



SCALE OF COSTS

EFFECTIVE 1 JANUARY 2020

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	225
(b)	\$500 to less than \$5,000	471
(c)	\$5,000 to less than \$7,500	578
(d)	\$7,500 to less than \$20,000	695
(e)	\$20,000 to less than \$40,000	863
(f)	\$40,000 to less than \$70,000	1039
(g)	\$70,000 and over	1242

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).	78	78	78	115	146	173	201
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Institution of proceedings

3	Complaint, including instructions to sue, letter before action, attendances on counsel, copies for service, issuing and attendances on process server.	225	472	579	696	864	1041	1245
4	Consent of litigation guardian including preparation of memorandum, copies and obtaining signature of litigation guardian.	n/a	n/a	168	221	225	240	254
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.	104	223	277	330	412	495	594
6	Counterclaim, third party notice, notice of contribution or any further pleading including instructions to issue, attendances on counsel, copies, filing and service.	120	248	304	364	450	543	650
7	Perusal of notice of defence, counterclaim, third party notice or any other pleading, and notice of contribution.	54	54	54	54	54	54	54

Particulars

8	Request for particulars of any document including attendances on counsel, copies, filing, service and perusal of further particulars.	79	177	215	257	321	383	456
9	Further and better particulars of any documents including perusal of request, attendances on counsel, copies, filing and service.	72	150	178	215	266	322	385

View

10	Attending view, including arranging view and attendance on counsel.	n/a	n/a	180	250	271	304	341
11	If the attendance exceeds half an hour - for each quarter hour thereafter.	n/a	n/a	19	51	51	51	51

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.	51	84	104	123	156	182	211
13	Perusal of affidavit of documents and inspection of documents.	63	120	141	175	219	260	307
14	Affidavit of documents including instructions, attendances on counsel, copies, swearing, filing, service and production of documents for inspection.	125	262	322	385	487	574	681
15	Notice to produce documents including filing and service.	51	79	104	125	156	182	211

Interrogatories

16	Interrogatories for examination including instructions, attendances on counsel, copies, filing, service and perusal of answers.	101	210	254	304	382	455	526
17	Answers to interrogatories including perusal of interrogatories, instructions, attendances on counsel, copies, swearing, filing and service.	135	287	366	439	543	654	774

Brief to advise

18	Brief to advise including preparation of memorandum to counsel, attendances on counsel and perusal of advice.	n/a	n/a	180	250	271	304	340
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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.	50	89	105	126	157	183	222
20	Notice to admit including perusal of admissions, copies, filing and service.	135	135	135	183	233	282	335
21	Admissions, including perusal of notice to admit, copies, filing and service.	135	135	135	183	233	282	335
22	Offer of compromise or notice of acceptance of offer including copies, filing and service.	115	115	115	173	215	257	307

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.	26	43	59	59	78	93	110
24	Attendance on witness to arrange attendance to give evidence without subpoena, including reminders.	25	27	26	44	48	55	66
25	Arranging examination or inspection by an expert witness and notifying party, supplying relevant documents to witness, obtaining and perusing report.	72	74	75	112	141	168	201
26	Notifying party of examination or inspection arranged by opposite party.	14	14	14	54	69	84	100
27	Statement of expert witness (pursuant to Rule 44.03) including instructions, filing and service.	98	179	250	300	377	444	516

Applications

28	Application or summons or any notice under the Judgment Debt Recovery Act 1984 including copies, issuing and affidavit of service.	43	97	105	120	149	177	209
29	Application for an order under Rule 21.01 (in addition to item 1 if applicable) or 21.08 including copies and issuing.	47	47	47	47	47	47	47
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.	102	190	257	287	385	461	535
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.	102	190	257	287	385	461	535

Notice of objection

30	Notice of objection under the Judgment Debt Recovery Act 1984 including copies, issuing and affidavit of service.	46	46	46	46	46	46	46
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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

31	Affidavit including attendances on counsel, copies, swearing, filing and service.	101	210	254	304	382	450	525
32	Affidavit of service, including swearing and filing (not otherwise provided for).	44	44	44	44	44	44	44

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.	409	1337	1651	1983	2480	3584	5573
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Pre-hearing conference

