

# FAMILY FIXED FEE SCHEDULES

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# Adoption

## Proceedings under the Adoption Act 1955

Termination of instructions		
Activity	Fees	Tasks
Initial instructions not followed through	<b>\$290</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client</li> <li>• Preparing application for legal aid</li> <li>• Attempting to contact the client</li> <li>• Closing the file</li> <li>• Reporting to client</li> <li>• Reporting to and invoicing Ministry of Justice</li> </ul>
<p><b>Note: This fee can only be claimed where initial instructions are not carried through and the file is closed prior to the completion of stage one of any proceedings. It cannot be claimed in conjunction with any other schedule.</b></p>		
Application(s)/Order(s)		
Activity	Fees	Tasks
Interim Adoption Order(s)	<b>\$500</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client</li> </ul>
Second proceeding, such as revocation of interim adoption order	<b>\$190</b>	<ul style="list-style-type: none"> <li>• Identifying legal and factual issues and merits of application</li> <li>• Preparing application for legal aid</li> <li>• Preparing proceedings, including the following documents:               <ul style="list-style-type: none"> <li>○ Affidavit(s) in support</li> <li>○ Consideration of s 10 report from social worker</li> </ul> </li> </ul>
Final Adoption Order(s)	<b>\$120</b>	<ul style="list-style-type: none"> <li>• Attend formal hearing and obtain interim adoption order</li> <li>• If undefended and application is resolved apply for final order</li> <li>• Reporting to client</li> </ul>
<p><b>Note: If final order made immediately then both interim and final fees can be claimed.</b></p>		
Application to Dispense with Consent	<b>Estimate required by amendment</b>	For <ul style="list-style-type: none"> <li>• Preparing an application to dispense with consent</li> <li>• Preparing application for amendment to grant</li> <li>• Reporting to client</li> </ul>
Additional Factors – Order(s)	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>1. Self-represented litigants are party to proceedings</li> <li>2. The legally aided person suffers from mental illness/intellectual disability</li> <li>3. The legally aided person requires an interpreter/translator</li> <li>4. The legally aided person has difficulties communicating (but doesn't require an interpreter/translator)</li> </ol>
If two or more Additional Factors – Order(s)	<b>\$ 50</b>	<p>Fee can only be claimed once per stage per case.</p>

Pre-hearing Matters		
Activity	Fees	Tasks
Judicial Conference(s) – Preparation*	<b>\$140</b>	For <ul style="list-style-type: none"> <li>Preparing for judicial conference(s) (including memorandum of issues)</li> <li>Reporting to client</li> </ul>
Judicial Conference(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>Attending judicial conference(s)</li> </ul>
Defended Hearing(s)		
Activity	Fees	Tasks
Defended Hearing(s) – Preparation *	<b>Estimate required by amendment</b>	For <ul style="list-style-type: none"> <li>Complying with Judge’s directions such as updating affidavits</li> <li>Preparing application for amendment to grant (including confirmation of anticipated hearing time)</li> <li>Reviewing file</li> <li>Preparing for defended hearing – cross examination, briefing witnesses, submissions</li> <li>Undertaking research, if necessary</li> <li>Reporting to client</li> </ul>
Defended Hearing(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>Attending defended hearing</li> </ul>
Additional Factors – Defended Hearing	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>Self-represented litigants are party to proceedings</li> <li>The legally aided person suffers from mental illness/intellectual disability</li> <li>The legally aided person requires an interpreter/translator</li> <li>The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator)</li> </ol> <p>Fee can only be claimed once per stage per case.</p>
Instructing Agent *	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Seeking and instructing agent to attend defended hearing</li> </ul> <p><b>Note: this fee does not cover the agent’s preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>

\* This is a repeatable activity and can be claimed per occurrence of this activity.

## Adoption – Granting notes

### Application to Dispense with Consent (when combined with Application for Adoption Order)

The following issues should be considered before undertaking and claiming this activity:

- the application to dispense with consent is a separate application from the application for an adoption order, and will be the subject of a separate hearing
- the s 10 report from the social worker is supportive of the application for adoption - the interim, or in some cases final, order may be made by consent in a chambers list
- an interim order has been made and requires an application for a final order at a later stage - with a separate hearing possibly being required.

# Care of Children/Guardianship

## Proceedings under the Care of Children Act 2004

### Termination of instructions

<i>Activity</i>	<i>Fees</i>	<i>Tasks</i>
Initial instructions not followed through	<b>\$290</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client</li> <li>• Preparing application for legal aid</li> <li>• Attempting to contact the client</li> <li>• Closing the file</li> <li>• Reporting to client</li> <li>• Reporting to and invoicing Ministry of Justice</li> </ul>

**Note: This fee can only be claimed where initial instructions are not carried through and the file is closed prior to the completion of stage one of any proceedings. It cannot be claimed in conjunction with any other schedule.**

### Application(s)/Order(s)

<i>Activity</i>	<i>Fees</i>	<i>Tasks</i>
Application(s)/Order(s) – First/Only proceeding	<b>\$620</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client</li> <li>• Identifying legal and factual issues and merits of application</li> </ul>
Application(s)/Order(s) – Two proceedings	<b>\$310</b>	<ul style="list-style-type: none"> <li>• Preparing application for legal aid</li> <li>• Referrals to counseling services</li> </ul>
Application(s)/Order(s) – Third and subsequent proceedings	<b>\$310</b>	<ul style="list-style-type: none"> <li>• Conducting initial negotiations between parties</li> <li>• Preparing without notice application for interim/final order(s) and application to reduce time, including:               <ul style="list-style-type: none"> <li>○ Affidavit(s) in support</li> <li>○ Information sheets for the Court</li> </ul> </li> <li>• Serving of documents</li> <li>• Receiving minute/orders (either following in chambers or 1<sup>st</sup> Registrar's/Judge's list call)</li> <li>• Reporting to client</li> </ul>

**Note: Full fee can only be claimed for first/only proceedings under the Care of Children Act. Reduced fees are to be claimed for second and subsequent proceedings under the Care of Children Act.**

Additional Factors – Application(s)/Order(s)	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>1. Self-represented litigants are party to the proceedings</li> <li>2. The legally aided person suffers from mental illness/intellectual disability</li> <li>3. The legally aided person requires an interpreter/translator</li> <li>4. The legally aided person has difficulties communicating (but doesn't require an interpreter/translator)</li> </ol>
If two or more Additional Factors - Application(s)/Order(s)	<b>\$50</b>	<p><b>Fee can only be claimed once per stage per case.</b></p>

Interlocutories		
Activity	Fees	Tasks
Interlocutories – Document preparation *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Preparing interlocutory documents including Service</li> <li>• Lodging with Court</li> <li>• Reporting to client</li> </ul>
Interlocutory Hearing(s) – Preparation *	<b>\$80 per anticipated half hour of hearing time</b>	For <ul style="list-style-type: none"> <li>• Preparing submissions for interlocutory hearing(s)</li> <li>• Reporting to client</li> </ul>
Interlocutory Hearing(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending interlocutory hearing(s)</li> </ul>

Pre-Hearing Administration – document drafting/filing not required <sup>1</sup>		
Activity	Fees	Tasks
Pre-hearing administration	<b>\$310</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client</li> <li>• Identifying legal and factual issues and merits of application</li> <li>• Preparing application for legal aid</li> <li>• Reviewing evidence</li> <li>• Reporting to client</li> </ul>
Additional Factors – Application(s)/Order(s)	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>1. Self-represented litigants are party to proceedings</li> <li>2. The legally aided person suffers from mental illness/intellectual disability</li> <li>3. The legally aided person requires an interpreter/translator</li> <li>4. The legally aided person has difficulties communicating (but doesn't require an interpreter/translator)</li> </ol>
If two or more Additional Factors - Application(s)/Order(s)	<b>\$50</b>	<b>Fee can only be claimed once per stage per case</b>

<sup>1</sup>When the applicant has self-represented until after a judge has directed that the application is to proceed to a hearing, these fees cannot be claimed in association with other pre-hearing fees.

