

# Scale of fees – civil law

## Child protection

### STAGE 1 – Initial advice and assistance

|  | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|--|---|-------------------------|--------------------------|
|  | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Prepare and attend</b>  |   |                         |                          |
| Initial assistance – includes reading material, provide initial advice, attend a mention                             | 4   | 600.00                  | –                        |
| Review case plan/draft material, attend family group meeting/ case plan review meeting, attend a mention             | 5   | 750.00                  | –                        |
| Initiate or respond to an application to vary or revoke a final order, review and prepare material, attend a mention | 7   | 1050.00                 | –                        |
| Additional attendances   | 2   | 300.00                  | –                        |
| Additional preparation   | 3   | 450.00                  | –                        |
| Inspect the court file (separate representative only)  | 6   | 900.00                  | –                        |
| Inspect the department 's file (separate representative only)  | 4   | 600.00                  | –                        |

## Child protection

### STAGE 2 – Litigation

|  | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|--|---|-------------------------|--------------------------|
|  | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Prepare and attend</b>  |   |                         |                          |
| Attend court ordered conference, attend a mention                                  | 5   | 750.00                  | –                        |
| Prepare and attend family group meeting/case plan review meeting, attend a mention | 4   | 600.00                  | –                        |
| Prepare and attend at an interim hearing   | 6   | 900.00                  | 1226.00                  |
| Additional appearances at court  | 2   | 300.00                  | –                        |

## Child protection

### STAGE 3 – Prepare for hearing

|  | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|--|---|-------------------------|--------------------------|
|  | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Prepare and attend</b>  |   |                         |                          |
| Contested hearing preparation, attendance at 2 mentions (solicitor)                | 14  | 2100.00                 | –                        |
| Contested hearing preparation (counsel)  | –   | –                       | 1226.00                  |
| Prepare and attend family group meeting/case plan review meeting, attend a mention | 4   | 600.00                  | –                        |
| Additional preparation (counsel)   | –   | –                       | 613.00                   |
| Additional appearances at court  | 2   | 300.00                  | –                        |

## Child protection

### STAGE 4 – Attend hearing/assistance after final orders

|   | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|---|---|-------------------------|--------------------------|
|   | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Prepare and attend</b>   |   |                         |                          |
| Attend day of hearing   | 6   | 900.00                  | 1226.00                  |
| Additional preparation for adjourned hearing                                | 4   | 600.00                  | 831.00                   |
| Post order negotiation with department, attendance at case planning meeting | 5   | 750.00                  | –                        |

## Child protection

### STAGE 5 – Appeal of an order

|   | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees (\$204 per hour)</i> |
|---|---|-------------------------|--------------------------------------|
|   | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b>             |
| <b>Prepare and attend</b>               |   |                         |                                      |
| Prepare and attend day one of appeal    | 10  | 1500.00                 | 2043.00                              |
| Attendance at additional days of appeal | 6   | 900.00                  | 1226.00                              |
| Additional preparation (per hour)       | 1   | Hourly rate             | Hourly rate                          |

## Child protection – QCAT

|  | <i>Solicitor fees (\$150.00 per hour)</i> |                         |
|--|---|-------------------------|
|  | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> |
| Peruse filed material (separate representative only) | 4   | 600.00                  |
| <b>Prepare and attend</b>                            |   |                         |
| Negotiation and case planning (including mentions)   | 5   | 750.00                  |
| Preliminary mention/hearing/conference               | 5   | 750.00                  |
| Hearing (day one)                                    | 10  | 1500.00                 |
| Additional days of hearing                           | 6   | 900.00                  |

## Domestic violence

|   | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|---|---|-------------------------|--------------------------|
|   | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Preparation</b>                          |   |                         |                          |
| Apply, respond or vary and application      | 10  | 1500.00                 | –                        |
| Prepare for and attend contested hearing    | 12  | 1800.00                 | 1226.00                  |
| Attend additional days of contested hearing | 6   | 900.00                  | 1226.00                  |

## Employment Law

|   | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|---|---|-------------------------|--------------------------|
|   | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Fair Work Commission</b>                         |   |                         |                          |
| Prepare and lodge Application                       | 3   | 450.00                  | –                        |
| Prepare and attend conciliation conference          | 8   | 1200.00                 | –                        |
| Obtain opinion from counsel on an employment matter | 2   | 300.00                  | 451.00                   |
| Prepare and attend day one of hearing               | 18  | 2700.00                 | 2308.00                  |
| Additional day of hearing                           | 6   | 900.00                  | 940.00                   |

|   | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|---|---|-------------------------|--------------------------|
|   | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Federal Court</b>  |   |                         |                          |
| Prepare and attend day one of hearing   | 18  | 2700.00                 | 2349.00                  |
| Additional day of hearing   | 6   | 900.00                  | 940.00                   |
| Arbitration in relation to general protection issues as an alternative to Federal Court | 12  | 1800.00                 | –                        |

