



# **Federal Circuit and Family Court of Australia (Division 2) (Family Law) Amendment (Costs) Rules 2022**

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I, The Honourable William Alstergren, Chief Judge of the Federal Circuit and Family Court of Australia (Division 2), make the following Rules of Court.

Dated 24 November 2022

The Honourable William Alstergren  
Chief Judge of the Federal Circuit and Family Court of Australia (Division 2)

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## 1 Name

These Rules are the *Federal Circuit and Family Court of Australia (Division 2) (Family Law) Amendment (Costs) Rules 2022*.

## 2 Commencement

- (1) Each provision of these Rules specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of these Rules	1 January 2023.	1 January 2023

Note: This table relates only to the provisions of these Rules as originally made. It will not be amended to deal with any later amendments of these Rules.

- (2) Any information in column 3 of the table is not part of these Rules. Information may be inserted in this column, or information in it may be edited, in any published version of these Rules.

## 3 Authority

These Rules are made under Chapter 4 of the *Federal Circuit and Family Court of Australia Act 2021*.

## 4 Schedules

Each instrument that is specified in a Schedule to these Rules is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to these Rules has effect according to its terms.

## Schedule 1—Amendments

### *Federal Circuit and Family Court of Australia (Division 2) (Family Law) Rules 2021*

#### 1 Schedule 1

Repeal the Schedule, substitute:

### **Schedule 1—Scale of costs in family law and child support matters**

Note: See rule 4.01.

#### 1 Application of this Schedule

This Schedule, as substituted by the *Federal Circuit and Family Court of Australia (Division 2) (Family Law) Amendment (Costs) Rules 2022*, applies to work done or services performed on or after 1 January 2023.

#### 2 Scale of costs in family law and child support matters

The following table sets out the scale of costs in family law and child support matters.

Scale of costs in family law and child support matters		
Item	Column 1 Description	Column 2 Amount (including GST)
1	Initiating or opposing an application up to the completion of the first court date	Both: (a) \$2,512.56; and (b) the daily hearing fee specified in item 13 that applies to the hearing
2	Initiating or opposing an application that includes interim orders (other than procedural orders) up to the completion of the first court date	Both: (a) \$3,141.50 and (b) the daily hearing fee specified in item 13 that applies to the hearing
3	Initiating or opposing an application for interlocutory orders (including an interim hearing) that is not otherwise described in item 1 or 2	Both: (a) \$2,093.62; and (b) the daily hearing fee specified in item 13 that applies to the hearing
4	Procedural or summary hearing—as a discrete event	\$2,093.62
5	Conciliation conference (including preparation)	\$2,093.62
6	Other dispute resolution (including preparation)	\$2,093.62
7	Preparation for final hearing—1 day matter	\$5,353.45
8	Preparation for final hearing—2 day matter	\$6,637.98

<b>Scale of costs in family law and child support matters</b>		
<b>Item</b>	<b>Column 1 Description</b>	<b>Column 2 Amount (including GST)</b>
9	Preparation for final hearing—each additional hearing day after the second hearing day	\$1,422.04
10	Attendance at hearing to take judgment and explain orders	Both: (a) \$342.19; and (b) the daily hearing fee specified in item 13 that applies to the hearing
11	Application for location order, recovery order or enforcement of an order (other than an application for enforcement by a Registrar under item 12)	Both: (a) \$1,062.80; and (b) the daily hearing fee specified in item 13 that applies to the hearing
12	Application for enforcement by a Registrar of: (a) a warrant under rule 11.15; or (b) a third party debt notice under rule 11.34	\$702.49
13	Daily hearing fee	(a) for a short mention—\$342.19; or (b) for a half day hearing—\$1,255.75; or (c) for a full day hearing—\$2,512.56
14	Advocacy loading	50% of the daily hearing fee specified in item 13 that applies to the hearing
15	Drafting, conferences and chamber work (not otherwise covered by other items in the table)	(a) Senior Counsel—\$721.68 per hour; (b) Junior Counsel—\$384.83 per hour; (c) Solicitor—\$277.16 per hour
16	Disbursements—Court fees and other fees and payments to the extent that they have been reasonably incurred	The amount of the fees and payments
17	Disbursements—photocopying for each page	\$0.86
18	Agents' fees and travelling costs	\$706.76
	Note: For 2 or more hours travel.	