
APPENDIX A

SCALE OF COSTS

Scale of costs and fees which may be claimed by Australian lawyers and counsel as between party and party as well as between Australian lawyer and client.

If in any case the Court or registrar thinks that any item is inadequate or excessive, the Court or registrar may allow a greater or lesser sum than the scale provides.

If the scale of costs does not provide for any case, the Court or registrar may allow reasonable costs.

<i>Item</i>	<i>Particulars of Service</i>	<i>\$</i>
1.	Claim for debt, liquidated demand or claim arising from a motor vehicle collision for costs of repairs only or for total loss of vehicle only including all professional costs where the amount claimed is—	
	(a) Less than \$500	178
	(b) \$500 to less than \$5000	373
	(c) \$5000 to less than \$7500	458
	(d) \$7500 to less than \$20 000	550
	(e) \$20 000 to less than \$40 000	683
	(f) \$40 000 to less than \$70 000	822
	(g) \$70 000 and over	983

<i>Item</i>	<i>Particulars of Service</i>	
	<i>(Costs for items 2 to 80 are set out in Table 1)</i>	

Instructions

2. Instructions to make, issue or oppose an application or summons or any notice of objection under the **Judgment Debt Recovery Act 1984** including instructions for any affidavit (not otherwise provided for).

Institution of proceedings

3. Complaint, including instructions to sue, letter before action, attendances on counsel, copies for service, issuing, and attendances on process server.

<i>Item</i>	<i>Particulars of Service</i>
<i>(Costs for items 2 to 80 are set out in Table 1)</i>	
4.	Consent of litigation guardian including preparation of memorandum, copies and obtaining signature of litigation guardian.
5.	Notices of defence to claim, counterclaim or third party notice including instructions to defend, perusal of claim, counterclaim or third party notice, reply, attendances on counsel, copies, filing and service.
6.	Counterclaim, third party notice, notice of contribution or any further pleading including instructions to issue, attendances on counsel, copies, filing and service.
7.	Perusal of notice of defence, counterclaim, third party notice or any other pleading, and notice of contribution.
Particulars	
8.	Request for particulars of any document including attendances on counsel, copies, filing, service and perusal of further particulars.
9.	Further and better particulars of any documents including perusal of request, attendances on counsel, copies, filing and service.
View	
10.	Attending view, including arranging view and attendance on counsel.
11.	If the attendance exceeds half an hour—for each quarter hour thereafter.
Discovery	
12.	Notice of discovery including filing and service.
13.	Perusal of affidavit of documents and inspection of documents.
14.	Affidavit of documents including instructions, attendances on counsel, copies, swearing, filing, service and production of documents for inspection.
15.	Notice to produce documents including filing and service.
Interrogatories	
16.	Interrogatories for examination including instructions, attendances on counsel, copies, filing, service and perusal of answers.

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<i>Item</i>	<i>Particulars of Service</i>
	<i>(Costs for items 2 to 80 are set out in Table 1)</i>
17.	Answers to interrogatories including perusal of interrogatories, instructions, attendances on counsel, copies, swearing, filing and service. Brief to advise
18.	Brief to advise including preparation of memorandum to counsel, attendances on counsel and perusal of advice. Notices, undertakings, etc.
19.	Any necessary notice (including notices before proceeding), undertaking, consent, order, memorandum (not otherwise provided for) including copies, filing and service.
20.	Notice to admit including perusal of admissions, copies, filing and service.
21.	Admissions, including perusal of notice to admit, copies, filing and service.
22.	Offer of compromise or notice of acceptance of offer including copies, filing and service. Witnesses and expert witnesses
23.	Subpoena including instructions, copies and issuing.
24.	Attendance on witness to arrange attendance to give evidence without subpoena, including reminders.
25.	Arranging examination or inspection by an expert witness and notifying party, supplying relevant documents to witness, obtaining and perusing report.
26.	Notifying party of examination or inspection arranged by opposite party.
27.	Statement of expert witness (pursuant to Rule 44.03) including instructions, filing and service. Applications
28.	Application or summons or any notice under the Judgment Debt Recovery Act 1984 including copies, issuing and affidavit of service.
29.	Application for an order under Rule 10.01 (in addition to item 1 if applicable) or 10.04 including copies and issuing.