## Peace and good behaviour

|                                  | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|----------------------------------|---|-------------------------|--------------------------|
|                                  | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Prepare and attend</b>        |   |                         |                          |
| Peace and good behaviour hearing | 6   | 900.00                  | –                        |

## Consumer protection

|  | <i>Solicitor fees</i> |                         | <i>Counsel fees</i>      |
|--|-----------------------|-------------------------|--------------------------|
|  | <b>Maximum hours</b>  | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Prepare and attend</b>  |                       |                         |                          |
| Alternative dispute resolution tribunal  | –                     | 1200.00                 | –                        |
| Lodging a complaint to the ombudsman   | –                     | 1800.00                 | –                        |
| Conduct involved negotiations in relation to a consumer dispute                              | –                     | 1500.00                 | –                        |
| Investigation and representation in a commonwealth consumer protection matter                | –                     | 300.00                  | –                        |
| Representation at a lawyer assisted negotiation in a commonwealth consumer protection matter | –                     | 450.00                  | –                        |
| <b>Obtain counsel's opinion</b>  |                       |                         |                          |
| In respect of issues arising out of a consumer dispute                                       | 4                     | 600.00                  | 515.00                   |
| In respect of issues arising out of a complex consumer dispute                               | 4                     | 600.00                  | 1218.00                  |

## Dangerous prisoner

|  | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|--|---|-------------------------|--------------------------|
|  | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Obtain counsel's opinion</b>  |   |                         |                          |
| Prospects of success in relation to an application in line with the <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i>     | 4   | 600.00                  | 856.00                   |
| Respond to all Crown applications for initiating, contravention, extension or annual review, including any preliminary hearing | 10  | 1500.00                 | 1926.00                  |
| Final hearing (day one)  | 8   | 1200.00                 | 1637.00                  |
| Preliminary or final hearing (additional day)  | 6   | 900.00                  | 1304.00                  |
| Application for amendment of the conditions of a supervision order   | 8   | 1200.00                 | 856.00                   |
| Exceptional circumstances application  | 4   | 600.00                  | 856.00                   |
| Additional court mandated mentions/reviews   | 2   | 300.00                  | 428.00                   |
| Additional preparation   | 20  | 3000.00                 | 3424.00                  |

## Dangerous prisoner appeal

|                           | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|---------------------------|---|-------------------------|--------------------------|
|                           | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Prepare and attend</b> |   |                         |                          |
| Court of Appeal           | 11  | 1650.00                 | 2268.00                  |
| Additional days of appeal | 6   | 900.00                  | 1304.00                  |

## Community safety orders

|  | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|--|---|-------------------------|--------------------------|
|  | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Prepare and attend</b>  |   |                         |                          |
| Respond to all applications for initiating, variation, or periodic review, including any preliminary hearing | 10  | 1500.00                 | 1926.00                  |
| Final hearing (day one)  | 8   | 1200.00                 | 1637.00                  |
| Preliminary or final hearing (additional day)  | 6   | 900.00                  | 1304.00                  |
| File or respond to application in a proceeding   | 8   | 1200.00                 | 1304.00                  |
| Additional procedural hearings / mentions  | 2   | 300.00                  | 428.00                   |
| Additional preparation   | 20  | 3000.00                 | 3424.00                  |

## Community safety orders appeal

|   | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|---|---|-------------------------|--------------------------|
|   | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Obtain counsel's opinion</b>               |   |                         |                          |
| Prospects of success in relation to an appeal | 4   | 600.00                  | 856.00                   |
| <b>Prepare and attend</b>                     |   |                         |                          |
| Court of Appeal                               | 11  | 1650.00                 | 2268.00                  |
| Additional days of appeal                     | 6   | 900.00                  | 1304.00                  |

## Equal opportunities and anti-discrimination

|  | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|--|---|-------------------------|--------------------------|
|  | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>QCAT or Federal Circuit Court</b>         |   |                         |                          |
| Prepare and lodge a complaint                | 3   | 450.00                  | –                        |
| Conciliation conference                      | 4   | 600.00                  | –                        |
| Prepare and attend day one of hearing        | 18  | 2700.00                 | 1802.00                  |
| Prepare and attend additional day of hearing | 6   | 900.00                  | 1064.00                  |
| Conference                                   | –   | –                       | 219.00                   |

|   | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|---|---|-------------------------|--------------------------|
|   | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Federal Court</b>  |   |                         |                          |
| Prepare for and attend day one of a discrimination hearing        | 18  | 2700.00                 | 1846.00                  |
| Prepare for and attend additional day of a discrimination hearing | 6   | 900.00                  | 878.00                   |
| Conference  | –   | –                       | 248.00                   |

