



SCALE OF COSTS

EFFECTIVE 1 APRIL 2021

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**
 - (b) **\$500 to less than \$5,000**
 - (c) **\$5,000 to less than \$7,500**
 - (d) **\$7,500 to less than \$20,000**
 - (e) **\$20,000 to less than \$40,000**
 - (f) **\$40,000 to less than \$70,000**
 - (g) **\$70,000 and over**

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

\$229
\$479
\$588
\$708
\$879
\$1,058
\$1,264

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).	79	79	79	117	149	176	205
----------	---	----	----	----	-----	-----	-----	-----

Institution of proceedings

3	Complaint, including instructions to sue, letter before action, attendances on counsel, copies for service, issuing and attendances on process server.	229	480	589	709	880	1060	1267
4	Consent of litigation guardian including preparation of memorandum, copies and obtaining signature of litigation guardian.	n/a	n/a	171	225	229	244	259
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.	106	227	282	336	419	504	605
6	Counterclaim, third party notice, notice of contribution or any further pleading including instructions to issue, attendances on counsel, copies, filing and service.	122	252	309	371	458	553	662
7	Perusal of notice of defence, counterclaim, third party notice or any other pleading, and notice of contribution.	55	55	55	55	55	55	55

Particulars

8	Request for particulars of any document including attendances on counsel, copies, filing, service and perusal of further particulars.	80	180	219	262	327	390	464
9	Further and better particulars of any documents including perusal of request, attendances on counsel, copies, filing and service.	73	153	181	219	271	328	392

View

10	Attending view, including arranging view and attendance on counsel.	n/a	n/a	183	255	276	309	347
11	If the attendance exceeds half an hour - for each quarter hour thereafter.	n/a	n/a	19	52	52	52	52

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.	52	86	106	125	159	185	215
13	Perusal of affidavit of documents and inspection of documents.	64	122	144	178	223	265	313
14	Affidavit of documents including instructions, attendances on counsel, copies, swearing, filing, service and production of documents for inspection.	127	267	328	392	496	584	693
15	Notice to produce documents including filing and service.	52	80	106	127	159	185	215

Interrogatories

16	Interrogatories for examination including instructions, attendances on counsel, copies, filing, service and perusal of answers.	103	214	259	309	389	463	535
17	Answers to interrogatories including perusal of interrogatories, instructions, attendances on counsel, copies, swearing, filing and service.	137	292	373	447	553	666	788

Brief to advise

18	Brief to advise including preparation of memorandum to counsel, attendances on counsel and perusal of advice.	n/a	n/a	183	255	276	309	346
-----------	---	-----	-----	-----	-----	-----	-----	-----

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.	51	91	107	128	160	186	226
20	Notice to admit including perusal of admissions, copies, filing and service.	137	137	137	186	237	287	341
21	Admissions, including perusal of notice to admit, copies, filing and service.	137	137	137	186	237	287	341
22	Offer of compromise or notice of acceptance of offer including copies, filing and service.	117	117	117	176	219	262	313

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	44	60	60	79	95	112
24	Attendance on witness to arrange attendance to give evidence without subpoena, including reminders.	25	27	26	45	49	56	67
25	Arranging examination or inspection by an expert witness and notifying party, supplying relevant documents to witness, obtaining and perusing report.	73	75	76	114	144	171	205
26	Notifying party of examination or inspection arranged by opposite party.	14	14	14	55	70	86	102
*	*	*	*	*	*	*	*	*

Applications

28	Application or summons or any notice under the Judgment Debt Recovery Act 1984 including copies, issuing and affidavit of service.	44	99	107	122	152	180	213
29	Application for an order under Rule 21.01 (in addition to item 1 if applicable) or 21.08 including copies and issuing.	48	48	48	48	48	48	48
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.	104	193	262	292	392	469	545
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.	104	193	262	292	392	469	545

Notice of objection

30	Notice of objection under the Judgment Debt Recovery Act 1984 including copies, issuing and affidavit of service.	47	47	47	47	47	47	47
-----------	---	----	----	----	----	----	----	----

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.	103	214	259	309	389	458	534
32	Affidavit of service, including swearing and filing (not otherwise provided for).	45	45	45	45	45	45	45

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.	416	1361	1681	2019	2525	3649	5673
-----------	---	------------	-------------	-------------	-------------	-------------	-------------	-------------

Pre-hearing conference

34	Preparation including all necessary instructions, instructions for brief for counsel or brief notes for Australian lawyer, correspondence and perusals.	101	308	412	498	617	742	849
35	Attendance at conference whether by counsel or Australian lawyer.	181	348	499	617	771	930	1084

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.	101	302	412	498	606	727	834
37	Attending mediation by Australian lawyer, for first 4 hours or part thereof.	181	348	499	617	760	914	1066
38	For each subsequent hour.	53	99	124	145	187	227	264
39	Attending mediation with counsel (where necessary) per hour.	53	99	124	145	187	227	264
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.							refer to item 40
41	The reasonable costs of a mediation held before the commencement of proceedings may be allowed.							refer to item 41

