



Guidelines for Solicitors and Medical Experts in Preparing Screening Reports in Clinical Negligence Cases

1. Screening Reports may be required in the following circumstances:

To apply for Community Legal Service funding

To provide an initial report for a privately funded client

To advise a conditional fee insurer

To advise a legal expenses insurer

To satisfy the Legal Services Commission on a subsidiary issue of negligence or causation where funding has been granted to obtain an experts' preliminary opinion, eg reporting on histopathology slides, X-rays/scans.

2. The remit of the Screening Report is to highlight/narrow down the medical issues and summarise the strengths and weaknesses of a potential case.
3. The solicitor must contact the expert prior to instruction to confirm the availability of the expert and should agree, with the expert, when instructions are to be sent.
4. The report is to be prepared within the time agreed with the solicitor which in most cases would be within 4 weeks of receipt of instructions.
5. The expert should have the benefit of the client's statement, a detailed chronology (prepared by the solicitor/in-house para-medical) and paginated core medical notes.
6. The expert should have the option of being able to contact the solicitor for further information.
7. The Screening Report should not be regarded as disposable. It should be headed **"Screening Report - Disclosable only to the client and her legal advisors"**.
8. The Screening Report is to include points/issues that require investigation and therefore need a full report. It should comment on areas of possible negligence and the important issues on causation.
9. The expert should indicate whether or not his/her speciality is appropriate and whether or not a further expert is required.
10. The expert should indicate, at the end of the report, his/her availability to discuss the content of the report with the solicitor on the telephone.
11. The fee for the Screening Report needs to be agreed at the time of instruction. The fee for a screening report is usually between £250 - £350, plus VAT, depending on

the speciality involved. The fee includes a review of the chronology and paginated core medical notes and a telephone discussion with the solicitor on receipt of the report. This further clarification should be limited to the evidence supplied with the initial instructions unless an additional fee is agreed.