



SCALE OF COSTS

EFFECTIVE 1 JANUARY 2018

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.

ITEM Particulars of Service

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	217
(b)	\$500 to less than \$5,000	454
(c)	\$5,000 to less than \$7,500	557
(d)	\$7,500 to less than \$20,000	669
(e)	\$20,000 to less than \$40,000	831
(f)	\$40,000 to less than \$70,000	1001
(g)	\$70,000 and over	1196

Costs for items 2 to 82A are set out in Table 1

TABLE 1 LEGEND - SCALE CLAIM AMOUNTS

A	B	C	D	E	F	G
Less than \$500	\$500 to less than \$5,000	\$5,000 to less than \$7,500	\$7,500 to less than \$20,000	\$20,000 to less than \$40,000	\$40,000 to less than \$70,000	\$70,000 and over

TABLE 1

<500	≥500 <5,000	≥5,000 <7,500	≥7,500 <20,000	≥20,000 <40,000	≥40,000 <70,000	≥70,000
A	B	C	D	E	F	G

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).	75	75	75	111	140	167	193
----------	---	----	----	----	-----	-----	-----	-----

Institution of proceedings

3	Complaint, including instructions to sue, letter before action, attendances on counsel, copies for service, issuing and attendances on process server.	217	455	558	670	832	1003	1199
4	Consent of litigation guardian including preparation of memorandum, copies and obtaining signature of litigation guardian.	n/a	n/a	162	213	217	231	245
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.	100	215	266	318	397	477	572
6	Counterclaim, third party notice, notice of contribution or any further pleading including instructions to issue, attendances on counsel, copies, filing and service.	115	239	293	350	433	523	626
7	Perusal of notice of defence, counterclaim, third party notice or any other pleading, and notice of contribution.	52	52	52	52	52	52	52

Particulars

8	Request for particulars of any document including attendances on counsel, copies, filing, service and perusal of further particulars.	76	171	207	248	309	369	439
9	Further and better particulars of any documents including perusal of request, attendances on counsel, copies, filing and service.	69	144	172	207	257	310	371

View

10	Attending view, including arranging view and attendance on counsel.	n/a	n/a	174	241	261	293	329
11	If the attendance exceeds half an hour - for each quarter hour thereafter.	n/a	n/a	19	49	49	49	49

TABLE 1 CONTINUED

<500	≥500 <5,000	≥5,000 <7,500	≥7,500 <20,000	≥20,000 <40,000	≥40,000 <70,000	≥70,000
A	B	C	D	E	F	G

Discovery

12	Notice of discovery including filing and service.	49	81	100	118	150	176	203
13	Perusal of affidavit of documents and inspection of documents.	60	115	136	169	211	251	296
14	Affidavit of documents including instructions, attendances on counsel, copies, swearing, filing, service and production of documents for inspection.	120	253	310	371	469	553	656
15	Notice to produce documents including filing and service.	49	76	100	120	150	176	203

Interrogatories

16	Interrogatories for examination including instructions, attendances on counsel, copies, filing, service and perusal of answers.	98	202	245	293	368	438	506
17	Answers to interrogatories including perusal of interrogatories, instructions, attendances on counsel, copies, swearing, filing and service.	130	276	352	422	523	630	745

Brief to advise

18	Brief to advise including preparation of memorandum to counsel, attendances on counsel and perusal of advice.	n/a	n/a	174	241	261	293	328
-----------	---	-----	-----	-----	-----	-----	-----	-----

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.	48	86	101	121	151	177	214
20	Notice to admit including perusal of admissions, copies, filing and service.	130	130	130	177	224	271	323
21	Admissions, including perusal of notice to admit, copies, filing and service.	130	130	130	177	224	271	323
22	Offer of compromise or notice of acceptance of offer including copies, filing and service.	111	111	111	167	207	248	296

TABLE 1 CONTINUED

<500	≥500 <5,000	≥5,000 <7,500	≥7,500 <20,000	≥20,000 <40,000	≥40,000 <70,000	≥70,000
A	B	C	D	E	F	G

Witnesses and expert witnesses

23	Subpoena including instructions, copies and issuing.	25	41	57	57	75	90	106
24	Attendance on witness to arrange attendance to give evidence without subpoena, including reminders.	24	26	25	42	46	53	63
25	Arranging examination or inspection by an expert witness and notifying party, supplying relevant documents to witness, obtaining and perusing report.	69	71	72	108	136	162	193
26	Notifying party of examination or inspection arranged by opposite party.	14	14	14	52	66	81	97
27	Statement of expert witness (pursuant to Rule 44.03) including instructions, filing and service.	95	173	241	289	363	427	497