<i>Item</i>	<i>Particulars of Service</i>
<i>(Costs for items 2 to 80 are set out in Table 1)</i>	
Notice of objection	
30.	Notice of objection under the Judgment Debt Recovery Act 1984 including copies, issuing and affidavit of service.
Affidavits	
31.	Affidavit including attendances on counsel, copies, swearing, filing and service.
32.	Affidavit of service, including swearing and filing (not otherwise provided for).
General preparation	
33.	For work necessarily and properly done in preparing for hearing and not otherwise provided for, including— <ul style="list-style-type: none">(a) taking instructions for examination of any party or witness;(b) considering the facts and the law;(c) attending on and corresponding with client;(d) interviewing and corresponding with witnesses and taking proofs of their evidence;(e) obtaining reports or advice from experts and maps, plans, photographs and models;(f) making search in any public office and elsewhere for relevant documents;(g) inspecting any property or place material to the proceeding;(h) perusing relevant documents;(i) general care and conduct of the proceeding.
Pre-hearing conference	
34.	Preparation including all necessary instructions, instructions for brief for counsel or brief notes for Australian lawyer, correspondence and perusals.
35.	Attendance at conference whether by counsel or Australian lawyer.
Mediation	
36.	Preparation including all necessary instructions, instructions for brief for counsel or brief notes for Australian lawyer, all necessary correspondence, perusals, etc.

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<i>Item</i>	<i>Particulars of Service</i>
	<i>(Costs for items 2 to 80 are set out in Table 1)</i>
37.	Attending mediation by Australian lawyer, for first 4 hours or part thereof.
38.	For each subsequent hour.
39.	Attending mediation with counsel (where necessary) per hour.
40.	If Australian lawyer attends at a place more than 50 kilometres from his or her place of business, an additional fee may be allowed.
41.	The reasonable costs of a mediation held before the commencement of proceedings may be allowed.
	Court attendance
42.	Attendance at Court or upon magistrate or officer of the Court on application, summons, appeal or to hear reserved judgment.
43.	Attendance of Australian lawyer without counsel at a WorkCover directions hearing or at the hearing of an application for revocation of a direction of a conciliation officer.
44.	Attending WorkCover mentions.
45.	Attendance at Court on hearing—Australian lawyer without counsel for the first 6 hours (including any luncheon adjournment).
46.	If attendance at Court exceeds 6 hours—for each hour thereafter.
47.	Attendance at Court by Australian lawyer on hearing with counsel for the first 3 hours.
48.	If attendance exceeds 3 hours—for each hour thereafter.
	Conference with counsel
49.	Appointment and attendance per hour (when necessary).
	Fees to counsel
50.	To draw or settle any necessary document including notice before action, particulars of claim or defence (including special defence), counterclaim, interrogatories and medical panel referral documents including medical questions, section 65(6A) statements, lists of documents and submissions pursuant to the Accident Compensation Act 1985 etc.
51.	To confer, prepare, view or consult—per hour.
52.	To advise on evidence or give opinion.

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Item *Particulars of Service*
(Costs for items 2 to 80 are set out in Table 1)

53. Brief on hearing.
54. For each 6 hours or part thereof after the first six hours of hearing (including any luncheon adjournment).
55. Attending mediation, for the first 4 hours or part thereof.
56. For each subsequent hour.
57. Attending at WorkCover directions hearing.
- 57A. Attending at the hearing of an application for revocation of a direction of a conciliation officer.

Documents

58. Drawing any document or brief (where not otherwise provided for)—per folio.
59. Typing any document or brief (where not otherwise provided for)—per folio.
60. Copies—
For the first 50 pages of photocopying in a proceeding, \$2.00 per page.
For any photocopying after the first 50 pages in a proceeding, 60 cents per page.