Pre-Hearing matters		
Activity	Fees	Tasks
Pre-Hearing Matters #	<b>\$620</b>	For <ul style="list-style-type: none"> <li>• Receiving notice of response (or attendance at Court of respondent, or indication of respondent to lawyer for child that respondent intends to defend application) and undertaking negotiations accordingly</li> <li>• Taking further instructions and reviewing merit</li> <li>• Filing affidavit(s) in reply and/or updating affidavits</li> <li>• Attending Registrar's list/Judges list/chambers hearings</li> <li>• Liaising with relevant parties – Oranga Tamariki, counsel for child, witnesses, experts</li> <li>• Reporting to client</li> </ul>

Pre-Hearing Matters		
Activity	Fees	Tasks
Complying with Judge's directions <sup>β</sup> *	<b>\$190</b>	For Complying with directions from the Judge, such as updating affidavits or drug testing
Specialist Reports *	<b>\$190 each</b>	For <ul style="list-style-type: none"> <li>• Considering:               <ul style="list-style-type: none"> <li>○ a specialist report requested by the court under sections 132 and 133</li> <li>○ a Lawyer for Child report</li> </ul> </li> <li>• Reporting to client</li> </ul>
Formal Proof Hearing(s) – Preparation *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Preparing for formal proof hearing</li> <li>• Receiving and advising on specialist reports</li> <li>• Reporting to client</li> </ul>
Formal Proof Hearing(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending formal proof hearing</li> </ul>
Issues Conference(s) – Preparation *	<b>\$210</b>	For <ul style="list-style-type: none"> <li>• Reviewing file</li> <li>• Preparing for Issues conference</li> <li>• Reporting to client</li> </ul>
Issues Conference(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending Issues conference(s)</li> </ul>
Settlement Conference(s) – Preparation *	<b>\$210</b>	For <ul style="list-style-type: none"> <li>• Reviewing file</li> <li>• Preparing for Settlement conference(s) or other meetings that are judge-directed or attended by Lawyer for Child, which includes briefing client, submissions and undertaking negotiations accordingly</li> <li>• Reporting to client</li> </ul>
Settlement Conference(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending Settlement conference(s)</li> </ul>
Directions Conference(s) – Preparation *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Preparing for Directions conference(s) (including memorandum of issues)</li> <li>• Reporting to client</li> </ul>
Directions Conference(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending Directions conference(s)</li> </ul>
Pre-hearing Conference(s) – Preparation *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Preparing for Pre-hearing conference(s) (including memorandum of issues)</li> <li>• Reporting to client</li> </ul>
Pre-hearing Conference(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending Pre-hearing conference(s)</li> </ul>

Pre-Hearing Matters		
Complex Case Management Conference (CCMC) –Preparation *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Reviewing file</li> <li>• Preparing for CCMC including briefing client</li> <li>• Liaising with the other party(s)</li> <li>• Conducting negotiations and where possible reaching agreement</li> <li>• Reporting to client</li> </ul>
Complex Case Management Conference(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending CCMC(s)</li> </ul>
Memorandum of Consent *	<b>\$310</b>	For <ul style="list-style-type: none"> <li>• Negotiations that achieve consent, to be incorporated into the memorandum of consent</li> <li>• Preparing memorandum of consent</li> <li>• Seeking approval of Court</li> <li>• Reporting to client</li> </ul>
Instructing Agent *	<b>\$190</b>	For <ul style="list-style-type: none"> <li>• Seeking and instructing agent to attend meetings, conferences or hearings listed in the ‘pre-hearing matters’ activities or interlocutory hearing(s).</li> </ul> <p><b>Note: this fee does not cover the agent’s preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>
Additional Factors – Pre-Hearing Matters	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>1. Self-represented litigants are party to proceedings (claimable from second stage)</li> <li>2. The legally aided person suffers from mental illness/intellectual disability</li> <li>3. The legally aided person requires an interpreter/translator</li> <li>4. The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator)</li> </ol> <p><b>Fee can only be claimed once per stage per case.</b></p>

\* This is a repeatable activity and can be claimed per occurrence of this activity

# Where the respondent is a self-litigant, a notice of response may not always be filed. The pre-hearing matters can still be claimed if the respondent intends to defend the application.

β This fee can be claimed for complying with a Judge’s direction prior to a defended hearing or during or post a defended hearing. It may be claimed for complying with a Judge’s directions to update an affidavit or for complying with another direction, such as drug testing.

Defended Hearing(s)		
Activity	Fees	Tasks
Defended Hearing(s) – Preparation*	<b>\$160 per anticipated hour of hearing time</b>	For <ul style="list-style-type: none"> <li>Reviewing file</li> <li>Preparing for defended hearing – cross examination, briefing witnesses, submissions</li> <li>Undertaking research, if necessary</li> <li>When invoicing provide confirmation of anticipated hearing time if less than 1 day</li> <li>When invoicing provide fixture notice if anticipated hearing time is 1 or more days</li> <li>Reporting to client</li> </ul>
Defended Hearing(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>Attending defended hearing</li> </ul>
Review of Judgment	<b>\$140</b>	For <ul style="list-style-type: none"> <li>Receiving and considering judgment (including reserved judgments, if applicable)</li> <li>Discussing with client including implementation of judgment</li> <li>Reporting to client</li> </ul>
Memorandum of Consent	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Preparing memorandum of consent</li> <li>Seeking approval of Court</li> <li>Reporting to client</li> </ul>
Instructing Agent*	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Seeking and instructing agent to attend defended hearing</li> </ul> <p><b>Note: this fee does not cover the agent’s preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>
Additional Factors – Defended Hearing(s)	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>Self-represented litigants are party to proceedings</li> <li>The legally aided person suffers from mental illness/intellectual disability</li> <li>The legally aided person requires an interpreter/translator</li> <li>The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator)</li> </ol> <p><b>Fee can only be claimed once per stage per case.</b></p>

\* This is a repeatable activity and can be claimed per occurrence of this activity

Post Defended Hearing		
Activity	Fees	Tasks
Costs Application	<b>\$290</b>	For <ul style="list-style-type: none"> <li>Considering cost implications whether an applicant or a respondent</li> <li>Preparing and receiving submissions</li> <li>Receiving costs judgment and sealing order</li> <li>Reporting to client</li> </ul> <p><b>Note: this fee does not cover family cost contribution orders</b></p>



Post Defended Hearing		
Review Hearing (Court-directed) – Preparation	<b>\$210</b>	For <ul style="list-style-type: none"> <li>• Reviewing orders</li> <li>• Taking instructions</li> <li>• Reporting to client</li> </ul>
Re-preparation if Review Hearing adjourned (Court directed)	<b>\$140</b>	
Review Hearing (Court-directed) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending review hearing</li> </ul>
Direction to draft orders	<b>\$190</b>	For <ul style="list-style-type: none"> <li>• Complying with a direction to draft further orders</li> </ul>
Instructing Agent	<b>\$190</b>	For <ul style="list-style-type: none"> <li>• Seeking and instructing agent to attend review hearing</li> </ul> <p><b>Note: this fee does not cover the agent’s preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>

## Care of Children/Guardianship – Granting notes

### Termination of Instructions

The Termination of Instructions fee under this proceeding can only be claimed where:

- the provider has begun the early work that would normally be invoiced at the application stage
- then ceases to do so on the instruction of the legally-aided person or because that person abandons the case.

# Oranga Tamariki

## Proceedings under the Oranga Tamariki Act 1989

### Termination of instructions

<i>Activity</i>	<i>Fees</i>	<i>Tasks</i>
Initial instructions not followed through	<b>\$290</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client</li> <li>• Preparing application for legal aid</li> <li>• Attempting to contact the client</li> <li>• Closing the file</li> <li>• Reporting to client</li> <li>• Reporting to and invoicing Ministry of Justice</li> </ul>

**Note: This fee can only be claimed where initial instructions are not carried through and the file is closed prior to the completion of stage one of any proceedings. It cannot be claimed in conjunction with any other schedule.**