Applications

28	Application or summons or any notice under the Judgment Debt Recovery Act 1984 including copies, issuing and affidavit of service.	41	94	101	115	143	171	201
29	Application for an order under Rule 21.01 (in addition to item 1 if applicable) or 21.08 including copies and issuing.	45	45	45	45	45	45	45
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.	99	183	248	276	371	444	515
29B	To draw or settle any necessary medical panel referral documents including medical questions, section 304 statements, lists of documents and submissions pursuant to the Workplace Injury Rehabilitation and Compensation Act 2013 etc.	99	183	248	276	371	444	515

Notice of objection

30	Notice of objection under the Judgment Debt Recovery Act 1984 including copies, issuing and affidavit of service.	44	44	44	44	44	44	44
-----------	---	----	----	----	----	----	----	----

TABLE 1 CONTINUED

<500	≥500 <5,000	≥5,000 <7,500	≥7,500 <20,000	≥20,000 <40,000	≥40,000 <70,000	≥70,000
A	B	C	D	E	F	G

Affidavits

31	Affidavit including attendances on counsel, copies, swearing, filing and service.	98	202	245	293	368	433	505
32	Affidavit of service, including swearing and filing (not otherwise provided for).	42	42	42	42	42	42	42

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.	394	1288	1590	1910	2388	3452	5367
-----------	---	-----	------	------	------	------	------	------

Pre-hearing conference

34	Preparation including all necessary instructions, instructions for brief for counsel or brief notes for Australian lawyer, correspondence and perusals.	96	292	390	471	583	702	803
35	Attendance at conference whether by counsel or Australian lawyer.	172	330	472	583	729	880	1025

TABLE 1 CONTINUED

<500	≥500 <5,000	≥5,000 <7,500	≥7,500 <20,000	≥20,000 <40,000	≥40,000 <70,000	≥70,000
A	B	C	D	E	F	G

Mediation

36	Preparation including all necessary instructions, instructions for brief for counsel or brief notes for Australian lawyer, all necessary correspondence, perusals, etc.	96	286	390	471	573	688	788
37	Attending mediation by Australian lawyer, for first 4 hours or part thereof.	172	330	472	583	719	864	1009
38	For each subsequent hour.	50	94	117	137	178	215	250
39	Attending mediation with counsel (where necessary) per hour.	50	94	117	137	178	215	250
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.	101	228	281	341	425	511	610
43	Attendance of Australian lawyer without counsel at a WorkCover directions hearing or at a hearing of an application for revocation of a direction of a conciliation officer.	172	330	473	586	735	883	1027
44	Attending WorkCover mentions.	154	154	154	154	154	154	154
45	Attendance at Court on hearing - Australian lawyer without counsel for the first 6 hours (including any luncheon adjournment).	363	729	1100	1319	1650	1971	2293
46	If attendance at Court exceeds 6 hours - for each hour thereafter.	78	144	172	211	261	313	367
47	Attendance at Court by Australian lawyer on hearing with counsel for the first 3 hours.	166	281	351	422	523	630	727
48	If attendance exceeds 3 hours - for each hour thereafter.	50	94	117	138	171	207	243

Conference with counsel

49	Appointment and attendance per hour (when necessary).	50	101	129	164	206	246	289
-----------	---	----	-----	-----	-----	-----	-----	-----

TABLE 1 CONTINUED

<500	≥500 <5,000	≥5,000 <7,500	≥7,500 <20,000	≥20,000 <40,000	≥40,000 <70,000	≥70,000
A	B	C	D	E	F	G

Fees to counsel

50	To draw or settle any necessary document including notice before action, particulars of claim or defence (including special defence), counterclaim and interrogatories etc.	66	123	160	185	240	287	333
51	To confer, prepare, view or consult - per hour.	66	123	160	185	240	287	333
52	To advise on evidence or give opinion.	n/a	n/a	212	320	346	388	579
53	Brief on hearing.	437	981	1321	1584	1977	2375	2593
54	For each 6 hours or part thereof after the first six hours of hearing (including any luncheon adjournment).	295	654	877	1054	1321	1577	1843
55	Attending mediation, for the first 4 hours or part thereof.	180	352	500	617	774	930	1084
56	For each subsequent hour.	55	99	122	145	196	230	271
57	Attending at WorkCover directions hearing.	184	357	507	627	787	945	1135
57A	Attending at the hearing of an application for revocation of a direction of a conciliation officer.	627	627	627	627	627	627	627

