

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.

Appendix A
amended by
S.R. Nos
36/2011
rule 24,
149/2011
rule 5, 2/2012
rule 9,
158/2012
rule 5.

<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	196
	(b) \$500 to less than \$5000	410
	(c) \$5000 to less than \$7500	504
	(d) \$7500 to less than \$20 000	605
	(e) \$20 000 to less than \$40 000	751
	(f) \$40 000 to less than \$70 000	904
	(g) \$70 000 and over	1081

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

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.

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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>	
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.

<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, certificates, undertakings, etc.
19.	Any necessary notice (including notices before proceeding), certificate (including certificates 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 21.01 (in addition to item 1 if applicable) or 21.08 including copies and issuing.

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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>
29A	To draw or settle any necessary medical panel referral documents including medical questions, section 65(6A) statements, lists of documents and submissions pursuant to the Accident Compensation Act 1985 etc. 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— (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.

<i>Item</i>	<i>Particulars of Service</i>
<i>(Costs for items 2 to 80 are set out in Table 1)</i>	
Mediation	
36.	Preparation including all necessary instructions, instructions for brief for counsel or brief notes for Australian lawyer, all necessary correspondence, perusals, etc.
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 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>	
51.	To confer, prepare, view or consult—per hour.
52.	To advise on evidence or give opinion.
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, \$2.20 per page. For any photocopying after the first 50 pages in a proceeding, 66 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.

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

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.
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.

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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>
79.	<p>In addition to the abovementioned service fees an allowance at the rate of 66 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.</p> <p>Notes to items 76 to 79 inclusive:</p> <p>A In these items <i>Court documents</i> include complaint, summons, application or other document used in a court proceeding.</p> <p>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 66 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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Substituted service</p>
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.

<i>Item</i>	<i>Particulars of Service</i>
<i>(Costs for items 2 to 80 are set out in Table 1)</i>	
Witnesses' expenses	
82.	Subject to item 82A, witnesses giving evidence in an expert or professional capacity, up to \$253 per hour or part thereof, but not to exceed \$1775 per day. Other witnesses—up to \$64 per hour or part thereof, but not to exceed \$317 per day.
82A.	Witnesses giving evidence in the capacity of motor vehicle loss assessors, up to \$132 per hour or part thereof, but not to exceed \$724 per day.
Circuit fees	
83.	(a) A circuit fee may be charged by counsel where the claim or the counterclaim is \$44 129 or more. No circuit fee may be charged where the claim or the counterclaim is less than \$44 129, 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.

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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</i>	<i>\$500</i>	<i>\$5000</i>	<i>\$7500</i>	<i>\$20 000</i>	<i>\$40 000</i>	<i>\$70 000</i>
	<i>\$500</i>	<i>to less</i>	<i>to less</i>	<i>to less</i>	<i>to less</i>	<i>to less</i>	<i>and over</i>
		<i>than</i>	<i>than</i>	<i>than</i>	<i>than</i>	<i>than</i>	
		<i>\$5000</i>	<i>\$7500</i>	<i>\$20 000</i>	<i>\$40 000</i>	<i>\$70 000</i>	
2.	67	67	67	102	126	151	175
3.	196	411	505	606	752	906	1084
4.	n/a	n/a	147	192	196	209	222
5.	91	194	241	287	358	431	517
6.	105	216	265	316	392	472	566
7.	48	48	48	48	48	48	48
8.	69	154	187	225	279	333	396
9.	62	130	155	187	232	280	335
10.	n/a	n/a	157	218	236	265	298
11.	n/a	n/a	18	45	45	45	45
12.	45	73	91	107	136	159	184
13.	55	104	123	153	190	227	267
14.	107	229	280	335	424	500	594
15.	45	69	91	107	136	159	184
16.	89	183	222	265	332	395	458
17.	117	250	318	382	472	569	674
18.	n/a	n/a	157	218	236	265	297
19.	44	78	92	109	137	160	193
20.	117	117	117	160	202	245	292
21.	117	117	117	160	202	245	292
22.	102	102	102	150	187	225	267
23.	22	37	52	52	67	81	97

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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>	
24.	21	22	22	37	42	49	57	
25.	63	64	64	99	123	147	175	
26.	13	13	13	48	61	73	88	
27.	86	156	218	261	328	387	449	
28.	36	85	92	105	129	154	182	
29.	40	40	40	40	40	40	40	
29A.	90	165	225	250	335	400	465	
30.	39	39	39	39	39	39	39	
31.	89	183	222	265	332	392	457	
32.	37	37	37	37	37	37	37	
33.	356	1165	1437	1727	2158	3119	4850	
34.	87	264	352	426	527	635	726	
35.	155	299	427	527	659	796	926	
36.	87	264	352	426	518	621	713	
37.	155	299	427	527	650	780	912	
38.	45	85	105	124	161	193	226	
39.	45	85	105	124	161	193	226	
40.			<i>refer to item 40</i>					
41.			<i>refer to item 41</i>					
42.	92	206	254	308	385	462	552	
43.	155	299	428	530	665	799	928	
44.	140	140	140	140	140	140	140	
45.	328	659	994	1192	1491	1782	2072	
46.	70	130	155	190	236	283	331	
47.	150	254	317	382	472	569	657	
48.	45	85	105	124	154	187	220	
49.	45	92	116	148	186	223	261	

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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>
50.	58	104	141	162	211	252	292
51.	58	108	141	162	211	252	292
52.	n/a	n/a	186	282	304	341	509
53.	383	861	1160	1391	1736	2086	2277
54.	259	574	770	925	1160	1385	1619
55.	158	308	439	541	679	816	952
56.	48	87	107	127	172	202	238
57.	161	313	446	551	692	831	997
57A.	551	551	551	551	551	551	551
58.	4.0	9.9	10.4	10.9	12.5	14.5	19.7
59.	2.5	2.5	2.5	2.5	2.5	2.5	2.5
60.			<i>refer to item 60</i>				
61.	2.5	2.5	2.5	2.5	2.5	2.5	2.5
62.	1.3	1.3	1.3	1.3	1.3	1.3	1.3
63.	37	37	37	37	37	37	37
64.	26	26	26	26	26	26	26
65.	15	15	15	15	15	15	15
66.	26	26	26	26	26	26	26
67.	45	45	45	45	45	45	45
68.	22	22	22	22	22	22	22
69.	51	104	123	154	193	232	272
70.	53	124	151	166	210	254	297
71.	150	301	337	403	504	601	787
72.	267	379	407	511	639	765	1003
73.	45	78	92	109	137	160	185
74.	45	78	92	109	137	160	185
75.	67	67	67	102	102	102	102

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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>
		\$500 <i>to less than</i>	\$5000 <i>to less than</i>	\$7500 <i>to less than</i>	\$20 000 <i>to less than</i>	\$40 000 <i>to less than</i>	\$70 000 <i>and over</i>
76.	64	64	64	64	64	64	64
77.	12	12	12	12	12	12	12
78.	44	44	44	44	44	44	44
79.			<i>refer to item 79</i>				
80.	132	238	283	334	421	497	577

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	455	301
Benalla	482	319
Colac	382	253
Echuca	482	319
Mansfield	382	253
Latrobe Valley	357	238
Portland	526	352
Stawell	482	319
Swan Hill	482	319

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
