



## SCALE OF COSTS

**EFFECTIVE 1 JANUARY 2022**

*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**

\$232  
\$486  
\$596  
\$718  
\$891  
\$1,073  
\$1,282

**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).	80	80	80	119	151	178	208
----------	---	----	----	----	-----	-----	-----	-----

**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.	232	487	597	719	892	1075	1285
<b>4</b>	Consent of litigation guardian including preparation of memorandum, copies and obtaining signature of litigation guardian.	n/a	n/a	173	228	232	247	263
<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.	107	230	286	341	425	511	613
<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.	124	256	313	376	464	561	671
<b>7</b>	Perusal of notice of defence, counterclaim, third party notice or any other pleading, and notice of contribution.	56	56	56	56	56	56	56

**Particulars**

<b>8</b>	Request for particulars of any document including attendances on counsel, copies, filing, service and perusal of further particulars.	81	183	222	266	332	395	470
<b>9</b>	Further and better particulars of any documents including perusal of request, attendances on counsel, copies, filing and service.	74	155	184	222	275	333	397

**View**

<b>10</b>	Attending view, including arranging view and attendance on counsel.	n/a	n/a	186	259	280	313	352
<b>11</b>	If the attendance exceeds half an hour - for each quarter hour thereafter.	n/a	n/a	19	53	53	53	53

**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.	53	87	107	127	161	188	218
<b>13</b>	Perusal of affidavit of documents and inspection of documents.	65	124	146	180	226	269	317
<b>14</b>	Affidavit of documents including instructions, attendances on counsel, copies, swearing, filing, service and production of documents for inspection.	129	271	333	397	503	592	703
<b>15</b>	Notice to produce documents including filing and service.	53	81	107	129	161	188	218

**Interrogatories**

<b>16</b>	Interrogatories for examination including instructions, attendances on counsel, copies, filing, service and perusal of answers.	104	217	263	313	394	469	542
<b>17</b>	Answers to interrogatories including perusal of interrogatories, instructions, attendances on counsel, copies, swearing, filing and service.	139	296	378	453	561	675	799

**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	186	259	280	313	351
-----------	---	-----	-----	-----	-----	-----	-----	-----

**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.	52	92	108	130	162	189	229
<b>20</b>	Notice to admit including perusal of admissions, copies, filing and service.	139	139	139	189	240	291	346
<b>21</b>	Admissions, including perusal of notice to admit, copies, filing and service.	139	139	139	189	240	291	346
<b>22</b>	Offer of compromise or notice of acceptance of offer including copies, filing and service.	119	119	119	178	222	266	317

**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	45	61	61	80	96	114
<b>24</b>	Attendance on witness to arrange attendance to give evidence without subpoena, including reminders.	25	27	28	46	50	57	68
<b>25</b>	Arranging examination or inspection by an expert witness and notifying party, supplying relevant documents to witness, obtaining and perusing report.	74	76	77	116	146	173	208
<b>26</b>	Notifying party of examination or inspection arranged by opposite party.	14	14	14	56	71	87	103
*	*	*	*	*	*	*	*	*

**Applications**

<b>28</b>	Application or summons or any notice under the Judgment Debt Recovery Act 1984 including copies, issuing and affidavit of service.	45	100	108	124	154	183	216
<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.	49	49	49	49	49	49	49
<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.	105	196	266	296	397	476	553
<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.	105	196	266	296	397	476	553

**Notice of objection**

<b>30</b>	Notice of objection under the Judgment Debt Recovery Act 1984 including copies, issuing and affidavit of service.	48	48	48	48	48	48	48
-----------	---	----	----	----	----	----	----	----

**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.	104	217	263	313	394	464	541
<b>32</b>	Affidavit of service, including swearing and filing (not otherwise provided for).	46	46	46	46	46	46	46

**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.	422	1380	1705	2047	2560	3700	5752
-----------	---	-----	------	------	------	------	------	------

**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.	102	312	418	505	626	752	861
<b>35</b>	Attendance at conference whether by counsel or Australian lawyer.	184	353	506	626	782	943	1099