Perusals

61. Of any document or part of a document (where not otherwise provided for)—per folio.
62. Examination or scanning any document which is not necessary to peruse—per folio.

Correspondence

63. Special letter.
64. Ordinary letter (including an agency letter).
65. Circular letter. After the first, postage may be claimed as a disbursement.

Attendances

66. Attendance—such as an attendance at the office of the registrar or on a process server or to serve or an attendance which is capable of being made by a clerk.

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<i>Item</i>	<i>Particulars of Service</i>
<i>(Costs for items 2 to 80 are set out in Table 1)</i>	
67.	Attendance (personal or by telephone) of an Australian lawyer or managing clerk and involving the exercise of skill or legal knowledge—for each quarter hour.
68.	Attendance which does not involve the exercise of skill or legal knowledge—for each quarter hour.
Warrant, summons, etc.	
69.	Warrant to seize property or of delivery including instructions, preparation and issuing.
70.	Summons for oral examination, including instructions, preparation of summons and affidavit, issuing, arranging service, forwarding summons and affidavit to registrar with letter.
71.	Proceedings for attachment of debts including all professional costs.
72.	Summons for attachment of earnings, including instructions, preparation of summons, affidavit and Form 72A, issuing summons, arranging service, forwarding summons and affidavit to registrar with a letter (including affidavit of service).
73.	Form 72F, including preparation, filing and service.
74.	Order to attend or to give a statement under Rule 72.04 including preparation, issuing and arranging service.
75.	Registration of interstate judgment.
Service	
76.	For service of Court documents on each person to be served.
77.	For service of Court documents on each person to be served where service is effected by post or by leaving at a document exchange.
78.	For every necessary visit made in attempting service of Court documents and for each report of non-service where the time, date and number of visits attempting service are shown by affidavit.
79.	In addition to the abovementioned service fees an allowance at the rate of 60 cents for each 1 kilometre in respect of any distance measured both ways from the nearest court house or other building where the Court is held, or the residence of the person who served the court document, whichever is the closer, to the place of service or attempted service of the document.

Item *Particulars of Service*
(Costs for items 2 to 80 are set out in Table 1)

Notes to items 76 to 79 inclusive:

- A In these items ***Court documents*** include complaint, summons, application or other document used in a court proceeding.
- B A registrar, upon application made before service of any Court document, may fix and endorse on the document an amount representing an allowance calculated at 60 cents for each kilometre of the distance both ways by the shortest practicable route, from the nearest court house or other building where the Court is held, or the residence of the process server, whichever is the closer to the place of service and the Court in assessing costs on the hearing shall have regard to the amount so fixed and endorsed.
- C For service of 2 or more Court documents in the same proceeding on the same person who was or could have been served at the same time and place, only one service fee shall be allowed.
- D For service of a Court document in the same proceeding on 2 or more persons who were or could have been served at the same time and place, only one service fee shall be allowed.
- E No costs shall be allowed for service of any Court document where service has been effected by an employee of the plaintiff or defendant, unless the Court is satisfied by evidence on oath or affidavit that the employee is exclusively engaged on the service of legal process for the employer.

Substituted service

- 80. Order for substituted service including all professional costs.
- 81. If an advertisement in lieu of service is ordered, the necessary and reasonable costs of the advertisement in addition.

Witnesses' expenses

- 82. Subject to item 82A, witnesses giving evidence in an expert or professional capacity, up to \$242 per hour or part thereof, but not to exceed \$1698 per day.
Other witnesses—up to \$61 per hour or part thereof, but not to exceed \$303 per day.

