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Federal Magistrates Court Rules 2001

Statutory Rules 2001 No. 1

195

WE, Federal Magistrates, make the following Rules of Court
 under the *Federal Magistrates Act 1999*.

Dated 1 2001

10 July

BRYANT CFM
 BAUMANN FM
 BREWSTER FM
 COKER FM
 CONNOLLY FM
 DONALD FM
 DRIVER FM
 HARTNETT FM
 McINNIS FM
 MEAD FM
 PHIPPS FM
 RAPHAEL FM
 RIMMER FM

ROBERTS FM
RYAN FM
SCARLETT FM
Federal Magistrates

PETER MAY
Chief Executive Officer

Schedule 1 Costs

(rule 21.10)

Note The amounts in this schedule are inclusive of GST.

Part 1 General

Work performed	Family law amount	General federal law amount
Stage 1: Initiating or opposing application up to completion of first court day		
Lump sum	\$1 365.00	\$1 820.00
Plus: Court attendance	Daily hearing fee	Daily hearing fee
Stage 1A: Initiating or opposing application which includes interim orders up to completion of first court day		
Lump sum	\$1 705.00	\$2 275.00
Plus: Court attendance	Daily hearing fee	Daily hearing fee
Stage 2: Interim or summary hearing – as a discrete event (This stage applies to an interim application, or a summary proceeding of a type not otherwise addressed in this fee structure. It does not include the stage 1 or 1A component.)		
Lump sum	\$1 135.00	\$1 135.00
Plus: Court attendance	Daily hearing fee	Daily hearing fee
Stage 3: Up to and including conciliation conference		
Lump sum	\$1 135.00	not applicable
Stage 4: PDR litigation intervention		
Lump sum	\$1 135.00	\$2 045.00

Work performed	Family law amount	General federal law amount
Stage 5: Preparation for final hearing		
For a 1 day matter:		
Lump sum	\$2 900.00	\$4 090.00
For a 2 day matter:		
Lump sum	\$3 600.00	\$6 145.00
Preparation each additional hearing day	\$775.00	\$1 295.00
Stage 6: Final hearing costs for solicitor		
Attendance at hearing	Daily hearing fee	Daily hearing fee
To take judgement and explain orders	\$190.00	\$190.00
Additional events		
Stage 7: Application for family law location, recovery or enforcement of an order		
(This stage applies to an application where there is an existing court order.)		
Lump sum	\$580.00	not applicable
Court attendance	Daily hearing fee	
Advocacy loading		
Increase relevant daily hearing fee	50%	50%
Daily Hearing Fee		
Short mention	\$190.00	\$190.00
Half-day hearing	\$685.00	\$685.00
Full-day hearing	\$1 365.00	\$1 365.00
Disbursements		
Court fees and other fees and payments, to the extent that they have been reasonably incurred		
Photocopying per page	\$0.52	\$0.52
Agents fees/travelling costs		
Increase lump sum fee by	\$385.00	\$385.00
2 hours travel is the benchmark. There is no entitlement to an increase in lump sum for under 2 hours travel time.		

**Part 2 Undefended proceedings for dissolution
of marriage**

Proceeding	Amount (\$)
If the solicitor employed another solicitor or counsel to appear for the applicant and there is a child of the marriage under 18 years	635.00
If the solicitor employed another solicitor or counsel to appear for the applicant and there is no child of the marriage under 18 years	470.00
If the solicitor did not employ another solicitor or counsel to appear for the applicant and there is a child of the marriage under 18 years	595.00
If the solicitor did not employ another solicitor or counsel to appear for the applicant and there is no child of the marriage under 18 years	445.00

Part 3 Bankruptcy

Description	Amount
Amount that may be claimed by an applicant on the making of Sequestration Order:	
Lump sum	\$1 615.00
Court attendance	Daily hearing fee
Amount that may be claimed by an applicant on the dismissal of a petition:	
Lump sum	\$1 390.00
Court attendance	Daily hearing fee