34	Preparation including all necessary instructions, instructions for brief for counsel or brief notes for Australian lawyer, correspondence and perusals.	99	303	405	489	606	729	834
35	Attendance at conference whether by counsel or Australian lawyer.	178	342	490	606	757	914	1065

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.	99	297	405	489	595	714	819
37	Attending mediation by Australian lawyer, for first 4 hours or part thereof.	178	342	490	606	747	898	1047
38	For each subsequent hour.	52	97	122	142	184	223	259
39	Attending mediation with counsel (where necessary) per hour.	52	97	122	142	184	223	259
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.	105	237	292	355	442	531	633
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.	178	342	491	609	763	917	1067
44	Attending WorkCover mentions.	160	160	160	160	160	160	160
45	Attendance at Court on hearing - Australian lawyer without counsel for the first 6 hours (including any luncheon adjournment).	377	757	1143	1370	1713	2046	2381
46	If attendance at Court exceeds 6 hours - for each hour thereafter.	81	150	178	219	271	325	381
47	Attendance at Court by Australian lawyer on hearing with counsel for the first 3 hours.	172	292	365	439	543	654	755
48	If attendance exceeds 3 hours - for each hour thereafter.	52	97	122	143	177	215	252

Conference with counsel

49	Appointment and attendance per hour (when necessary).	52	105	134	170	213	255	300
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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

50	To draw or settle any necessary document including notice before action, particulars of claim or defence (including special defence), counterclaim and interrogatories etc.	70	130	169	196	254	305	353
51	To confer, prepare, view or consult - per hour.	70	130	169	196	254	305	353
52	To advise on evidence or give opinion.	n/a	n/a	224	340	367	411	615
53	Brief on hearing.	464	1040	1402	1681	2097	2519	2751
54	For each 6 hours or part thereof after the first six hours of hearing (including any luncheon adjournment).	313	694	931	1118	1402	1673	1955
55	Attending mediation, for the first 4 hours or part thereof.	191	374	531	655	821	987	1150
56	For each subsequent hour.	58	105	129	154	208	244	287
57	Attending at WorkCover directions hearing.	195	379	538	665	835	1003	1204
57A	Attending at the hearing of an application for revocation of a direction of a conciliation officer.	665	665	665	665	665	665	665

Documents

58	Drawing any document or brief (where not otherwise provided for) - per folio.	4.70	11.1	11.1	12.2	14.2	16.2	22
59	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
60	Photocopying in a proceeding:							
	For the first 50 pages - per page	2.47	2.47	2.47	2.47	2.47	2.47	2.47
	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.	2.90	2.90	2.90	2.90	2.90	2.90	2.90
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.	44	44	44	44	44	44
64	Ordinary letter (including an agency letter).	30	30	30	30	30	30
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.	30	30	30	30	30	30
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.	52	52	52	52	52	52
68	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.

69	Warrant to seize property or of delivery including instructions, preparation and issuing.	58	119	141	177	222	266	313
70	Summons for oral examination, including instructions, preparation of summons and affidavit, issuing, arranging service, forwarding summons and affidavit to registrar with letter.	60	143	173	190	241	292	340
71	Proceedings for attachment of debts including all professional costs.	172	344	387	464	578	691	905
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).	307	435	468	587	734	879	1153
73	Form 72F, including preparation, filing and service.	52	89	105	126	157	183	213
74	Order to attend or to give a statement under Rule 72.04 including preparation, issuing and arranging service.	52	90	105	126	157	183	213
75	Registration of interstate judgment.	78	78	78	115	115	115	115

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.	74	74	74	74	74	74
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.	51	51	51	51	51	51
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.	152	275	326	384	484	571	664
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 \$290 per hour or part thereof, but not to exceed \$2040 per day. Other witnesses - up to \$72 per hour or part thereof, but not to exceed \$360 per day.							
82A	Witnesses giving evidence in the capacity of motor vehicle loss assessors, up to \$152 per hour or part thereof, but not to exceed \$831 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

Circuit town	Fee for first six hours	Further fee for further six hours of part thereafter
Ararat	539	358
Benalla	571	378
Colac	452	300
Echuca	571	378
Latrobe Valley	423	282
Mansfield	452	300
Portland	623	418
Stawell	571	378
Swan Hill	571	378