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<i>Item</i>	<i>Particulars of Service</i>
	<i>(Costs for items 2 to 80 are set out in Table 1)</i>
82A.	Witnesses giving evidence in the capacity of motor vehicle loss assessors, up to \$126 per hour or part thereof, but not to exceed \$692 per day.
	Circuit fees
83.	(a) A circuit fee may be charged by counsel where the claim or the counterclaim is \$40 840 or more. No circuit fee may be charged where the claim or the counterclaim is less than \$40 840, unless the Court otherwise orders;
	(b) A circuit fee must be calculated on the same time basis as a fee for counsel on the hearing of a proceeding, namely, for each 6 hours or part thereof after the first 6 hours of hearing (including any luncheon adjournment);
	(c) Any circuit fee allowed under paragraph (a) or (b) must be in accordance with the Schedule 1 to Appendix A of the Scale of Costs in Chapter I of the Rules of the County Court unless the circuit town appears in Table 2, in which case Table 2 applies. Whether or not Appendix A or Table 2 applies, not more than one circuit fee must be allowed in any one day in relation to any proceeding or matter;
	(d) A circuit fee may be charged by a mediator who conducts a mediation following a referral of a proceeding or part of a proceeding to mediation. A circuit fee may also be charged for a pre-issue mediation held in accordance with a Practice Direction. A circuit fee may only be charged by a mediator with the agreement of the parties to the mediation.

TABLE 1

(Costs in dollars for items 2 to 80)

<i>Item</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>F</i>	<i>G</i>
	<i>Less than \$500</i>	<i>\$500 to less than \$5000</i>	<i>\$5000 to less than \$7500</i>	<i>\$7500 to less than \$20 000</i>	<i>\$20 000 to less than \$40 000</i>	<i>\$40 000 to less than \$70 000</i>	<i>\$70 000 and over</i>
2.	61	61	61	93	114	137	160
3.	178	374	459	551	684	824	986
4.	n/a	n/a	134	175	178	190	202
5.	83	177	219	261	326	392	470
6.	95	196	241	287	357	430	515
7.	43	43	43	43	43	43	43
8.	62	140	170	205	254	303	360
9.	57	118	141	170	211	255	305
10.	n/a	n/a	143	198	214	241	271
11.	n/a	n/a	16	41	41	41	41
12.	41	66	83	97	124	144	167
13.	50	94	111	139	173	207	243
14.	97	209	255	305	385	455	540
15.	41	62	83	97	124	144	167
16.	81	166	202	241	302	359	416
17.	107	228	289	347	430	517	613
18.	n/a	n/a	143	198	214	241	270
19.	40	71	84	99	125	145	176
20.	107	107	107	145	184	222	265
21.	107	107	107	145	184	223	265
22.	93	93	93	136	170	205	243
23.	20	34	47	47	61	74	88
24.	19	20	20	34	38	44	52

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<i>Item</i>	<i>A</i>	<i>B</i> <i>\$500</i> <i>to less</i> <i>than</i> <i>\$5000</i>	<i>C</i> <i>\$5000</i> <i>to less</i> <i>than</i> <i>\$7500</i>	<i>D</i> <i>\$7500</i> <i>to less</i> <i>than</i> <i>\$20 000</i>	<i>E</i> <i>\$20 000</i> <i>to less</i> <i>than</i> <i>\$40 000</i>	<i>F</i> <i>\$40 000</i> <i>to less</i> <i>than</i> <i>\$70 000</i>	<i>G</i> <i>\$70 000</i> <i>and over</i>
25.	58	59	59	90	111	134	160
26.	12	12	12	43	56	66	80
27.	78	142	198	237	298	352	408
28.	33	77	84	95	117	140	165
29.	37	37	37	37	37	37	37
30.	36	36	36	36	36	36	36
31.	81	166	202	241	302	357	415
32.	34	34	34	34	34	34	34
33.	324	1059	1307	1570	1962	2836	4410
34.	79	240	320	387	480	578	660
35.	141	272	388	480	600	724	842
36.	79	240	320	387	471	565	649
37.	141	272	388	480	591	709	829
38.	41	77	95	112	146	176	206
39.	41	77	95	112	146	176	206
40.			<i>refer to item 40</i>				
41.			<i>refer to item 41</i>				
42.	84	187	231	280	350	420	502
43.	141	272	389	482	604	727	844
44.	127	127	127	127	127	127	127
45.	298	600	904	1084	1356	1620	1885
46.	63	118	141	173	214	258	301
47.	136	231	288	347	430	517	598
48.	41	77	95	112	140	170	200
49.	41	84	106	135	169	203	237
50.	54	94	130	150	195	233	270