## Inquests/coronial inquiries

|  | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|--|---|-------------------------|--------------------------|
|  | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Prepare and attend</b>                          |   |                         |                          |
| Inquest/coronial inquiry (day one)                 | 9   | 1350.00                 | –                        |
| Inquest/coronial inquiry (additional day)          | 6   | 900.00                  | –                        |
| <b>Prepare and attend when instructing counsel</b> |   |                         |                          |
| Inquest/coronial inquiry (day one)                 | 14  | 2100.00                 | 1610.00                  |
| Inquest/coronial inquiry (additional day)          | 6   | 900.00                  | 1156.00                  |

## Mental Health Court

|  | <i>Solicitor fees</i>   | <i>Counsel fees</i>      |
|--|-------------------------|--------------------------|
|  | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Obtain counsel's opinion</b>                  |                         |                          |
| Prospects of referral to the Mental Health Court | 1500.00                 | 1942.00                  |
| <b>Prepare and attend</b>                        |                         |                          |
| Mental Health Court (day one)                    | 3750.00                 | 4922.00                  |
| Mental Health Court (additional day)             | 900.00                  | 1304.00                  |
| Appeal before the Mental Health Court            | 1050.00                 | 1808.00                  |

## Mental Health Review Tribunal

|                               | <i>Solicitor fees (\$150.00 per hour)</i> |                  | <i>Counsel fees</i> |
|-------------------------------|---|------------------|---------------------|
|                               | Maximum hours                             | Maximum fee (\$) | Fee on brief (\$)   |
| <b>Prepare and attend</b>     |   |                  |                     |
| Mental Health Review Tribunal | 5   | 750.00           | 626.00              |

## Proceeds of Crime (State)

|  | <i>Solicitor fees (\$150.00 per hour)</i> |                  | <i>Counsel fees</i> |
|--|---|------------------|---------------------|
|  | Maximum hours                             | Maximum fee (\$) | Fee on brief (\$)   |
| <b>Prepare and attend</b>  |   |                  |                     |
| Proceedings under the <i>Criminal Proceeds Confiscation Act 2002</i> | 10  | 1500.00          | 1615.00             |
| Additional day of hearing  | 6   | 900.00           | 1070.00             |
| Negotiate settlement with the DPP                                    | 5   | 750.00           | –                   |

## Proceeds of Crime (Commonwealth)

|  | <i>Solicitor fees (\$150.00 per hour)</i> |                  | <i>Counsel fees</i> |
|--|---|------------------|---------------------|
|  | Maximum hours                             | Maximum fee (\$) | Fee on brief (\$)   |
| <b>Prepare and attend</b>  |   |                  |                     |
| Proceedings under the <i>Criminal Proceeds Confiscation Act 2002</i> | 10  | 1500.00          | 1589.00             |
| Additional day of hearing  | 6   | 900.00           | 1061.00             |
| Negotiate settlement with the DPP                                    | 5   | 750.00           | –                   |

## Administrative Appeals Tribunal for social security and other commonwealth benefit matters

|  | <i>Solicitor fees (\$150.00 per hour)</i> |                  | <i>Counsel fees</i> |
|--|---|------------------|---------------------|
|  | Maximum hours                             | Maximum fee (\$) | Fee on brief (\$)   |
| <b>Investigate prospects of success</b>          |   |                  |                     |
| Appeal to the Administrative Appeals Tribunal    | 4   | 600.00           | –                   |
| <b>Prepare and attend</b>                        |   |                  |                     |
| Administrative Appeals Tribunal (day one)        | –   | 2400.00          | 1400.00             |
| Administrative Appeals Tribunal (additional day) | –   | 900.00           | 937.00              |
| Conference                                       | –   | –                | 226.00              |

## War caused veterans' appeals and non-war veteran defence appeals in AAT

|                                  | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|----------------------------------|---|-------------------------|--------------------------|
|                                  | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Counsel's opinion</b>         |   |                         |                          |
| Prospects of success             | –   | –                       | 572.00                   |
| <b>Preparation</b>               |   |                         |                          |
| Apply for a review of a decision | 10  | 1500.00                 | –                        |
| AAT hearing                      | 7   | 1050.00                 | –                        |
| <b>Attendance</b>                |   |                         |                          |
| AAT hearing (day one)            | 5   | 750.00                  | 1228.00                  |
| AAT hearing (additional days)    | 6   | 750.00                  | 754.00                   |
| Conference                       | –   | –                       | 190.00                   |