### Declaration(s)/Application(s)/Order(s)

<i>Activity</i>	<i>Fees</i>	<i>Tasks</i>
Declaration(s) and/or Other OT Act Order(s)	<b>\$620</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending client</li> </ul>
Declaration(s) and/or Other OT Act Order(s) – second proceeding	<b>\$310</b>	For <ul style="list-style-type: none"> <li>• Identifying legal and factual issues and merits of application</li> <li>• Preparing application for legal aid</li> <li>• Preparing application for order (eg special guardianship order), if appropriate</li> <li>• Responding to application for interim/final declarations (orders, including special guardianship orders), including:               <ul style="list-style-type: none"> <li>○ Affidavit(s) in support</li> <li>○ Information sheets for the Court</li> <li>○ Peruse and take instructions on affidavits from Oranga Tamariki and others</li> <li>○ Affidavit(s) in reply</li> </ul> </li> <li>• Serving of documents</li> <li>• Consider need for counsel for child</li> <li>• Considering need for s 178 report from medical or mental health specialist</li> <li>• Attending Oranga Tamariki list or Judge’s list hearing</li> <li>• Reporting to client</li> </ul>
First Plan & Report – Preparation	<b>\$330</b>	For <ul style="list-style-type: none"> <li>• All preparation related to first plan and report</li> <li>• Reporting to client</li> </ul>
First Plan & Report – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending hearing related to first plan and report</li> </ul>
<b>Application to vary or discharge a special guardianship order</b> Where section 125(1A) and (1B) of the OT Act apply	<b>\$620</b>	For <ul style="list-style-type: none"> <li>• taking instructions, attending to the client</li> <li>• re-acquaintance with file</li> <li>• determining the material change(s) to support an application to vary or discharge a special guardianship order</li> </ul>

Declaration(s)/Application(s)/Order(s)		
		<ul style="list-style-type: none"> <li>preparing and filing an application(s) to discharge any existing parenting or guardianship order(s) when required to do so in order to progress another proceeding</li> <li>preparing and filing application(s) and/or affidavits; OR receiving/perusing notice(s) and associated documents</li> <li>reporting to the client</li> </ul>
Appeals against financial decisions - preparation	<b>Estimate required by amendment</b>	For <ul style="list-style-type: none"> <li>all preparation related to appeal</li> <li>reporting to client</li> <li>preparing application for amendment to grant</li> </ul>
Appeals against financial decisions – hearing time	<b>\$60 per half hour</b>	<ul style="list-style-type: none"> <li>Attending rehearing related to an appeal against financial decisions for a permanent caregiver</li> </ul>
Instructing Agent	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Seeking and instructing agent to attend first plan and report hearing</li> </ul> <p><b>Note: this fee does not cover the agent’s preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>
Additional Factors – Declaration(s)/Application(s)/Order(s)	<b>\$190</b>	For Additional client attendances may be required in instances where:
If two or more Additional Factors - Declaration(s)/Application(s)/Order(s)	<b>\$ 50</b>	<ol style="list-style-type: none"> <li>Self-represented litigants are party to proceedings</li> <li>The legally aided person suffers from mental illness/intellectual disability</li> <li>The legally aided person requires an interpreter/translator</li> <li>The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator)</li> </ol> <p><b>Fee can only be claimed once per stage per case.</b></p>
Interlocutories		
Activity	Fees	Tasks
Interlocutories – Document preparation where there is no hearing *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>Preparing interlocutory documents where no hearing is required</li> <li>Lodging with Court</li> <li>Reporting to client</li> </ul>
Interlocutory Hearing(s) – Preparation *	<b>Estimate required by amendment</b>	For <ul style="list-style-type: none"> <li>Preparing submissions for interlocutory hearing(s)</li> <li>Preparing application for amendment to grant</li> <li>Reporting to client</li> </ul>
Interlocutory Hearing(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>Attending interlocutory hearing(s)</li> </ul>
Pre-Hearing Matters		
Activity	Fees	Tasks
Pre-Hearing Matters	<b>\$620</b>	For <ul style="list-style-type: none"> <li>Taking further instructions and reviewing merit</li> <li>Undertaking negotiations</li> <li>Attending Registrar’s list/chambers hearings</li> <li>Liaising with relevant parties – Oranga Tamariki, counsel for child, witnesses, experts</li> <li>Reporting to client</li> </ul>

Pre-Hearing Matters		
Specialist Reports *	<b>\$190 each</b>	For <ul style="list-style-type: none"> <li>• Considering:               <ul style="list-style-type: none"> <li>○ a specialist report requested by the court under sections 178, 186 or 187</li> <li>○ a Judge directed Lawyer for Child report</li> </ul> </li> <li>• Reporting to client</li> </ul>
Round table Meeting(s) –Preparation *	<b>\$210</b>	For <ul style="list-style-type: none"> <li>• Reviewing file</li> <li>• Preparing for round-table meeting including briefing client</li> <li>• Liaising with the other party(s)</li> <li>• Conducting negotiations and where possible reaching agreement</li> <li>• Reporting to client</li> </ul>
Round table Meeting(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending round table meeting(s)</li> </ul>
Mediation Conference(s) (Counsel/Judge-led) – Preparation *	<b>\$210</b>	For <ul style="list-style-type: none"> <li>• Reviewing file</li> <li>• Preparing for mediation conference(s) including briefing client, submissions</li> <li>• Reporting to client</li> </ul>
Mediation Conference(s) (Counsel/Judge-led) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending mediation conference(s)</li> </ul>
Judicial Conference(s) – Preparation *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Preparing for judicial conference(s) (including memorandum of issues)</li> <li>• Reporting to client</li> </ul>
Judicial Conference(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending judicial conference(s)</li> </ul>
Instructing Agent *	<b>\$190</b>	For <ul style="list-style-type: none"> <li>• Seeking and instructing agent to attend judicial/mediation conference(s) or interlocutory hearing(s)</li> </ul> <p>Note: this fee does not cover the agent’s preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</p>
Additional Factors – Pre-Hearing Matters	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>1. Self-represented litigants are party to proceedings</li> <li>2. The legally aided person suffers from mental illness/intellectual disability</li> <li>3. The legally aided person requires an interpreter/translator</li> <li>4. The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator)</li> </ol> <p><b>Fee can only be claimed once per stage per case.</b></p>

\* This is a repeatable activity and can be claimed per occurrence of this activity.

Defended Hearing(s)		
Activity	Fees	Tasks
Complying with Judge's directions <sup>#</sup>	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Complying with directions from the Judge, such as updating affidavits</li> </ul>
Defended Hearing(s) – Preparation *	<b>\$160 per anticipated hour of hearing time</b>	For <ul style="list-style-type: none"> <li>Reviewing file</li> <li>Preparing for defended hearing – cross examination, briefing witnesses, submissions</li> <li>Undertaking research, if necessary</li> <li>When invoicing provide confirmation of anticipated hearing time if less than 1 day</li> <li>When invoicing provide fixture notice if anticipated hearing time is 1 or more days</li> <li>Reporting to client</li> </ul>
Defended Hearing(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>Attending defended hearing</li> </ul>
Review of Judgment	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Receiving and considering judgment (including reserved judgments, if applicable)</li> <li>Advising client on implementation of judgment</li> <li>Reporting to client</li> </ul>
Instructing Agent *	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Seeking and instructing agent to attend defended hearing</li> </ul> <p><b>Note: this fee does not cover the agent's preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>
Additional Factors – Defended Hearing(s)	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>Self-represented litigants are party to proceedings</li> <li>The legally aided person suffers from mental illness/intellectual disability</li> <li>The legally aided person requires an interpreter/translator</li> <li>The legally aided person has difficulties communicating (but doesn't require an interpreter/translator)</li> </ol> <p><b>Fee can only be claimed once per stage per case.</b></p>

\* This is a repeatable activity and can be claimed per occurrence of this activity.

# This fee can be claimed for complying with a Judge's direction prior to a defended hearing or during or post a defended hearing. It may be claimed for complying with a Judge's directions to update an affidavit or for complying with another direction, such as drug testing.

Review of Case / Plan		
Activity	Fees	Tasks
Review(s) of Case/Plan (as result of Court order/direction) – Preparation*	<b>\$330</b>	For <ul style="list-style-type: none"> <li>Preparing for review of case/plan</li> <li>Consider plan and report with client</li> </ul>
Review(s) of Case/Plan (as result of Court order/direction) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>Attend Court on review of plan</li> </ul>
Instructing Agent*	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Seeking and instructing agent to attend review of case/plan</li> </ul> <p><b>Note: this fee does not cover the agent's preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>
Additional Factors – Post-Defended Hearing	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>Self-represented litigants are party to proceedings</li> <li>The legally aided person suffers from mental illness/intellectual disability</li> <li>The legally aided person requires an interpreter/translator</li> <li>The legally aided person has difficulties communicating (but doesn't require an interpreter/translator)</li> </ol> <p><b>Fee can only be claimed once per stage per case.</b></p>

\* This is a repeatable activity and can be claimed per occurrence of this activity

## Oranga Tamariki – Granting notes

Family Group Conference (FGC)		
Activity	Fees	Tasks
Family Group Conference	<b>\$330</b>	For <ul style="list-style-type: none"> <li>Reviewing file</li> <li>Preparing for conference including briefing client, submissions</li> <li>Attending Family Group Conference</li> <li>Reporting to client</li> </ul> <p><b>Note: Can only claim fee if prior approval has been given to prepare for and attend Family Group Conference (see Granting Notes below for further details).</b></p>

Prior approval is required for any attendance, including preparation, by counsel at a FGC. This requirement is aimed at recognising the special purpose and attendance arrangements surrounding these meetings.