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<i>Item</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>F</i>	<i>G</i>
	<i>Less than \$500</i>	<i>\$500 to less than \$5000</i>	<i>\$5000 to less than \$7500</i>	<i>\$7500 to less than \$20 000</i>	<i>\$20 000 to less than \$40 000</i>	<i>\$40 000 to less than \$70 000</i>	<i>\$70 000 and over</i>
51.	54	100	130	150	195	233	270
52.	n/a	n/a	172	261	282	315	471
53.	354	797	1074	1287	1606	1930	2107
54.	239	532	713	856	1074	1282	1498
55.	147	285	406	501	628	755	881
56.	44	80	99	118	159	187	220
57.	149	289	413	510	641	769	922
57A.	510	510	510	510	510	510	510
58.	3.7	9.4	9.2	9.2	11	13	18
59.	2.3	2.3	2.3	2.3	2.3	2.3	2.3
60.			<i>refer to item 60</i>				
61.	2.3	2.3	2.3	2.3	2.3	2.3	2.3
62.	1.2	1.2	1.2	1.2	1.2	1.2	1.2
63.	34	34	34	34	34	34	34
64.	24	24	24	24	24	24	24
65.	13	13	13	13	13	13	13
66.	24	24	24	24	24	24	24
67.	41	41	41	41	41	41	42
68.	20	20	20	20	20	20	19
69.	46	94	111	140	176	211	247
70.	48	112	137	151	191	231	270
71.	136	274	307	366	458	547	716
72.	243	345	370	465	581	696	912
73.	41	71	84	99	125	145	168
74.	41	71	84	99	125	145	168
75.	61	61	61	93	93	93	93

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<i>Item</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>F</i>	<i>G</i>
	<i>Less than \$500</i>	<i>\$500 to less than \$5000</i>	<i>\$5000 to less than \$7500</i>	<i>\$7500 to less than \$20 000</i>	<i>\$20 000 to less than \$40 000</i>	<i>\$40 000 to less than \$70 000</i>	<i>\$70 000 and over</i>
76.	59	59	59	59	59	59	59
77.	11	11	11	11	11	11	11
78.	40	40	40	40	40	40	40
79.	<i>refer to item 79</i>						
80.	120	216	258	304	382	452	525

TABLE 2
CIRCUIT FEES

<i>Circuit town</i>	<i>Fee for first six hours</i>	<i>Further fee for further six hours or part thereafter</i>
Ararat	421	279
Benalla	446	295
Colac	353	234
Echuca	446	295
Mansfield	353	234
Moe	330	220
Portland	487	326
Stawell	446	295
Swan Hill	446	295

APPENDIX B

CIVIL REGISTRY COURTS

Ararat	Hamilton	Orbost
Bacchus Marsh	Heidelberg	Ouyen
Bairnsdale	Hopetoun	Portland
Ballarat	Horsham	Ringwood
Benalla	Kerang	Robinvale
Bendigo	Korumburra	St Arnaud
Broadmeadows	Kyneton	Sale
Castlemaine	Latrobe Valley	Seymour
Cobram	Mansfield	Shepparton
Colac	Maryborough	Stawell
Collingwood	Melbourne	Sunshine
Corryong	Mildura	Swan Hill
Dandenong	Moe	Wangaratta
Dromana	Moorabbin Justice Centre	Warrnambool
Echuca	Myrtleford	Werribee
Frankston	Nhill	Wodonga
Geelong	Omeo	Wonthaggi
