



Family Law Amendment (Scale of Costs) Rules 2013

Select Legislative Instrument No. 282, 2013

We, Judges within the meaning of the *Family Law Act 1975*, make the following Rules of Court under that Act.

Dated 16 December 2013

D Bryant CJ
J Faulks DCJ
M May J
S Strickland J
A Ainslie-Wallace J
Ryan J
P Murphy J
G Bell J
J Stevenson J
G Watts J
R Benjamin J
V Bennett J
S Austin J
M Cleary J
W Johnston J
I Loughnan J
C Forrest J
M Kent J
K Macmillan J
A Rees J
M Aldridge J

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J Hogan J
D Berman J
G Foster J
C Thornton J
H Hannam J

Judges of the Family Court
of Australia

J Crisford J
S Moncrieff J
J Walters J
S Duncanson J

Judges of the Family Court
of Western Australia

PR Angela Filippello

Principal Registrar
Family Court of Australia

PR David Monaghan

Principal Registrar
Family Court of Western Australia

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1 Name of Rules

These Rules are the *Family Law Amendment (Scale of Costs) Rules 2013*.

2 Commencement

These Rules commence on 1 January 2014.

3 Authority

These Rules are made under the *Family Law Act 1975*.

4 Schedule(s)

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Family Law Rules 2004

1 Schedule 3

Repeal the Schedule, substitute:

Schedule 3—Itemised scale of costs

Note 1: See rule 19.18 and clause 6.19 of Schedule 6.

Note 2: This Schedule applies generally to work done on or after 1 January 2014. Different amounts, set out in superseded versions of this Schedule, may continue to apply to work done before that date.

Note 3: The amounts in this Schedule include GST.

Part 1—Costs allowable for lawyer’s work done and services performed

Costs—lawyer’s work		
Item	Matter for which charge is made	Cost
101	Drafting a document (other than a letter)	\$19.14 per 100 words
102	Producing a document (other than a letter) in printed form	\$6.54 per 100 words
103	Drafting and producing a letter (including a fax or an email)	\$21.99 per 100 words
104	Reading a document	\$8.96 per 100 words
105	Scanning a document (where reading is not necessary)	\$3.53 per 100 words
106	For a document or letter mentioned in item 101, 102, 103, 104 or 105 containing more than 3 000 words	The amount allowed by the Registrar
107	Photocopy or other reproduction of a document	76 cents per page
108	Time reasonably spent by a lawyer on work requiring the skill of a lawyer (except work to which any other item in this Part applies)	\$224.50 per hour
109	Time reasonably spent by a lawyer, or by a clerk of a lawyer, on work (except work to which any other item in this Part applies)	\$145.56 per hour

Note: See rule 19.43 in relation to item 104.

Part 2—Costs allowable for counsel’s work done and services performed

Costs—counsel’s work			
Item	Matter for which charge is made	Cost— senior counsel	Cost— junior counsel
201	Chamber work (including preparing or settling any necessary document, opinion, advice or evidence, and any reading fee (if allowed))	\$431.75– \$740.16 per hour	\$257.78– \$367.63 per hour
202	Attendance at a conference (including a court-appointed conference), if necessary	\$431.75– \$740.16 per hour	\$257.78– \$367.63 per hour
203	Attendance of less than 3 hours (for example, a procedural hearing or a summary hearing)	\$431.75– \$3 083.81	\$230.61– \$1 080.57
204	A hearing or trial taking at least 3 hours but not more than 1 day	\$801.80– \$6 168.21	\$764.52– \$1 767.20
205	Other hearings or trials	\$2 035.41– \$6 168.21 per day	\$1 821.99– \$2 678.06 per day
206	Reserved judgment	\$431.75– \$740.16 per hour	\$257.78– \$367.63 per hour

Part 3—Basic composite amount for undefended divorce

Costs—undefended divorce		
Item	Matter for which charge is made	Cost
301	If the lawyer employed another lawyer to attend at court for the applicant and there is a child of the marriage under 18	\$948.20
302	If the lawyer employed another lawyer to attend at court for the applicant and there is no child of the marriage under 18	\$705.46
303	If the lawyer did not employ another lawyer to attend at court for	\$890.19

Schedule 1 Amendments

Costs—undefended divorce		
Item	Matter for which charge is made	Cost
	the applicant and there is a child of the marriage under 18	
304	If the lawyer did not employ another lawyer to attend at court for the applicant and there is no child of the marriage under 18	\$666.11
305	If the lawyer did not attend at court for the hearing under section 98A of the Act	\$573.14

**Part 4—Basic composite amount for request for
Enforcement Warrant or Third Party Debt
Notice**

Costs—Enforcement Warrant or Third Party Debt Notice		
Item	Matter for which charge is made	Cost
401	An Enforcement Warrant under rule 20.16	\$573.14
402	A Third Party Debt Notice under rule 20.32	\$573.14