As a guide, legal aid will only be granted for counsel attendances where:

- attendance of counsel is for the purpose of providing legal services and
- there are special circumstances, such as:
  - the legally aided parent has a disability
  - there are serious power and control issues in the family dynamics or
  - there are significant domestic violence issues affecting the legally aided person.

Round table meeting fees are not available for FGC's.

# Domestic Violence (Applicant)

Proceedings under the Domestic Violence Act 1995

## Termination of instructions

Activity	Fees	Tasks
Initial instructions not followed through	<b>\$290</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client</li> <li>• Preparing application for legal aid</li> <li>• Attempting to contact the client</li> <li>• Closing the file</li> <li>• Reporting to client</li> <li>• Reporting to and invoicing Ministry of Justice</li> </ul>

**Note: This fee can only be claimed where initial instructions are not carried through and the file is closed prior to the completion of stage one of any proceedings. It cannot be claimed in conjunction with any other schedule.**

## Application(s)/Order(s)

Undefended 'on notice' or 'without notice'

Activity	Fees	Tasks
Application(s)/Order(s)	<b>\$620</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client</li> <li>• Identifying legal and factual issues and merits of application</li> </ul>
Undefended Second and Third Domestic Violence Applications: <ul style="list-style-type: none"> <li>• Occupation/tenancy, ancillary furniture order(s);</li> <li>• Special condition(s);</li> <li>• Representative action; or</li> <li>• Associated respondent(s).</li> </ul>	<b>\$210</b>	<ul style="list-style-type: none"> <li>• Liaising with third parties – Police, doctor, hospital, witnesses, experts, programme issues</li> <li>• Preparing application for legal aid</li> <li>• Preparing:               <ul style="list-style-type: none"> <li>○ 'Without notice' or 'on notice' application for protection order(s), including:                   <ul style="list-style-type: none"> <li>▪ Affidavit(s) in support</li> <li>▪ Information sheets for the Court</li> </ul> </li> </ul> </li> </ul>
Undefended Fourth and Subsequent Domestic Violence Applications: <ul style="list-style-type: none"> <li>• Occupation/tenancy, ancillary furniture order(s);</li> <li>• Special condition(s);</li> <li>• Representative action; or</li> <li>• Associated respondent(s).</li> </ul>	<b>\$210</b>	<ul style="list-style-type: none"> <li>• Serving of 'on notice' documents</li> <li>• Receiving minute/orders (either following in chambers or 1st Registrar's/Judge's list call)</li> <li>• Preparing one or two orders/protection related conditions in addition to the protection order</li> <li>• Preparing three or more orders/protection related conditions in addition to the protection order</li> <li>• Receiving a final protection order and ensuring that service has been completed</li> <li>• Reporting to client</li> </ul>

Application(s)/ Order(s)		
Activity	Fees	Tasks
Defended 'on notice' or 'without notice'		
Defended Protection Order	<b>\$430</b>	For <ul style="list-style-type: none"> <li>Receiving/perusing notice of defence and associated documents from respondent</li> <li>Taking instructions, attending client</li> <li>Preparing, filing and serving applicant's reply</li> <li>Liaising with Court appointed counsel, and third parties (Police, doctor, hospital, witnesses, experts)</li> <li>Preparing and attending, as required, Registrar's list(s)</li> <li>Reporting to client</li> </ul>
Defended Second and Third Domestic Violence Applications <ul style="list-style-type: none"> <li>Occupation/tenancy, ancillary furniture order(s); or</li> <li>Special condition(s).</li> </ul>	<b>\$210</b>	For <ul style="list-style-type: none"> <li>Preparing one or two orders/protection related conditions in addition to the protection order</li> <li>Reporting to client</li> </ul>
Formal Proof Hearing(s) – Preparation *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>Preparing for formal proof hearing</li> <li>Reporting to client</li> </ul>
Formal Proof Hearing(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>Attending formal proof hearing</li> </ul>
Instructing Agent *	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Seeking and instructing agent to attend formal proof hearing</li> </ul> <p><b>Note: this fee does not cover the agent's preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>
Additional Factors – Application(s)/Order(s)	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>Self-represented litigants are party to proceedings</li> <li>The legally aided person suffers from mental illness/intellectual disability</li> <li>The legally aided person requires an interpreter/translator</li> <li>The legally aided person has difficulties communicating (but doesn't require an interpreter/translator)</li> </ol>
If two or more Additional Factors – Application(s)/Order(s)	<b>\$50</b>	<ol style="list-style-type: none"> <li>The legally aided person has difficulties communicating (but doesn't require an interpreter/translator)</li> </ol> <p><b>Fee can only be claimed once per stage per case.</b></p>
<b>Interlocutories</b>		
Activity	Fees	Tasks
Interlocutories – Document preparation where there is no hearing *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>Preparing interlocutory documents where no hearing is required including Service</li> <li>Lodging with Court</li> <li>Reporting to client</li> </ul>

\* This is a repeatable activity and can be claimed per occurrence of this activity



Pre-Hearing Matters		
<i>Activity</i>	<i>Fees</i>	<i>Tasks</i>
Pre-Hearing Matters	<b>\$620</b>	For <ul style="list-style-type: none"> <li>• Taking further instructions and reviewing merit</li> <li>• Preparing interlocutory application(s), pre-trial conference memorandum</li> <li>• Updating Registrar’s list</li> <li>• Reporting to client</li> </ul>
Judicial Conference(s) – Preparation *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Preparing for judicial conference(s)</li> <li>• Reporting to client</li> </ul>
Judicial Conference(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending judicial conference(s)</li> </ul>
Instructing Agent *	<b>\$190</b>	For <ul style="list-style-type: none"> <li>• Seeking and instructing agent to attend judicial conference(s)</li> </ul> <p><b>Note: this fee does not cover the agent’s preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>
Additional Factors – Pre-Hearing Matters	<b>\$190</b>	For <p style="margin-left: 20px;">Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>1. Self-represented litigants are party to proceedings</li> <li>2. The legally aided person suffers from mental illness/intellectual disability</li> <li>3. The legally aided person requires an interpreter/translator</li> <li>4. The legally aided person has difficulties communicating ( but doesn’t require an interpreter/translator)</li> </ol> <p style="text-align: center;"><b>Fee can only be claimed once per stage per case.</b></p>

  

Defended Hearing(s)		
<i>Activity</i>	<i>Fees</i>	<i>Tasks</i>
Complying with Judge’s directions <sup>#</sup>	<b>\$190</b>	For <ul style="list-style-type: none"> <li>• Complying with directions from the Judge, such as updating affidavits</li> </ul>
Defended Hearing(s) – Preparation *	<b>\$160 per anticipated hour of hearing time</b>	For <ul style="list-style-type: none"> <li>• Reviewing file</li> <li>• Preparing for defended hearing – cross examination, briefing witnesses, submissions</li> <li>• Undertaking research, if necessary, including Police, Oranga Tamariki and medical records</li> <li>• When invoicing provide confirmation of anticipated hearing time if less than 1 day</li> <li>• When invoicing provide fixture notice if anticipated hearing time is 1 or more days</li> <li>• Reporting to client</li> </ul>
Defended Hearing(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending defended hearing</li> </ul>

# This fee can be claimed for complying with a Judge’s direction prior to a defended hearing or during or post a defended hearing. It may be claimed for complying with a Judge’s directions to update an affidavit or for complying with another direction, such as drug testing.