## War caused veterans' appeals and non-war veteran defence appeals in federal court

|  | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|--|---|-------------------------|--------------------------|
|  | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Counsel's opinion</b>                   |   |                         |                          |
| Prospects of success                       | –   | –                       | 572.00                   |
| <b>Preparation</b>                         |   |                         |                          |
| Institute or defend a federal court appeal | 40  | 6000.00                 | 2423.00                  |
| <b>Prepare and attend</b>                  |   |                         |                          |
| Federal court appeal (day one)             | 15  | 2250.00                 | 2147.00                  |
| Federal court appeal (additional days)     | –   | 900.00                  | 1412.00                  |

## Workers' compensation

|  | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|--|---|-------------------------|--------------------------|
|  | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Preparation</b>   |   |                         |                          |
| Workers' compensation claim for reference to a medical board | 9   | 1350.00                 | –                        |
| <b>Prepare and attend</b>                                    |   |                         |                          |
| Hearing in Industrial Magistrates Court (day one)            | 15  | 2250.00                 | 637.00                   |
| Hearing in Industrial Magistrates Court (additional day)     | –   | 900.00                  | 637.00                   |



## Other Federal Court proceedings

|  | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|--|---|-------------------------|--------------------------|
|  | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Prepare and attend</b>                            |   |                         |                          |
| Institute or defend proceedings                      | 30  | 4500.00                 | 932.00                   |
| Continue with action up to but not including hearing | 12  | 1800.00                 | 1254.00                  |
| Hearing  | 15  | 2250.00                 | 2343.00                  |
| Additional day of hearing                            | 6   | 900.00                  | 1562.00                  |
| Conference   | –   | –                       | 282.00                   |
| Judgement  | –   | –                       | 204.00                   |
| Day one of an appeal – single judge                  | 14  | 2100.00                 | 2276.00                  |
| Day one of an appeal – full court                    | 14  | 2100.00                 | 2421.00                  |
| Additional day of appeal – single judge              | 6   | 900.00                  | 1517.00                  |
| Additional day of appeal – full court                | 6   | 900.00                  | 1617.00                  |

## High Court proceedings

|   | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|---|---|-------------------------|--------------------------|
|   | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Prepare and lodge</b>                |   |                         |                          |
| Application for special leave to appeal | 11  | 1650.00                 | 1846.00                  |
| <b>Prepare and attend</b>               |   |                         |                          |
| High Court appeal (day one)             | 12  | 1800.00                 | 2461.00                  |
| High Court appeal (additional day)      | 6   | 900.00                  | 1643.00                  |

## National Disability Insurance Scheme—Appeals

|   | <i>Solicitor fees (\$150.00 per hour)</i> |                         | <i>Counsel fees</i>      |
|---|---|-------------------------|--------------------------|
|   | <b>Maximum hours</b>                      | <b>Maximum fee (\$)</b> | <b>Fee on brief (\$)</b> |
| <b>Investigate prospects of success</b>   |   |                         |                          |
| Review material and obtain advice from counsel in relation to review of a decision made by the NDIA where an appeal has been filed with the AAT | 12  | 1800.00                 | –                        |
| <b>Counsel's opinion</b>  |   |                         |                          |
| Prospects of success  | –   | –                       | 854.00                   |
| <b>Prepare and attend</b>   |   |                         |                          |
| Case conference at the AAT  | 5   | 750.00                  | –                        |
| Conciliation conference at the AAT  | 10  | 1500.00                 | –                        |
| Administrative Appeals Tribunal (day one)   | 12  | 1800.00                 | 1228.00                  |
| Administrative Appeals Tribunal (additional day)  | 5   | 750.00                  | 754.00                   |

## Application to alter the record of sex

| Prepare and attend                     | <i>Solicitor fees (\$150.00 per hour)</i> |                  | <i>Counsel fees</i> |
|--|---|------------------|---------------------|
|  | Maximum hours                             | Maximum fee (\$) | Fee on brief (\$)   |
| Application to alter the record of sex | 12  | 1800.00          | –                   |

## Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Matters

|                                   | <i>Solicitor fees (\$150.00 per hour)</i> |                  | <i>Counsel fees</i> |
|-----------------------------------|---|------------------|---------------------|
|                                   | Maximum hours                             | Maximum fee (\$) | Fee on brief (\$)   |
| Standard dispensation application | 8   | 1200.00          | –                   |
| Complex dispensation application  | 13  | 1950.00          | –                   |