



## SCALE OF COSTS

**EFFECTIVE 1 JANUARY 2019**

*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

<b>1</b>	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)	<b>Less than \$500</b>	222
(b)	<b>\$500 to less than \$5,000</b>	465
(c)	<b>\$5,000 to less than \$7,500</b>	571
(d)	<b>\$7,500 to less than \$20,000</b>	686
(e)	<b>\$20,000 to less than \$40,000</b>	852
(f)	<b>\$40,000 to less than \$70,000</b>	1026
(g)	<b>\$70,000 and over</b>	1226

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**

<b>2</b>	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).	77	77	77	114	144	171	198
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**Institution of proceedings**

<b>3</b>	Complaint, including instructions to sue, letter before action, attendances on counsel, copies for service, issuing and attendances on process server.	222	466	572	687	853	1028	1229
<b>4</b>	Consent of litigation guardian including preparation of memorandum, copies and obtaining signature of litigation guardian.	n/a	n/a	166	218	222	237	251
<b>5</b>	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.	103	220	273	326	407	489	586
<b>6</b>	Counterclaim, third party notice, notice of contribution or any further pleading including instructions to issue, attendances on counsel, copies, filing and service.	118	245	300	359	444	536	642
<b>7</b>	Perusal of notice of defence, counterclaim, third party notice or any other pleading, and notice of contribution.	53	53	53	53	53	53	53

**Particulars**

<b>8</b>	Request for particulars of any document including attendances on counsel, copies, filing, service and perusal of further particulars.	78	175	212	254	317	378	450
<b>9</b>	Further and better particulars of any documents including perusal of request, attendances on counsel, copies, filing and service.	71	148	176	212	263	318	380

**View**

<b>10</b>	Attending view, including arranging view and attendance on counsel.	n/a	n/a	178	247	268	300	337
<b>11</b>	If the attendance exceeds half an hour - for each quarter hour thereafter.	n/a	n/a	19	50	50	50	50

**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**

<b>12</b>	Notice of discovery including filing and service.	50	83	103	121	154	180	208
<b>13</b>	Perusal of affidavit of documents and inspection of documents.	62	118	139	173	216	257	303
<b>14</b>	Affidavit of documents including instructions, attendances on counsel, copies, swearing, filing, service and production of documents for inspection.	123	259	318	380	481	567	672
<b>15</b>	Notice to produce documents including filing and service.	50	78	103	123	154	180	208

**Interrogatories**

<b>16</b>	Interrogatories for examination including instructions, attendances on counsel, copies, filing, service and perusal of answers.	100	207	251	300	377	449	519
<b>17</b>	Answers to interrogatories including perusal of interrogatories, instructions, attendances on counsel, copies, swearing, filing and service.	133	283	361	433	536	646	764

**Brief to advise**

<b>18</b>	Brief to advise including preparation of memorandum to counsel, attendances on counsel and perusal of advice.	n/a	n/a	178	247	268	300	336
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**Notices, certificates, undertakings, etc.**

<b>19</b>	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.	49	88	104	124	155	181	219
<b>20</b>	Notice to admit including perusal of admissions, copies, filing and service.	133	133	133	181	230	278	331
<b>21</b>	Admissions, including perusal of notice to admit, copies, filing and service.	133	133	133	181	230	278	331
<b>22</b>	Offer of compromise or notice of acceptance of offer including copies, filing and service.	114	114	114	171	212	254	303

**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**

<b>23</b>	Subpoena including instructions, copies and issuing.	26	42	58	58	77	92	109
<b>24</b>	Attendance on witness to arrange attendance to give evidence without subpoena, including reminders.	25	27	26	43	47	54	65
<b>25</b>	Arranging examination or inspection by an expert witness and notifying party, supplying relevant documents to witness, obtaining and perusing report.	71	73	74	111	139	166	198
<b>26</b>	Notifying party of examination or inspection arranged by opposite party.	14	14	14	53	68	83	99
<b>27</b>	Statement of expert witness (pursuant to Rule 44.03) including instructions, filing and service.	97	177	247	296	372	438	509

**Applications**

<b>28</b>	Application or summons or any notice under the Judgment Debt Recovery Act 1984 including copies, issuing and affidavit of service.	42	96	104	118	147	175	206
<b>29</b>	Application for an order under Rule 21.01 (in addition to item 1 if applicable) or 21.08 including copies and issuing.	46	46	46	46	46	46	46
<b>29A</b>	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.	101	188	254	283	380	455	528
<b>29B</b>	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.	101	188	254	283	380	455	528

**Notice of objection**

<b>30</b>	Notice of objection under the Judgment Debt Recovery Act 1984 including copies, issuing and affidavit of service.	45	45	45	45	45	45	45
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**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**

<b>31</b>	Affidavit including attendances on counsel, copies, swearing, filing and service.	100	207	251	300	377	444	518
<b>32</b>	Affidavit of service, including swearing and filing (not otherwise provided for).	43	43	43	43	43	43	43

**General preparation**

<b>33</b>	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.	404	1320	1630	1958	2448	3538	5501
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**Pre-hearing conference**

<b>34</b>	Preparation including all necessary instructions, instructions for brief for counsel or brief notes for Australian lawyer, correspondence and perusals.	98	299	400	483	598	720	823
<b>35</b>	Attendance at conference whether by counsel or Australian lawyer.	176	338	484	598	747	902	1051

**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**

<b>36</b>	Preparation including all necessary instructions, instructions for brief for counsel or brief notes for Australian lawyer, all necessary correspondence, perusals, etc.	98	293	400	483	587	705	808
<b>37</b>	Attending mediation by Australian lawyer, for first 4 hours or part thereof.	176	338	484	598	737	886	1034
<b>38</b>	For each subsequent hour.	51	96	120	140	182	220	256
<b>39</b>	Attending mediation with counsel (where necessary) per hour.	51	96	120	140	182	220	256
<b>40</b>	If Australian lawyer attends at a place more than 50 kilometres from his or her place of business, an additional fee may be allowed.							
<b>41</b>	The reasonable costs of a mediation held before the commencement of proceedings may be allowed.							