Defended Hearing(s)		
Activity	Fees	Tasks
Instructing Agent *	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Seeking and instructing agent to attend defended hearing</li> </ul> <p><b>Note: this fee does not cover the agent’s preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>
Additional Factors – Defended Hearing(s)	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>Self-represented litigants are party to proceedings</li> <li>The legally aided person suffers from mental illness/intellectual disability</li> <li>The legally aided person requires an interpreter/translator</li> <li>The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator)</li> </ol> <p><b>Fee can only be claimed once per stage per case.</b></p>

Subsequent Direction(s)		
Activity	Fees	Tasks
Application to discharge any existing Protection Order(s) when required to do so in order to progress another proceeding*	<b>\$430</b>	For <ul style="list-style-type: none"> <li>Taking instructions, attending the client</li> <li>Preparing and filing an application(s) to discharge any existing Protection Order(s) when required to do so in order to progress another proceeding</li> <li>Preparation and filing of any affidavits and/or memorandum</li> <li>Determining whether Court staff have effected service</li> <li>Receiving the minute or order</li> <li>Reporting to client</li> </ul>

\* This is a repeatable activity and can be claimed per occurrence of this activity

## Domestic Violence (Applicant) – Granting notes

### Application(s)/Order(s)

The reduced fee that is available for undefended second and third domestic violence applications covers applications for associated respondents where the application includes one or more associated respondents.

The inclusion of multiple associated respondents may be treated as one additional application where the reasons in support of orders against the associated respondents are quite similar for each of them.

The reduced fee for fourth and subsequent applications may be available where there are other applications (eg applications for tenancy or furniture orders) or three or more associated respondents and the reasons in support of the applications for the associated respondents are quite different for each of them.

# Domestic Violence (Respondent)

Proceedings under the Domestic Violence Act 1995

## Termination of instructions

<i>Activity</i>	<i>Fees</i>	<i>Tasks</i>
Initial instructions not followed through	<b>\$290</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client</li> <li>• Preparing application for legal aid</li> <li>• Attempting to contact the client</li> <li>• Closing the file</li> <li>• Reporting to client</li> <li>• Reporting to and invoicing Ministry of Justice</li> </ul>
<p><b>Note: This fee can only be claimed where initial instructions are not carried through and the file is closed prior to the completion of stage one of any proceedings. It cannot be claimed in conjunction with any other schedule.</b></p>		

## Application(s)/Order(s)

<i>Activity</i>	<i>Fees</i>	<i>Tasks</i>
Application(s)/Order(s)	<b>\$620</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client</li> <li>• Identifying legal and factual issues and merits of application</li> <li>• Liaising with third parties – Police, doctor, hospital, witnesses, experts, programme issues</li> <li>• Preparing application for legal aid</li> <li>• Preparing:               <ul style="list-style-type: none"> <li>◦ Preparing notice of defence/notice of intention to appear, including affidavit(s) in support</li> </ul> </li> <li>• Serving of documents</li> <li>• Preparing and attending, as required, Registrar’s list(s)</li> <li>• Reporting to client</li> </ul>
Objection to Programme	<b>\$100</b>	For <ul style="list-style-type: none"> <li>• Preparing objection to programme</li> <li>• Reporting to client</li> </ul>
Defended Second and Third Domestic Violence Applications: <ul style="list-style-type: none"> <li>• Occupation/tenancy, ancillary furniture order(s); or</li> <li>• Special condition(s)</li> </ul>	<b>\$210</b>	For <ul style="list-style-type: none"> <li>• Preparing one or two orders/protection related conditions in addition to the notice of defence</li> <li>• Reporting to client</li> </ul>
Additional Factors – Application(s)/Order(s)	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>1. Self-represented litigants are party to proceedings</li> <li>2. The legally aided person suffers from mental illness/intellectual disability</li> <li>3. The legally aided person requires an interpreter/translator</li> <li>4. The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator)</li> </ol>
If two or more Additional Factors – Application(s)/Order(s)	<b>\$ 50</b>	
<p><b>Fee can only be claimed once per stage per case.</b></p>		

Pre-Hearing Matters		
Activity	Fees	Tasks
Pre-Hearing Matters	<b>\$620</b>	For <ul style="list-style-type: none"> <li>• Taking further instructions and reviewing merit</li> <li>• Preparing interlocutory application(s), pre-trial conference memorandum</li> <li>• Updating Registrar’s list</li> <li>• Reporting to client</li> </ul>
Judicial Conference(s) – Preparation*	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Preparing for judicial conference(s)</li> <li>• Reporting to client</li> </ul>
Judicial Conference(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending judicial conference(s)</li> </ul>
Instructing Agent *	<b>\$190</b>	For <ul style="list-style-type: none"> <li>• Seeking and instructing agent to attend judicial conference(s)</li> </ul> <p><b>Note: this fee does not cover the agent’s preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>
Additional Factors – Pre-Hearing Matters	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>1. Self-represented litigants are party to proceedings</li> <li>2. The legally aided person suffers from mental illness/intellectual disability</li> <li>3. The legally aided person requires an interpreter/translator</li> <li>4. The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator)</li> </ol> <p><b>Fee can only be claimed once per stage per case.</b></p>

\* This is a repeatable activity and can be claimed per occurrence of this activity

Defended Hearing(s)		
Activity	Fees	Tasks
Complying with Judge's directions <sup>#</sup>	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Complying with directions from the Judge, such as updating affidavits</li> </ul>
Defended Hearing(s) – Preparation*	<b>\$160 per anticipated hour of hearing time</b>	For <ul style="list-style-type: none"> <li>Reviewing file</li> <li>Preparing for defended hearing – cross examination, briefing witnesses, submissions</li> <li>Undertaking research, if necessary, including Police statement of Facts; other statements; photographs; medical, hospital and ACC records; family violence and Oranga Tamariki records etc</li> <li>When invoicing provide confirmation of anticipated hearing time if less than 1 day</li> <li>When invoicing provide fixture notice if anticipated hearing time is 1 or more days</li> <li>Reporting to client</li> </ul>
Defended Hearing(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>Attending defended hearing</li> </ul>
Costs Application – when respondent applying for costs or defending an application for costs	<b>\$290</b>	For <ul style="list-style-type: none"> <li>Considering cost implications</li> <li>Preparing and receiving submissions</li> <li>Receiving costs judgment and sealing order</li> <li>Reporting to client</li> </ul>
Instructing Agent*	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Seeking and instructing agent to attend defended hearing</li> </ul> <p><b>Note: this fee does not cover the agent's preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>
Additional Factors – Defended Hearing(s)	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>Self-represented litigants are party to proceedings</li> <li>The legally aided person suffers from mental illness/intellectual disability</li> <li>The legally aided person requires an interpreter/translator</li> <li>The legally aided person has difficulties communicating (but doesn't require an interpreter/translator)</li> </ol> <p><b>Fee can only be claimed once per stage per case.</b></p>

\* This is a repeatable activity and can be claimed per occurrence of this activity

# This fee can be claimed for complying with a Judge's direction prior to a defended hearing or during or post a defended hearing. It may be claimed for complying with a Judge's directions to update an affidavit or for complying with another direction, such as drug testing.

# Maintenance

Proceedings under the Family Proceedings Act 1980 & Child Support Act 1991

Termination of instructions		
Activity	Fees	Tasks
Initial instructions not followed through	<b>\$290</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client</li> <li>• Preparing application for legal aid</li> <li>• Attempting to contact the client</li> <li>• Closing the file</li> <li>• Reporting to client</li> <li>• Reporting to and invoicing Ministry of Justice</li> </ul>
<p><b>Note: This fee can only be claimed where initial instructions are not carried through and the file is closed prior to the completion of stage one of any proceedings. It cannot be claimed in conjunction with any other schedule.</b></p>		
Application(s)/Order(s)		
Activity	Fees	Tasks
Application(s)/Order(s) – First/Only Proceeding	<b>\$620</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client</li> </ul>
Application(s)/Order(s) – Second Proceeding	<b>\$310</b>	<ul style="list-style-type: none"> <li>• Identifying legal and factual issues and merits of application</li> <li>• Preparing application for legal aid</li> </ul>
Application(s)/Order(s) – Third and Subsequent Proceedings	<b>\$310</b>	<ul style="list-style-type: none"> <li>• Referrals to counseling services</li> <li>• Conducting initial negotiations between parties</li> <li>• Preparing without notice or on notice application for interim/final order(s) and application to reduce time, including:               <ul style="list-style-type: none"> <li>○ Affidavit(s) in support</li> <li>○ Information sheets for the Court</li> </ul> </li> <li>• Serving of documents</li> <li>• Receiving minute/orders (either following in chambers or 1<sup>st</sup> Registrar's/Judge's list call)</li> <li>• Reporting to client</li> </ul>
<p><b>Note: Full fee can only be claimed for first/only proceedings under the Family Proceedings Act or Child Support Act. Reduced fees are to be claimed for second, and third and subsequent proceedings under the Family Proceedings Act and Child Support Act.</b></p>		
Formal Proof Hearing(s) – Preparation *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Preparing for formal proof hearing</li> <li>• Receiving and advising on reports</li> <li>• Reporting to client</li> </ul>
Formal Proof Hearing(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending formal proof hearing to resolve undefended application(s)</li> </ul>