**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.	102	306	418	505	614	737	846
<b>37</b>	Attending mediation by Australian lawyer, for first 4 hours or part thereof.	184	353	506	626	771	927	1081
<b>38</b>	For each subsequent hour.	54	100	126	147	190	230	268
<b>39</b>	Attending mediation with counsel (where necessary) per hour.	54	100	126	147	190	230	268
<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.	108	244	301	366	456	549	653
<b>43</b>	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.	184	353	507	629	788	947	1101
<b>44</b>	Attending WorkCover mentions.	165	165	165	165	165	165	165
<b>45</b>	Attendance at Court on hearing - Australian lawyer without counsel for the first 6 hours (including any luncheon adjournment).	389	782	1180	1415	1768	2112	2458
<b>46</b>	If attendance at Court exceeds 6 hours - for each hour thereafter.	83	155	184	226	280	336	393
<b>47</b>	Attendance at Court by Australian lawyer on hearing with counsel for the first 3 hours.	177	301	377	453	561	675	780
<b>48</b>	If attendance exceeds 3 hours - for each hour thereafter.	54	100	126	148	183	222	261

**Conference with counsel**

<b>49</b>	Appointment and attendance per hour (when necessary).	54	108	138	175	220	264	309
-----------	---	----	-----	-----	-----	-----	-----	-----

**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.	74	138	180	209	270	325	376
<b>51</b>	To confer, prepare, view or consult - per hour.	74	138	180	209	270	325	376
<b>52</b>	To advise on evidence or give opinion.	n/a	n/a	240	362	391	437	655
<b>53</b>	Brief on hearing.	494	1107	1493	1789	2233	2682	2929
<b>54</b>	*	*	*	*	*	*	*	*
<b>55</b>	Attending mediation, for the first 4 hours or part thereof.	203	398	565	697	874	1051	1224
<b>56</b>	For each subsequent hour.	62	112	137	164	221	260	306
<b>57</b>	Attending at WorkCover directions hearing.	208	404	572	708	889	1068	1282
<b>57A</b>	Attending at the hearing of an application for revocation of a direction of a conciliation officer.	708	708	708	708	708	708	708

**Documents**

<b>58</b>	Drawing any document or brief (where not otherwise provided for) - per folio.	4.90	11.50	12.00	12.60	14.70	16.70	22.70
<b>59</b>	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
<b>60</b>	Photocopying in a proceeding:							
	For the first 50 pages - \$2.55 per page							
	For further copies after the first 50 pages - 72 cents per page							

**Perusals**

<b>61</b>	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
<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.	46	46	46	46	46	46
<b>64</b>	Ordinary letter (including an agency letter).	31	31	31	31	31	31
<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.	31	31	31	31	31	31
<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.	54	54	54	54	54	54
<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.	60	123	146	183	229	275	323
<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.	62	148	178	196	248	301	351
<b>71</b>	Proceedings for attachment of debts including all professional costs.	177	355	400	479	596	713	934
<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).	317	449	483	606	757	908	1190
<b>73</b>	Form 72F, including preparation, filing and service.	54	93	108	130	162	189	220
<b>74</b>	Order to attend or to give a statement under Rule 72.04 including preparation, issuing and arranging service.	54	93	108	130	162	189	220
<b>75</b>	Registration of interstate judgment.	80	80	80	119	119	119	119



**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.	76	76	76	76	76	76
<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.	53	53	53	53	53	53
<b>79</b>	In addition to the abovementioned service fees an allowance at the rate of 72 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**

<b>80</b>	Order for substituted service including all professional costs.	<b>157</b>	<b>284</b>	<b>337</b>	<b>396</b>	<b>500</b>	<b>589</b>	<b>685</b>
<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 \$299 per hour or part thereof, but not to exceed \$2106 per day.  Other witnesses - up to \$74 per hour or part thereof, but not to exceed \$372 per day.							
<b>82A</b>	Witnesses giving evidence in the capacity of motor vehicle loss assessors, up to \$157 per hour or part thereof, but not to exceed \$858 per day.							

**Circuit fees**

<b>83</b>	<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 must be allowed in any one day in relation to any proceeding or matter;</p> <p>(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.</p>							
-----------	--	--	--	--	--	--	--	--

**TABLE 2**

<b>Circuit town</b>	<b>Fee for first six hours</b>
Ararat	573
Benalla	607
Colac	481
Echuca	607
Mansfield	481
Portland	663
Stawell	607
Swan Hill	607