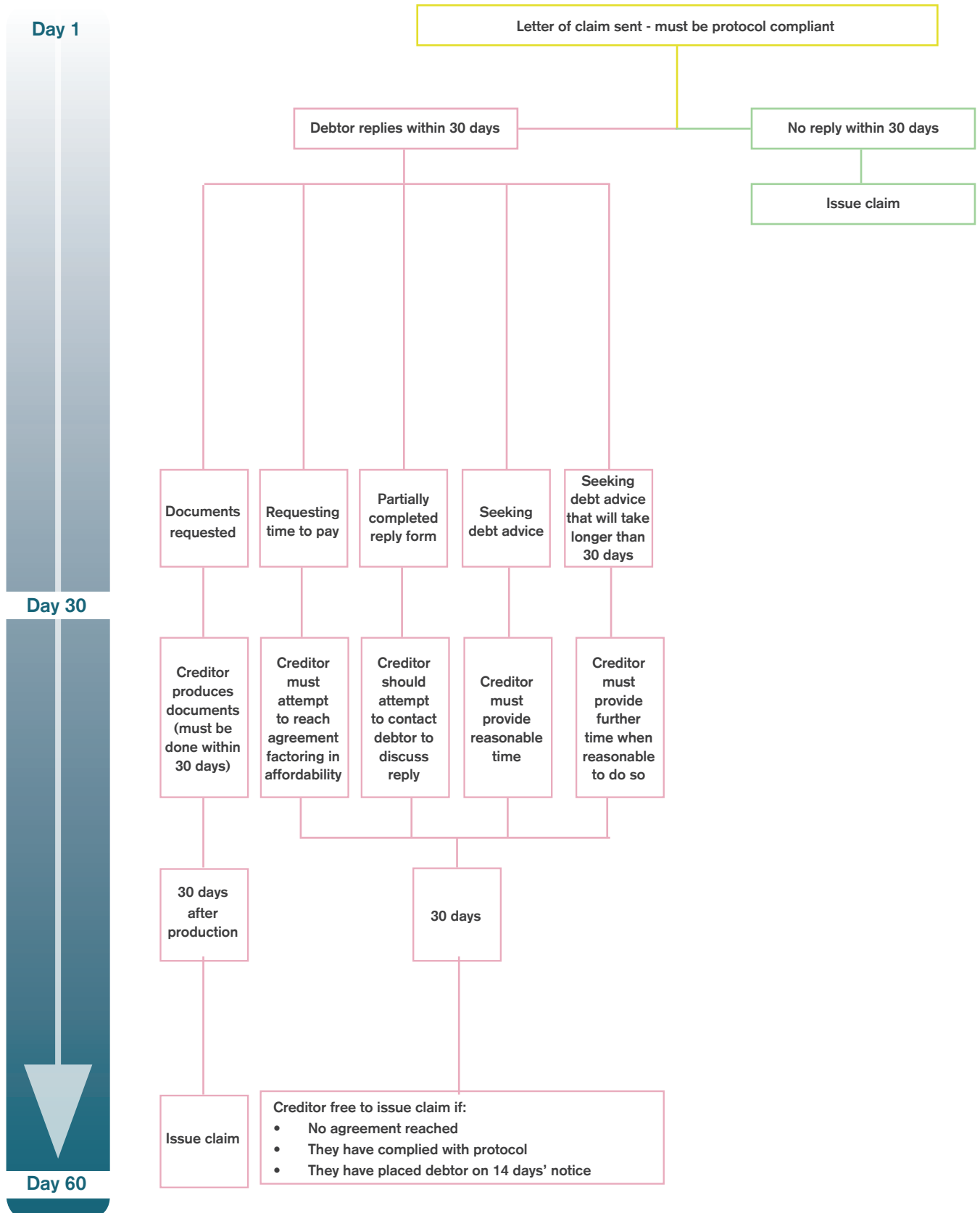
- Once we have all the information we need from you we can usually draft and send out a letter before claim within the next working day.
- The timescales for drafting and issuing a claim can vary depending on the complexity of the claim. Usually, if we have all the information we need and funds for the court fee we can prepare and issue a claim within 3 - 5 working days.
- Once a claim is issued the defendant has 14 days to acknowledge receipt of the claim and a further 14 days to file a defence.
- Assuming no defence is filed we can apply to court to enter judgment in your favour. It may take around 2 weeks for the court to enter and return the judgment.
- If the debtor fails to pay the judgment we can apply to the court to enforce the judgment. Generally we can make the application within 2 working days.
- How long the actual enforcement process will take will vary in each case and will depend on the various factors such as why the debtor hasn't paid, whether they have any assets and how easy it is to locate the assets.