\* This is a repeatable activity and can be claimed per occurrence of this activity

Application(s)/Order(s)		
Activity	Fees	Tasks
Memorandum of Consent	<b>\$190</b>	For <ul style="list-style-type: none"> <li>• Preparing memorandum of consent and draft orders if agreement reached</li> <li>• Seeking approval of Court</li> <li>• Reporting to client</li> </ul>
Instructing Agent*	<b>\$190</b>	For <ul style="list-style-type: none"> <li>• Seeking and instructing agent to attend formal proof hearing</li> </ul> <p><b>Note: this fee does not cover the agent's preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>
Additional Factors – Application(s)/Order(s)	<b>\$190</b>	For
If two or more Additional Factors – Application(s)/Order(s)	<b>\$50</b>	<p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>1. Self-represented litigants are party to proceedings</li> <li>2. The legally aided person suffers from mental illness/intellectual disability</li> <li>3. The legally aided person requires an interpreter/translator</li> <li>4. The legally aided person has difficulties communicating (but doesn't require an interpreter/translator)</li> </ol> <p><b>Fee can only be claimed once per stage per case.</b></p>
Interlocutories		
Activity	Fees	Tasks
Interlocutories – Document preparation where there is no hearing *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Preparing interlocutory documents where no hearing is required</li> <li>• Lodging with Court</li> <li>• Reporting to client</li> </ul>
Interlocutory Hearing(s) – Preparation*	<b>Estimate required by amendment</b>	For <ul style="list-style-type: none"> <li>• Preparing submissions for interlocutory hearing(s)</li> <li>• Preparing application for amendment to grant</li> <li>• Reporting to client</li> </ul>
Interlocutory Hearing(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending interlocutory hearing(s)</li> </ul>

\* This is a repeatable activity and can be claimed per occurrence of this activity

Pre-Hearing Matters		
Activity	Fees	Tasks
Pre-Hearing Matters	<b>\$620</b>	For <ul style="list-style-type: none"> <li>Receiving notice of defence and undertaking negotiations</li> <li>Taking further instructions and reviewing merit</li> <li>Filing affidavit(s) in reply</li> <li>Attending Registrar's list/Judge's list/chambers hearings</li> <li>Liaising with relevant parties – Oranga Tamariki, counsel for child, witnesses, experts</li> <li>Reporting to client</li> </ul>
Round-Table Meeting(s) – Preparation*	<b>\$210</b>	For <ul style="list-style-type: none"> <li>Reviewing file</li> <li>Preparing for round-table meeting including briefing client</li> <li>Liaising with the other party(s)</li> <li>Conducting negotiations and where possible reaching agreement</li> <li>Reporting to client</li> </ul>
Round-Table Meeting(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>Attending round-table meeting(s)</li> </ul>
Judicial Conference(s) – Preparation*	<b>\$140</b>	For <ul style="list-style-type: none"> <li>Preparing for judicial conference(s) (including memorandum of issues)</li> <li>Reporting to client</li> </ul>
Judicial Conference(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>Attending judicial conference(s)</li> </ul>
Memorandum of Consent	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Preparing memorandum of consent</li> <li>Seeking approval of Court</li> <li>Reporting to client</li> </ul>
Instructing Agent *	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Seeking and instructing agent to attend round-table meeting(s), judicial/mediation conference(s), or interlocutory hearing(s)</li> </ul> <p><b>Note: this fee does not cover the agent's preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>
Additional Factors – Pre-Hearing Matters	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>Self-represented litigants are party to proceedings</li> <li>The legally aided person suffers from mental illness/intellectual disability</li> <li>The legally aided person requires an interpreter/translator</li> <li>The legally aided person has difficulties communicating (but doesn't require an interpreter/translator)</li> </ol> <p><b>Fee can only be claimed once per stage per case.</b></p>



Defended Hearing(s)		
Activity	Fees	Tasks
Complying with Judge's directions <sup>#</sup>	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Complying with directions from the Judge, such as updating affidavits</li> </ul>
Defended Hearing(s) – Preparation*	<b>\$160 per anticipated hour of hearing time</b>	For <ul style="list-style-type: none"> <li>Reviewing file</li> <li>Preparing for defended hearing – cross examination, briefing witnesses, submissions</li> <li>Undertaking research, if necessary</li> <li>When invoicing provide confirmation of anticipated hearing time if less than 1 day</li> <li>When invoicing provide fixture notice if anticipated hearing time is 1 or more days</li> <li>Reporting to client</li> </ul>
Defended Hearing(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>Attending defended hearing</li> </ul>
Review of Judgment	<b>\$140</b>	For <ul style="list-style-type: none"> <li>Receiving and considering judgment (including reserved judgments, if applicable)</li> <li>Discussing with client</li> <li>Advising client on implementation of judgment</li> <li>Reporting to client</li> </ul>
Costs Application	<b>\$290</b>	For <ul style="list-style-type: none"> <li>Considering cost implications whether an applicant or a respondent</li> <li>Preparing and receiving submissions</li> <li>Receiving costs judgment and sealing order</li> <li>Reporting to client</li> </ul>
Instructing Agent*	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Seeking and instructing agent to attend defended hearing</li> </ul> <p><b>Note: this fee does not cover the agent's preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>
Additional Factors – Defended Hearing(s)	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>Self-represented litigants are party to proceedings</li> <li>The legally aided person suffers from mental illness/intellectual disability</li> <li>The legally aided person requires an interpreter/translator</li> <li>The legally aided person has difficulties communicating (but doesn't require an interpreter/translator)</li> </ol> <p><b>Fee can only be claimed once per stage per case.</b></p>

\* This is a repeatable activity and can be claimed per occurrence of this activity

# This fee can be claimed for complying with a Judge's direction prior to a defended hearing or during or post a defended hearing. It may be claimed for complying with a Judge's directions to update an affidavit or for complying with another direction, such as drug testing.

# Paternity

Proceedings under the Family Proceedings Act 1980 (application(s) for paternity order(s)) and Status of Children Act 1969 (declaration(s) as to paternity)

Termination of instructions		
Activity	Fees	Tasks
Initial instructions not followed through	<b>\$290</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client</li> <li>• Preparing application for legal aid</li> <li>• Attempting to contact the client</li> <li>• Closing the file</li> <li>• Reporting to client</li> <li>• Reporting to and invoicing Ministry of Justice</li> </ul> <p><b>Note: This fee can only be claimed where initial instructions are not carried through and the file is closed prior to the completion of stage one of any proceedings. It cannot be claimed in conjunction with any other schedule.</b></p>
Declaration(s)/Application(s)/Order(s)		
Activity	Fees	Tasks
Pre-proceedings	<b>\$310</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client</li> <li>• Identifying legal and factual issues and merits of application</li> <li>• Preparing application for legal aid</li> <li>• Conducting initial negotiations between parties</li> <li>• Reporting to the client</li> </ul>
Application(s) for Paternity Order(s)/Declaration(s) as to Paternity	<b>\$310</b>	For <ul style="list-style-type: none"> <li>• Preparing application for final order(s), including:               <ul style="list-style-type: none"> <li>○ Affidavit(s) in support</li> <li>○ Information sheets for the Court</li> <li>○ Application for birth costs (s 78(2) Family Proceedings Act 1980)</li> </ul> </li> <li>• Serving of documents</li> <li>• Receiving minute/orders (either following in chambers or 1<sup>st</sup> Registrar's/Judge's list call)</li> <li>• Reporting to client</li> </ul>
DNA Test **	<b>\$150</b>	<ul style="list-style-type: none"> <li>• Arranging DNA test, if required</li> </ul>

\*\* This is a repeatable activity and can be claimed per occurrence of this activity if there is more than one potential father.