Documents

58	Drawing any document or brief (where not otherwise provided for) - per folio.	4.50	11	11	12	14	16	21
59	Typing any document or brief (where not otherwise provided for) - per folio.	2.90	2.90	2.90	2.90	2.90	2.90	2.90
60	Photocopying in a proceeding:							
	For the first 50 pages - per page	2.38	2.38	2.38	2.38	2.38	2.38	2.38
	For further copies after the first 50 pages - per page	0.70	0.70	0.70	0.70	0.70	0.70	0.70

Perusals

61	Of any document or part of a document (where not otherwise provided for) - per folio.	2.80	2.80	2.80	2.80	2.80	2.80	2.80
62	Examination or scanning any document which is not necessary to peruse - per folio.	1.40	1.40	1.40	1.40	1.40	1.40	1.40

TABLE 1 CONTINUED

<500	≥500 <5,000	≥5,000 <7,500	≥7,500 <20,000	≥20,000 <40,000	≥40,000 <70,000	≥70,000
A	B	C	D	E	F	G

Correspondence

63	Special letter.	42	42	42	42	42	42
64	Ordinary letter (including an agency letter).	29	29	29	29	29	29
65	Circular letter. After the first, postage may be claimed as a disbursement.	16	16	16	16	16	16

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.	29	29	29	29	29	29
67	Attendance (personal or by telephone) of a Australian lawyer or managing clerk and involving the exercise of skill or legal knowledge - for each quarter hour.	50	50	50	50	50	50
68	Attendance which does not involve the exercise of skill or legal knowledge - for each quarter hour.	25	25	25	25	25	25

Warrants, summons, etc.

69	Warrant to seize property or of delivery including instructions, preparation and issuing.	56	114	136	171	214	257	301
70	Summons for oral examination, including instructions, preparation of summons and affidavit, issuing, arranging service, forwarding summons and affidavit to registrar with letter.	58	138	167	183	232	281	328
71	Proceedings for attachment of debts including all professional costs.	166	332	373	447	557	665	871
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).	296	419	451	565	707	847	1110
73	Form 72F, including preparation, filing and service.	50	86	101	121	151	177	205
74	Order to attend or to give a statement under Rule 72.04 including preparation, issuing and arranging service.	50	87	101	121	151	177	205
75	Registration of interstate judgment.	75	75	75	111	111	111	111

TABLE 1 CONTINUED

<500	≥500 <5,000	≥5,000 <7,500	≥7,500 <20,000	≥20,000 <40,000	≥40,000 <70,000	≥70,000
A	B	C	D	E	F	G

Service*

76	For service of Court documents on each person to be served.	71	71	71	71	71	71
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.	13	13	13	13	13	13
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.	49	49	49	49	49	49
79	In addition to the abovementioned service fees an allowance at the rate of 70 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.						

***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 70 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.

TABLE 1 CONTINUED

<500	≥500 <5,000	≥5,000 <7,500	≥7,500 <20,000	≥20,000 <40,000	≥40,000 <70,000	≥70,000
A	B	C	D	E	F	G

Substituted service

80	Order for substituted service including all professional costs.	146	264	314	370	466	550	639
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 \$280 per hour or part thereof, but not to exceed \$1961 per day. Other witnesses - up to \$70 per hour or part thereof, but not to exceed \$351 per day.							
82A	Witnesses giving evidence in the capacity of motor vehicle loss assessors, up to \$146 per hour or part thereof, but not to exceed \$800 per day.							

Circuit fees

83

- (a) A circuit fee may be charged by counsel where the claim or the counterclaim is \$40 000 or more. No circuit fee may be charged where the claim or the counterclaim is less than \$40 000, 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 2

Circuit town	Fee for first six hours	Further fee for further six hours of part thereafter
Ararat	518	344
Benalla	549	363
Colac	434	288
Echuca	549	363
Latrobe Valley	407	271
Mansfield	434	288
Portland	599	402
Stawell	549	363
Swan Hill	549	363