## Business to business debts



## Individual & sole trader debts



## Your Debt Recovery Team

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Beverley Oliver  
**Debt Recovery Manager**

**Tel:** 0191 211 7953  
beverley.oliver@muckle-llp.com

With over 27 years' experience delivering effective debt collection, Beverley Oliver is an expert in debt recovery procedures as well as enforcement options available to clients. Under Beverley's leadership Muckle has been ranked top for debt recovery in the North by Legal 500 UK for the past ten years.

Beverley has a great relationship with clients and has worked with many of them for years maintaining this relationship. She is also the secretary and vice-chairman of the North East branch of the Chartered Institute of Credit Managers and she uses this role to further her own knowledge and practices of debt recovery.



Katie Barrett  
**Debt Recovery Support Assistant**

**Tel:** 0191 211 7841  
katie.barrett@muckle-llp.com

Katie joined Muckle LLP in 2016 as an apprentice in our Business Services team. Katie worked in that team for two years and studied business administration and achieved level 3. In February 2018 she was asked to join the Debt Recovery team to give her the opportunity to progress her career and utilise her business administrations skills. Katie has now been trained on our debt recovery case management system (Liberate). Her duties now include: monitoring debtor payments, issuing letters before claim, issuing proceedings, instructing enforcement officers and negotiating and problem solving where necessary. Katie is working towards a recognised Debt Recovery Qualification.







Susan Howe  
**Partner and Head of Dispute Resolution**

**Tel:** 0191 211 7920  
**Mob:** 07515 062 888  
susan.howe@muckle-llp.com

As the head of Dispute Resolution Susan Howe would oversee all debt recovery instructions, and would be your main point of contact for any further dispute support.

Susan has over 27 years' experience in large scale complex multi-party disputes and cross jurisdictional litigation. She trained and practised for ten years at Slaughter and May, became head of commercial litigation at Eversheds in Newcastle before joining Muckle, where she has transformed the Dispute Resolution offering and the calibre and complexity of work undertaken. Susan heads up our Dispute Resolution team and will make sure all instructions are handled to the highest possible standard.

As one of the most respected litigators in the North East, Susan has a number of notable cases including acting for a multi-campus community college offering a wide range of courses to around 6,000 students. It involved a potential breach of contract and/or negligence claim against a firm which had provided tax advice and audited the college's financial statements. Susan's advice ultimately achieved a very acceptable settlement without the need to issue costly legal proceedings.



Kelly Jordan  
**Partner in Banking and Restructuring**

**Tel:** 0191 211 7899  
**Mob:** 07711 003 800  
kelly.jordan@muckle-llp.com

Kelly Jordan has over 10 years' experience in all aspects of contentious and non-contentious Insolvency work, and would be your main point of contact should this be required.

She has worked with all the major UK clearing banks, insolvency practitioners, LPA Receivers and corporate entities. She has done this on both a regional and national scale, and on a wide range of insolvency and restructuring issues, including a secondment to The Royal Bank of Scotland PLC's Global Restructuring Group.

This experience has helped her gain particular expertise in non-contentious advisory and transactional work, such as advising lenders on the validity and enforceability of their security, acting on numerous pre-pack administrations, and advising directors on their duties in a distressed/insolvent business. In addition, she has also advised creditors and landlords in connection with their rights and remedies for the protection of assets and recovery of monies due to them, both pre and post-insolvency.





Caroline Wood  
**Trainee Solicitor**

**Tel:** 0191 211 7890  
caroline.wood@muckle-llp.com

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Caroline joined Muckle as a trainee in September 2018 after graduating from Newcastle University with a law degree in 2016 and LPC in 2017 in Manchester. Caroline is currently working within the Dispute Resolution team, where she is gaining experience in disputes arising from unpaid debts, breach of warranties and infringement of intellectual property rights.

"We have used this service for a number of years and they have never let us down. The service and friendly staff are what encourages us to come back and use the company time and time again."

**Tracy Saul , Nigel Wright Consultancy Limited**

"It is a pleasure to work with you. Your service is excellent and we would not hesitate to recommend your services."

**Denise Hodgson, Company Secretary at Ramage Transport**

"I have now received full payment. My thanks for this. You have achieved in less than one week what I could not do over nine months."

**Peter H Worlock DM, FRCS, Consultant Trauma & Orthopaedic Surgeon.**







### Muckle LLP

Time Central, 32 Gallowgate, Newcastle upon Tyne, NE1 4BF | DX 61011

Tel: 0191 211 7777 | Fax: 0191 211 7788 | [muckle-llp.com](http://muckle-llp.com)

