



SCALE OF COSTS

EFFECTIVE 1 JANUARY 2023

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

\$246
\$516
\$633
\$761
\$945
\$1,138
\$1,360

TABLE 1 LEGEND - SCALE CLAIM AMOUNTS

	A	B	C	D	E	F	G
		\$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).	85	85	85	126	160	189	220
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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.	246	517	634	762	946	1140	1364
4	Consent of litigation guardian including preparation of memorandum, copies and obtaining signature of litigation guardian.	n/a	n/a	184	242	246	263	278
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.	114	244	303	361	451	542	651
6	Counterclaim, third party notice, notice of contribution or any further pleading including instructions to issue, attendances on counsel, copies, filing and service.	131	272	333	399	493	595	712
7	Perusal of notice of defence, counterclaim, third party notice or any other pleading, and notice of contribution.	59	59	59	59	59	59	59

Particulars

8	Request for particulars of any document including attendances on counsel, copies, filing, service and perusal of further particulars.	87	194	235	281	352	419	499
9	Further and better particulars of any documents including perusal of request, attendances on counsel, copies, filing and service.	79	164	195	235	291	353	422

View

10	Attending view, including arranging view and attendance on counsel.	n/a	n/a	197	274	297	333	373
11	If the attendance exceeds half an hour - for each quarter hour thereafter.	n/a	n/a	21	56	56	56	56

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.	56	92	114	135	171	199	231
13	Perusal of affidavit of documents and inspection of documents.	69	131	154	192	240	285	336
14	Affidavit of documents including instructions, attendances on counsel, copies, swearing, filing, service and production of documents for inspection.	137	287	353	422	533	629	746
15	Notice to produce documents including filing and service.	56	87	114	137	171	199	231

Interrogatories

16	Interrogatories for examination including instructions, attendances on counsel, copies, filing, service and perusal of answers.	111	230	278	333	418	498	576
17	Answers to interrogatories including perusal of interrogatories, instructions, attendances on counsel, copies, swearing, filing and service.	148	314	401	481	595	716	848

Brief to advise

18	Brief to advise including preparation of memorandum to counsel, attendances on counsel and perusal of advice.	n/a	n/a	197	274	279	333	372
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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.	55	97	115	138	172	200	243
20	Notice to admit including perusal of admissions, copies, filing and service.	148	148	148	200	255	309	367
21	Admissions, including perusal of notice to admit, copies, filing and service.	148	148	148	200	255	309	367
22	Offer of compromise or notice of acceptance of offer including copies, filing and service.	126	126	126	189	235	281	336

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.	28	47	65	65	85	102	120
24	Attendance on witness to arrange attendance to give evidence without subpoena, including reminders.	27	29	30	48	53	60	72
25	Arranging examination or inspection by an expert witness and notifying party, supplying relevant documents to witness, obtaining and perusing report.	79	81	82	123	154	184	220
26	Notifying party of examination or inspection arranged by opposite party.	15	15	15	59	76	92	110
*	*	*	*	*	*	*	*	*

Applications

28	Application or summons or any notice under the Judgment Debt Recovery Act 1984 including copies, issuing and affidavit of service.	47	106	115	131	163	194	229
29	Application for an order under Rule 21.01 (in addition to item 1 if applicable) or 21.08 including copies and issuing.	51	51	51	51	51	51	51
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.	112	208	281	314	422	505	586
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.	112	208	281	314	422	505	586

Notice of objection

30	Notice of objection under the Judgment Debt Recovery Act 1984 including copies, issuing and affidavit of service.	50	50	50	50	50	50	50
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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.	111	230	278	333	418	493	575
32	Affidavit of service, including swearing and filing (not otherwise provided for).	48	48	48	48	48	48	48

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.	448	1464	1808	2172	2716	3925	6104
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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.	108	332	444	536	664	798	913
35	Attendance at conference whether by counsel or Australian lawyer.	195	375	537	664	829	1001	1166