**Court attendance**

<b>42</b>	Attendance at Court or upon magistrate or officer of the Court on application, summons, appeal or to hear reserved judgment.	104	234	288	350	436	524	625
<b>43</b>	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.	176	338	485	601	753	905	1053
<b>44</b>	Attending WorkCover mentions.	158	158	158	158	158	158	158
<b>45</b>	Attendance at Court on hearing - Australian lawyer without counsel for the first 6 hours (including any luncheon adjournment).	372	747	1128	1352	1691	2020	2350
<b>46</b>	If attendance at Court exceeds 6 hours - for each hour thereafter.	80	148	176	216	268	321	376
<b>47</b>	Attendance at Court by Australian lawyer on hearing with counsel for the first 3 hours.	170	288	360	433	536	646	745
<b>48</b>	If attendance exceeds 3 hours - for each hour thereafter.	51	96	120	141	175	212	249

**Conference with counsel**

<b>49</b>	Appointment and attendance per hour (when necessary).	51	104	132	168	211	252	296
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**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**

<b>50</b>	To draw or settle any necessary document including notice before action, particulars of claim or defence (including special defence), counterclaim and interrogatories etc.	68	126	164	190	246	295	342
<b>51</b>	To confer, prepare, view or consult - per hour.	68	126	164	190	246	295	342
<b>52</b>	To advise on evidence or give opinion.	n/a	n/a	218	329	355	398	595
<b>53</b>	Brief on hearing.	449	1007	1357	1627	2030	2439	2663
<b>54</b>	For each 6 hours or part thereof after the first six hours of hearing (including any luncheon adjournment).	303	672	901	1082	1357	1620	1893
<b>55</b>	Attending mediation, for the first 4 hours or part thereof.	185	362	514	634	795	955	1113
<b>56</b>	For each subsequent hour.	56	102	125	149	201	236	278
<b>57</b>	Attending at WorkCover directions hearing.	189	367	521	644	808	971	1166
<b>57A</b>	Attending at the hearing of an application for revocation of a direction of a conciliation officer.	644	644	644	644	644	644	644

**Documents**

<b>58</b>	Drawing any document or brief (where not otherwise provided for) - per folio.	4.60	11	11	12	14	16	22
<b>59</b>	Typing any document or brief (where not otherwise provided for) - per folio.	3.00	3.00	3.00	3.00	3.00	3.00	3.00
<b>60</b>	Photocopying in a proceeding:							
	For the first 50 pages - per page	2.44	2.44	2.44	2.44	2.44	2.44	2.44
	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**

<b>61</b>	Of any document or part of a document (where not otherwise provided for) - per folio.	2.90	2.90	2.90	2.90	2.90	2.90	2.90
<b>62</b>	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**

<b>63</b>	Special letter.	43	43	43	43	43	43
<b>64</b>	Ordinary letter (including an agency letter).	30	30	30	30	30	30
<b>65</b>	Circular letter. After the first, postage may be claimed as a disbursement.	16	16	16	16	16	16

**Attendances**

<b>66</b>	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.	30	30	30	30	30	30
<b>67</b>	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.	51	51	51	51	51	51
<b>68</b>	Attendance which does not involve the exercise of skill or legal knowledge - for each quarter hour.	26	26	26	26	26	26

**Warrants, summons, etc.**

<b>69</b>	Warrant to seize property or of delivery including instructions, preparation and issuing.	57	117	139	175	219	263	309
<b>70</b>	Summons for oral examination, including instructions, preparation of summons and affidavit, issuing, arranging service, forwarding summons and affidavit to registrar with letter.	59	141	171	188	238	288	336
<b>71</b>	Proceedings for attachment of debts including all professional costs.	170	340	382	458	571	682	893
<b>72</b>	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).	303	429	462	579	725	868	1138
<b>73</b>	Form 72F, including preparation, filing and service.	51	88	104	124	155	181	210
<b>74</b>	Order to attend or to give a statement under Rule 72.04 including preparation, issuing and arranging service.	51	89	104	124	155	181	210
<b>75</b>	Registration of interstate judgment.	77	77	77	114	114	114	114



**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\***

<b>76</b>	For service of Court documents on each person to be served.	73	73	73	73	73	73
<b>77</b>	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
<b>78</b>	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.	50	50	50	50	50	50
<b>79</b>	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**

<b>80</b>	Order for substituted service including all professional costs.	150	271	322	379	478	564	655
<b>81</b>	If an advertisement in lieu of service is ordered, the necessary and reasonable costs of the advertisement in addition.							

**Witnesses' expenses**

<b>82</b>	Subject to item 82A, witnesses giving evidence in an expert or professional capacity, up to \$290 per hour or part thereof, but not to exceed \$2010 per day.  Other witnesses - up to \$72 per hour or part thereof, but not to exceed \$360 per day.							
<b>82A</b>	Witnesses giving evidence in the capacity of motor vehicle loss assessors, up to \$150 per hour or part thereof, but not to exceed \$820 per day.							

83

**Circuit fees**

- (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**

<b>Circuit town</b>	<b>Fee for first six hours</b>	<b>Further fee for further six hours of part thereafter</b>
Ararat	532	353
Benalla	564	373
Colac	446	296
Echuca	564	373
Latrobe Valley	418	278
Mansfield	446	296
Portland	615	413
Stawell	564	373
Swan Hill	564	373