Declaration(s)/Application(s)/Order(s)		
Activity	Fees	Tasks
Memorandum of Consent	<b>\$100</b>	For <ul style="list-style-type: none"> <li>• Preparing memorandum of consent and draft orders if agreement reached</li> <li>• Seeking approval of Court</li> <li>• Reporting to client</li> </ul>
Formal Proof Hearing(s) – Preparation *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Preparing for formal proof hearing</li> <li>• Reporting to client</li> </ul>
Formal Proof Hearing(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending formal proof hearing</li> </ul>
Costs Application	<b>\$290</b>	For <ul style="list-style-type: none"> <li>• Considering cost implications whether an applicant or a respondent</li> <li>• Application for costs order such as 50% of DNA test where test is positive and costs application is appropriate</li> <li>• Preparing and receiving submissions</li> <li>• Receiving costs judgment and sealing order</li> <li>• Reporting to client</li> </ul>
Instructing Agent *	<b>\$190</b>	For <ul style="list-style-type: none"> <li>• Seeking and instructing agent to attend formal proof hearing</li> </ul> <p><b>Note: this fee does not cover the agent’s preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>
Additional Factors – Declaration(s)/Application(s)/Order(s)	<b>\$190</b>	For <ul style="list-style-type: none"> <li>• Additional client attendances may be required in instances where:                             <ol style="list-style-type: none"> <li>1. Self-represented litigants are party to proceedings</li> <li>2. The legally aided person suffers from mental illness/intellectual disability</li> <li>3. The legally aided person requires an interpreter/translator</li> <li>4. The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator)</li> </ol> </li> </ul> <p><b>Fee can only be claimed once per stage per case.</b></p>
If two or more Additional Factors – Declaration(s)/Application(s)/Order(s)	<b>\$ 50</b>	
Interlocutories		
Activity	Fees	Tasks
Interlocutories – Document preparation where there is no hearing *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Preparing interlocutory documents where no hearing is required including Service</li> <li>• Lodging with Court</li> <li>• Reporting to client</li> </ul>

\* This is a repeatable activity and can be claimed per occurrence of this activity

Pre-hearing Matters		
Activity	Fees	Tasks
Judicial Conference(s) – Preparation*	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Preparing for judicial conference(s) (including memorandum of issues)</li> <li>• Reporting to client</li> </ul>
Judicial Conference(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending judicial conference(s)</li> </ul>

Defended Hearing(s)		
Activity	Fees	Tasks
Defended Application(s)/Hearing(s) – Preparation *	<b>Estimate required by amendment</b>	For <ul style="list-style-type: none"> <li>• Complying with directions from the Judge, such as updating affidavits</li> <li>• Receiving/perusing notice of defence and associated documents from respondent</li> <li>• Taking instructions, attending client</li> <li>• Preparing for defended hearing – cross examination, briefing witnesses, submissions</li> <li>• Arranging DNA test, if required and discussing results with client</li> <li>• Preparing for, and attending Registrar’s list(s)</li> <li>• Preparing application for amendment to grant (including confirmation of anticipated hearing time)</li> <li>• Receiving and considering judgment</li> <li>• Reporting to client</li> </ul>
Defended Hearing(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending defended hearing</li> </ul>
Instructing Agent*	<b>\$190</b>	For <ul style="list-style-type: none"> <li>• Seeking and instructing agent to attend defended hearing</li> </ul> <p><b>Note: this fee does not cover the agent’s preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>

Defended Hearing(s)		
Activity	Fees	Tasks
Additional Factors – Defended Hearing(s)	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>1. Self-represented litigants are party to proceedings</li> <li>2. The legally aided person suffers from mental illness/intellectual disability</li> <li>3. The legally aided person requires an interpreter/translator</li> <li>4. The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator)</li> </ol> <p><b>Fee can only be claimed once per stage per case.</b></p>

\* This is a repeatable activity and can be claimed per occurrence of this activity

## Paternity – Granting notes

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### DNA Testing

Evidence in support of parentage applications is normally by affidavit and bodily sample (DNA test) results. DNA testing will involve three people – the mother, the child and the alleged father. The cost is normally equally shared between the parties (parents).

The special disbursement incurred in the fee schedule is 50% DNA test cost.

The legally aided person may request that we pay 100% of the cost of DNA testing because:

- the other party refuses to pay the cost of testing, however agrees to testing taking place or
- the other party cannot afford to pay for the cost of testing.

An amendment to the grant will be required to seek prior approval of the special disbursement. In the event a legally aided person 'pays' for the full cost of testing then, if the testing is positive, the provider will be required to seek the costs of testing from the other party. It may be necessary to complete a Deed of Subrogation/Assignment for this purpose (agreement between the Ministry of Justice and the provider to assign collection of debt to the former).

The preparation/agreement of the Deed of Subrogation/Assignment is paid as a separate disbursement.

### Pre-proceedings

If the parties settle prior to Paternity proceedings, this fee applies instead of the general Pre-proceedings settlement fee.

# Protection of Personal & Property Rights (PPPR)

Proceedings under the Protection of Personal and Property Rights Act 1988

## Termination of instructions

Activity	Fees	Tasks
Initial instructions not followed through	<b>\$290</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client</li> <li>• Preparing application for legal aid</li> <li>• Attempting to contact the client</li> <li>• Closing the file</li> <li>• Reporting to client</li> <li>• Reporting to and invoicing Ministry of Justice</li> </ul>
<p><b>Note: This fee can only be claimed where initial instructions are not carried through and the file is closed prior to the completion of stage one of any proceedings. It cannot be claimed in conjunction with any other schedule.</b></p>		

## Application(s)/Order(s)

Activity	Fees	Tasks
Welfare/Property Interim and/or Final Order(s)	<b>\$620</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client (NB: not subject person who is separately represented by counsel appointed by the Court under s 65)</li> <li>• Identifying legal and factual issues and merits of application</li> <li>• Preparing application for legal aid</li> <li>• Preparing and filing application for interim/final order including:               <ul style="list-style-type: none"> <li>○ Affidavit(s) in support</li> <li>○ Information sheets for the Court</li> </ul> </li> <li>• Liaising with counsel appointed for the affected person</li> <li>• Attending any relevant hearing to resolve interim/final order(s)</li> <li>• Reporting to client</li> </ul>
Second proceeding – Application(s)/Order(s)	<b>\$310</b>	
Formal Proof Hearing(s) (if defended) – Preparation *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Preparing for formal proof hearing</li> <li>• Reporting to client</li> </ul>
Formal Proof Hearing(s) (if defended) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending formal proof hearing</li> </ul>
Memorandum of Consent (where no notice of defence has been filed)	<b>\$100</b>	For <ul style="list-style-type: none"> <li>• Preparing memorandum of consent</li> <li>• Seeking approval of Court</li> <li>• Reporting to client</li> </ul>

\* This is a repeatable activity and can be claimed per occurrence of this activity

# Protection of Personal & Property Rights

Application(s)/Order(s)		
Activity	Fees	Tasks
Additional Factors – Application(s)/Order(s)	<b>\$190</b>	For  Additional client attendances may be required in instances where: <ol style="list-style-type: none"> <li>1. Self-represented litigants are party to proceedings</li> <li>2. The legally aided person suffers from mental illness/intellectual disability</li> <li>3. The legally aided person requires an interpreter/translator</li> <li>4. The legally aided person has difficulties communicating (but doesn't require an interpreter/translator)</li> </ol>
If two or more Additional Factors – Application(s)/Order(s)	<b>\$ 50</b>	<ol style="list-style-type: none"> <li>4. The legally aided person has difficulties communicating (but doesn't require an interpreter/translator)</li> </ol>
Fee can only be claimed once per stage per case.		