Court attendance

42	Attendance at Court or upon magistrate or officer of the Court on application, summons, appeal or to hear reserved judgment.	107	241	297	361	450	541	644
43	Attendance of Australian lawyer without counsel at a directions hearing or at a hearing of an application for revocation of a direction of a conciliation officer including a WorkCover directions hearing or at the hearing of an application for revocation of a direction of a conciliation officer.	181	348	500	620	777	934	1086
44	Attending WorkCover mentions.	163	163	163	163	163	163	163
45	Attendance at Court on hearing - Australian lawyer without counsel for the first 6 hours (including any luncheon adjournment).	384	771	1164	1395	1744	2083	2424
46	If attendance at Court exceeds 6 hours - for each hour thereafter.	82	153	181	223	276	331	388
47	Attendance at Court by Australian lawyer on hearing with counsel for the first 3 hours.	175	297	372	447	553	666	769

48	If attendance exceeds 3 hours - for each hour thereafter.	53	99	124	146	180	219	257
Conference with counsel								
49	Appointment and attendance per hour (when necessary).	53	107	136	173	217	260	305

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.	73	136	177	206	266	320	370
51	To confer, prepare, view or consult - per hour.	73	136	177	206	266	320	370
52	To advise on evidence or give opinion.	n/a	n/a	236	357	385	431	645
53	Brief on hearing.	487	1091	1471	1763	2200	2642	2886
54	*	*	*	*	*	*	*	*
55	Attending mediation, for the first 4 hours or part thereof.	200	392	557	687	861	1035	1206
56	For each subsequent hour.	61	110	135	162	218	256	301
57	Attending at WorkCover directions hearing.	205	398	564	698	876	1052	1263
57A	Attending at the hearing of an application for revocation of a direction of a conciliation officer.	698	698	698	698	698	698	698

Documents

58	Drawing any document or brief (where not otherwise provided for) - per folio.	4.80	11.3	11.3	12.4	14.5	16.5	22.4
59	Typing any document or brief (where not otherwise provided for) - per folio.	3.10	3.10	3.10	3.10	3.10	3.10	3.10
60	Photocopying in a proceeding:							
	For the first 50 pages - per page	refer to item 60						
	For further copies after the first 50 pages - per page							

Perusals

61	Of any document or part of a document (where not otherwise provided for) - per folio.	3.00	3.00	3.00	3.00	3.00	3.00	3.00
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.	45	45	45	45	45	45	45
64	Ordinary letter (including an agency letter).	31	31	31	31	31	31	31
65	Circular letter. After the first, postage may be claimed as a disbursement.	16	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.	31	31	31	31	31	31	31
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.	53	53	53	53	53	53	53
68	Attendance which does not involve the exercise of skill or legal knowledge - for each quarter hour.	26	26	26	26	26	26	26

Warrants, summons, etc.

69	Warrant to seize property or of delivery including instructions, preparation and issuing.	59	121	144	180	226	271	319
70	Summons for oral examination, including instructions, preparation of summons and affidavit, issuing, arranging service, forwarding summons and affidavit to registrar with letter.	61	146	176	193	245	297	346
71	Proceedings for attachment of debts including all professional costs.	175	350	394	472	588	703	921
72	Summons for attachment of earnings, including instructions, preparation of summons, affidavit and Form 72A, issuing summons, arranging service, forwarding	313	443	476	598	747	895	1174

	summons and affidavit to registrar with a letter (including affidavit of service).						
73	Form 72F, including preparation, filing and service.	53	91	107	128	160	217
74	Order to attend or to give a statement under Rule 72.04 including preparation, issuing and arranging service.	53	92	107	128	160	217
75	Registration of interstate judgment.	79	79	79	117	117	227

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.	75	75	75	75	75	75
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.	52	52	52	52	52	52
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.	refer to item 79					

***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.	155	280	332	391	493	581	676
-----------	---	------------	------------	------------	------------	------------	------------	------------

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 \$295 per hour or part thereof, but not to exceed \$2077 per day.							
-----------	---	--	--	--	--	--	--	--

Other witnesses -

up to \$71 per hour or part thereof, but not to exceed \$366 per day.

82A	Witnesses giving evidence in the capacity of motor vehicle loss assessors, up to \$155 per hour or part thereof, but not to exceed \$846 per day.							
------------	---	--	--	--	--	--	--	--

Circuit fees

83	<p>(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;</p> <p>(b) A circuit fee must be calculated on the same time basis as a fee for counsel on the hearing of a proceeding;</p> <p>(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</p>							
-----------	--	--	--	--	--	--	--	--

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
Ararat	565
Benalla	599
Colac	474
Echuca	599
Latrobe Valley	444
Mansfield	474
Portland	654
Stawell	599
Swan Hill	599