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.	108	325	444	536	652	782	897
37	Attending mediation by Australian lawyer, for first 4 hours or part thereof.	195	375	537	664	818	984	1147
38	For each subsequent hour.	57	106	134	156	202	244	284
39	Attending mediation with counsel (where necessary) per hour.	57	106	134	156	202	244	284
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.	115	260	320	389	484	582	693
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.	195	375	538	667	836	1004	1169
44	Attending WorkCover mentions.	175	175	175	175	175	175	175
45	Attendance at Court on hearing - Australian lawyer without counsel for the first 6 hours (including any luncheon adjournment).	413	829	1252	1500	1876	2241	2608
46	If attendance at Court exceeds 6 hours - for each hour thereafter.	89	164	195	240	297	356	417
47	Attendance at Court by Australian lawyer on hearing with counsel for the first 3 hours.	188	320	481	453	595	716	827
48	If attendance exceeds 3 hours - for each hour thereafter.	57	106	134	157	194	235	276

Conference with counsel

49	Appointment and attendance per hour (when necessary).	57	115	147	186	233	279	329
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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.							
	76	140	183	212	274	330	381	
51	To confer, prepare, view or consult - per hour.							
	76	140	183	212	274	330	381	
52	To advise on evidence or give opinion.							
	n/a	n/a	242	367	397	444	665	
53	Brief on hearing.							
	501	1124	1515	1817	2266	2722	2973	
54	*							
	*	*	*	*	*	*	*	
55	Attending mediation, for the first 4 hours or part thereof.							
	206	404	574	708	887	1067	1243	
56	For each subsequent hour.							
	63	113	139	166	225	264	310	
57	Attending at WorkCover directions hearing.							
	211	410	581	719	902	1084	1301	
57A	Attending at the hearing of an application for revocation of a direction of a conciliation officer.							
	719	719	719	719	719	719	719	
Documents								
58	Drawing any document or brief (where not otherwise provided for) - per folio.							
	5.10	12.20	12.20	13.40	15.60	17.70	24.10	
59	Typing any document or brief (where not otherwise provided for) - per folio.							
	3.30	3.30	3.30	3.30	3.30	3.30	3.30	
60	Photocopying in a proceeding: For the first 50 pages - \$2.70 per page For further copies after the first 50 pages - 76 cents per page							
Perusals								
61	Of any document or part of a document (where not otherwise provided for) - per folio.							
	3.20	3.20	3.20	3.20	3.20	3.20	3.20	
62	Examination or scanning any document which is not necessary to peruse - per folio.							
	1.50	1.50	1.50	1.50	1.50	1.50	1.50	

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

Correspondence

63	Special letter.	48	48	48	48	48	48
64	Ordinary letter (including an agency letter).	33	33	33	33	33	33
65	Circular letter. After the first, postage may be claimed as a disbursement.	18	18	18	18	18	18

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.	33	33	33	33	33	33
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.	57	57	57	57	57	57
68	Attendance which does not involve the exercise of skill or legal knowledge - for each quarter hour.	28	28	28	28	28	28

Warrants, summons, etc.

69	Warrant to seize property or of delivery including instructions, preparation and issuing.	64	130	154	194	243	291	343
70	Summons for oral examination, including instructions, preparation of summons and affidavit, issuing, arranging service, forwarding summons and affidavit to registrar with letter.	66	157	189	208	264	320	372
71	Proceedings for attachment of debts including all professional costs.	188	377	424	508	633	757	991
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).	336	476	513	643	804	963	1263
73	Form 72F, including preparation, filing and service.	57	97	115	138	172	200	233
74	Order to attend or to give a statement under Rule 72.04 including preparation, issuing and arranging service.	57	97	115	138	172	200	233
75	Registration of interstate judgment.	85	85	85	126	126	126	126

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.	81	81	81	81	81	81
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.	14	14	14	14	14	14
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.	56	56	56	56	56	56
79	In addition to the abovementioned service fees an allowance at the rate of 76 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 76 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.	166	301	357	421	530	625	727
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 \$299 per hour or part thereof, but not to exceed \$2234 per day. Other witnesses - up to \$74 per hour or part thereof, but not to exceed \$394 per day.							
82A	Witnesses giving evidence in the capacity of motor vehicle loss assessors, up to \$157 per hour or part thereof, but not to exceed \$910 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; (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.							
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TABLE 2

Circuit town	Fee for first six hours
Ararat	582
Benalla	617
Colac	489
Echuca	617
Mansfield	489
Portland	674
Stawell	617
Swan Hill	617