



Local Court Rules

"SECOND SCHEDULE

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A. Where the subject-matter does not exceed . . . . .	2,000
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1. Summons except interlocutory summons . . . . .	50
2. Appearance other than appearance stating grounds of defence . . . . .	10
3. Appearance stating grounds of defence . . . . .	40
4. Affidavit of good defence where no grounds of defence previously stated . . . . .	40
5. Each attendance in Court or in chambers, or before a Judge, Magistrate, Justice or Commissioner upon an application or for examination - Per hour or part of an hour . . . . .	20
6. Getting up case for trial . . . . .	100
7. Counsel's fee - on brief including the first 5 hours in court . . . . .	200
Subsequent hour or part of an hour in court . . . . .	40
Where counsel's fee is allowed, an amount shall not be allowed under item 5 in respect of attendance in Court at the trial of the action	
8. Interrogatories and perusing answers . . . . .	15
9. Answers to interrogatories . . . . .	15
10. Request to admit or admissions pursuant to request	15
11. Request for discovery . . . . .	15
12. List of documents on discovery . . . . .	15
13. Unsatisfied judgment summons . . . . .	15
14. Application for warrant . . . . .	15
15. Application for order for attachment of debts, application for order for commission . . . . .	15

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16. Replevin bond . . . . .	15
17. Notice under Part X or filing affidavit under Part X	15
18. Taxing costs . . . . .	15
19. Obtaining or registering a certificate of judgment or preparing an order for commission for signature . .	10

These allowances include in each case, where appropriate, the instructions for and preparation of documents to lead to issue, attendances to issue, file and serve and copies for counsel to settle and for brief.

	\$	\$
B. Where the subject-matter exceeds . . . . .	2,000	5,000
but does not exceed . . . . .	5,000	-

Documents

1. Summons except interlocutory summons ..	135	150
2. Appearance other than appearance stating grounds of defence . . . . .	10	10
3. Appearance stating grounds of defence ..	100	140
4. Affidavit of good defence where no grounds of defence previously stated ..	100	140
5. Defence to counter-claim . . . . .	25	30
6. Reply when, in opinion of the Taxing Officer, it was necessary to file one ..	15	20
7. Summons to witness . . . . .	10	15
8. Interpleader summons . . . . .	20	25
9. Third party notice . . . . .	25	30

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B. Where the subject-matter exceeds . . . . .	2,000	5,000
but does not exceed . . . . .	5,000	-
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10. Contribution notice . . . . .	20	25
11. Interrogatories and perusing answers . . . . .	45	65
12. Answers to interrogatories . . . . .	45	65
13. Notice to admit or admissions pursuant to notice . . . . .	20	25
14. Request for discovery . . . . .	15	20
15. List of documents on discovery . . . . .	25	30
16. Notice to produce . . . . .	15	20
17. Notice of admission of liability or payment into Court . . . . .	15	20
18. Request for judgment . . . . .	15	20
19. Notice to found action . . . . .	15	20
20. Notice by claimant to bailiff under Part X	15	20

These allowances include in each case, where appropriate, the instructions for and preparation of documents to lead to issue, attendances to issue, file and serve and copies for counsel to settle and for brief.

Attendances

21. To sign judgment in default . . . . .	10	15
22. In Court where, in the opinion of the Taxing Officer, the attendance of a solicitor as well as counsel is justified -		
Per hour or part of hour . . . . .	20	25
23. To accept service of summons and under- take to appear . . . . .	5	10
24. On counsel on conference . . . . .	25	30
25. To obtain certificate of judgment or order under section 156 . . . . .	10	15

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B. Where the subject-matter exceeds ... ..	2,000	5,000
but does not exceed ... ..	5,000	-
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26. To register certificate of judgment or order under section 157 ... ..	10	15
27. To produce or inspect documents of which discovery has been given or with respect to which a notice to admit has been given	30	40
28. Arranging attendances of witness at Court without summons ... ..	7	10
29. To issue unsatisfied judgment summons including, where necessary, affidavit to lead to issue and attending hearing ..	20	25
30. To issue a warrant for sale of land under section 138 ... ..	30	35
31. To issue any other warrant ... ..	20	25
32. To tax costs... ..	20	25
33. To review taxation of costs ... ..	20	25

These fees include, where necessary, the preparation of documents to lead to issue of the appropriate documents from the Court.

Instructions

34. For counsel to advise on evidence or furnish an opinion including necessary documents and attendance on counsel ..	25	30
35. For brief including all attendances on and correspondence with the party and his witnesses and attendances on and correspondence with another party or his solicitor not otherwise charged and including all necessary perusals and work in connection with the preparation for hearing (whether or not a formal brief is actually delivered):		

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B. Where the subject-matter exceeds . . . .	2,000	5,000
but does not exceed . . . .	5,000	-
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Such sum as the Taxing Officer thinks proper but not exceeding . . . . .	300	450
Provided that in exceptional cases the Taxing Officer may allow an amount not exceeding . . . . .	500	600

Counsel Fees

36. To settle summons, appearance, defence, counter-claim, reply, third party notice, interrogatories or answers to interrogatories when, in the opinion of the Taxing Officer, such settling was reasonably necessary . . . .	30	40
37. On conference . . . . .	30	40
38. To advise on evidence . . . . .	30	40
39. On opinion as to compromise requiring approval of Court:		
Such sum as the Taxing Officer thinks proper but not exceeding . . . . .	70	100
40. On brief including the first 5 hours in court . . . . .	275	350
Subsequent hour or part of an hour in court . . . . .	40	50
41. On brief when it was proper to deliver brief but action settled before hearing called on in Court for consent judgment, (this fee to include advice as to settlement). . . . .	150	200
42. To hear judgment if further argument required on a matter other than costs . .	30	40

Disbursements

Such out-of-pocket expenses as are not otherwise provided for in the Act or Rules properly incurred, as the Judge, Magistrate or Taxing Officer shall allow.

## Local Court Rules

For service of a document a practitioner shall be entitled to the same fee as that allowed to a bailiff.

As between party and party, the amount recoverable or the value of the property in litigation shall regulate the scale of the plaintiff's costs, and the amount claimed or the value of the property in litigation shall regulate the scale of the defendant's costs.

As between solicitor and client, the amount claimed or the value of the property in litigation shall regulate the scale without reference to the result.

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### 3. APPLICATION

The Local Court Rules as amended by these Rules apply in relation to causes, matters or proceedings commenced or instituted on or after the date of commencement of these Rules and, notwithstanding an amendment effected by these Rules, the Local Court Rules, as in force immediately before that date, continue to apply in respect of causes, matters or proceedings commenced or instituted before that date as though these Rules (other than this rule) had not come into operation.

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