Interlocutories		
Activity	Fees	Tasks
Interlocutories – Document preparation where there is no hearing *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Preparing interlocutory documents where no hearing is required, including Service</li> <li>• Lodging with Court</li> <li>• Reporting to client</li> </ul>
Interlocutory Hearing(s) – Preparation *	<b>Estimate required by amendment</b>	For <ul style="list-style-type: none"> <li>• Preparing submissions for interlocutory hearing(s)</li> <li>• Preparing application for amendment to grant</li> <li>• Reporting to client</li> </ul>
Interlocutory Hearing(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending interlocutory hearing(s)</li> </ul>

Pre-hearing Matters		
Activity	Fees	Tasks
Judicial Conference(s) – Preparation *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Preparing for judicial conference(s)</li> <li>• Reporting to client</li> </ul>
Judicial Conference(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending judicial conference(s)</li> </ul>

Defended Hearing(s)		
Activity	Fees	Tasks
Pre-Trial Conference	<b>\$290</b>	For <ul style="list-style-type: none"> <li>• Preparing for and attending pre-trial conference</li> <li>• Reporting to client</li> </ul>
Complying with Judge's directions <sup>#</sup>	<b>\$190</b>	For <ul style="list-style-type: none"> <li>• Complying with directions from the Judge, such as updating affidavits</li> </ul>

\* This is a repeatable activity and can be claimed per occurrence of this activity

# This fee can be claimed for complying with a Judge's direction prior to a defended hearing or during or post a defended hearing. It may be claimed for complying with a Judge's directions to update an affidavit or for complying with another direction, such as drug testing.

## Protection of Personal & Property Rights

Defended Hearing(s)		
Activity	Fees	Tasks
Defended Hearing(s) – Preparation*	<b>\$160 per anticipated hour of hearing time</b>	For <ul style="list-style-type: none"> <li>Reviewing file</li> <li>Preparing for defended hearing – cross examination, briefing witnesses, submissions</li> <li>Undertaking research, if necessary</li> <li>When invoicing, provide confirmation of anticipated hearing time if less than 1 day</li> <li>When invoicing, provide fixture notice if anticipated hearing time is 1 or more days</li> <li>Receiving and considering judgment</li> <li>Reporting to client</li> </ul>
Defended Hearing(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>Attending defended hearing</li> </ul>
Costs Application	<b>\$290</b>	For <ul style="list-style-type: none"> <li>Considering cost implications whether an applicant or a respondent</li> <li>Addressing any costs issues (ie, where costs are ordered to be paid by the affected person’s estate, or in unmeritorious cases where the court can make a but/if order under s 45 in relation to the aided person)</li> <li>Preparing and receiving submissions</li> <li>Receiving costs judgment and sealing order</li> <li>Reporting to client</li> </ul>
Instructing Agent*	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Seeking and instructing agent to attend defended hearing</li> </ul> <p><b>Note: this fee does not cover the agent’s preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>

\* This is a repeatable activity and can be claimed per occurrence of this activity



# Relationship Property

Proceedings under the Property (Relationships) Act 1976

## Termination of instructions

<i>Activity</i>	<i>Fees</i>	<i>Tasks</i>
Initial instructions not followed through	<b>\$290</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client</li> <li>• Preparing application for legal aid</li> <li>• Attempting to contact the client</li> <li>• Closing the file</li> <li>• Reporting to client</li> <li>• Reporting to and invoicing Ministry of Justice</li> </ul>

**Note: This fee can only be claimed where initial instructions are not carried through and the file is closed prior to the completion of stage one of any proceedings. It cannot be claimed in conjunction with any other schedule.**

## Pre-Proceedings/Application(s)/Order(s)

<i>Activity</i>	<i>Fees</i>	<i>Tasks</i>
Pre-Proceedings	<b>\$850</b>	For <ul style="list-style-type: none"> <li>• Taking instructions, attending the client</li> <li>• Identifying legal and factual issues and prospects of success</li> <li>• Preparing application for legal aid</li> <li>• Disclosure, initial discovery, asset valuations</li> <li>• Negotiations between parties</li> <li>• Reporting to client</li> </ul>
Application(s)/Order(s)	<b>\$650</b>	For <ul style="list-style-type: none"> <li>• Drafting/filing application for/defence to relationship property orders</li> <li>• Drafting/filing application applicant/respondent P(R)1, narrative affidavit</li> <li>• Serving of documents</li> <li>• Attending Registrar's/chambers list hearings</li> <li>• Reporting to client</li> </ul>
s 21 Agreement	<b>\$320</b>	For <ul style="list-style-type: none"> <li>• Drafting/reviewing and certifying s 21 agreement – if agreement is reached prior to proceedings being filed</li> <li>• Reporting to client</li> </ul>
Additional Factors – Pre-Proceedings/ Application(s)/Order(s)	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>1. Self-represented litigants are party to proceedings</li> <li>2. The legally aided person suffers from mental illness/intellectual disability</li> <li>3. The legally aided person requires an interpreter/translator</li> <li>4. Legally aided person has difficulties communicating (but doesn't require an interpreter/translator)</li> </ol>
If two or more Additional Factors – Pre-proceedings/Application(s)/ Order(s)	<b>\$ 50</b>	

**Fee can only be claimed once per stage per case.**

Interlocutories		
Activity	Fees	Tasks
Interlocutories – Document preparation where there is no hearing *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Preparing interlocutory documents where a hearing is not required</li> <li>• Lodging with Court</li> <li>• Reporting to client</li> </ul>
Interlocutory Hearing(s) – Preparation *	<b>Estimate required by amendment</b>	For <ul style="list-style-type: none"> <li>• Preparing submissions for interlocutory hearing(s), including interlocutory application(s)/pre-trial conference memorandum</li> <li>• Preparing application for amendment to grant</li> <li>• Reporting to client</li> </ul>
Interlocutory Hearing(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending interlocutory hearing(s)</li> </ul>

Pre-Hearing Matters		
Activity	Fees	Tasks
Complying with Judge’s directions	<b>\$190</b>	For <ul style="list-style-type: none"> <li>• Complying with directions from the Judge, such as updating affidavits</li> </ul>
Settlement Conference(s) – Preparation *	<b>\$240 per anticipated hour of hearing time</b>	For <ul style="list-style-type: none"> <li>• Preparing submissions for settlement conference(s) including memorandum of issues</li> <li>• When invoicing provide confirmation of anticipated hearing time if less than 1 day</li> <li>• When invoicing provide fixture notice if anticipated hearing time is 1 or more days</li> <li>• Reporting to client</li> </ul>
Settlement Conference(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending settlement conference(s)</li> </ul>
Memorandum of Consent	<b>\$270</b>	For <ul style="list-style-type: none"> <li>• Preparing/reviewing memorandum of consent if agreement reached in settlement conference</li> <li>• Reporting to client</li> </ul>
Discovery	<b>\$490</b>	For <ul style="list-style-type: none"> <li>• Undertaking further round of discovery – updated accounting reports, asset valuations, debt levels</li> <li>• Reporting to client</li> </ul>
Interrogatories	<b>\$320</b>	For <ul style="list-style-type: none"> <li>• Obtaining information requested from other party to clarify/support the matter</li> <li>• Reporting to client</li> </ul>

Pre-Hearing Matters		
Activity	Fees	Tasks
Document Preparation	<b>\$650</b>	For <ul style="list-style-type: none"> <li>• Preparing pre-hearing documents – lists of issues, authorities, ‘bundle’ of documents (affidavits, statements of evidence)</li> <li>• Reporting to client</li> </ul>
Judicial Conference(s) – Preparation *	<b>\$140</b>	For <ul style="list-style-type: none"> <li>• Preparing for judicial conference(s) (including memorandum of issues)</li> <li>• Reporting to client</li> </ul>
Judicial Conference(s) – Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>• Attending judicial conference(s)</li> </ul>
Instructing Agent *	<b>\$220</b>	For <ul style="list-style-type: none"> <li>• Seeking and instructing agent to attend settlement conference or interlocutory hearing(s)</li> </ul> <p><b>Note: this fee does not cover the agent’s preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>
Additional Factors – Pre-Hearing Matters	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>1. Self-represented litigants are party to proceedings</li> <li>2. The legally aided person suffers from mental illness/intellectual disability</li> <li>3. The legally aided person requires an interpreter/translator</li> <li>4. The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator)</li> </ol> <p><b>Fee can only be claimed once per stage per case.</b></p>

\* This is a repeatable activity and can be claimed per occurrence of this activity

Defended Hearing(s)		
Activity	Fees	Tasks
Complying with Judge's directions	<b>\$190</b>	For <ul style="list-style-type: none"> <li>Complying with directions from the Judge, such as updating affidavits</li> </ul>
Defended Hearing(s) – Preparation*	<b>\$180 per anticipated hour of hearing time</b>	For <ul style="list-style-type: none"> <li>Reviewing file</li> <li>Preparing for defended hearing – cross examination, briefing witnesses, submissions</li> <li>Undertaking research, if necessary</li> <li>When invoicing provide confirmation of anticipated hearing time if less than 1 day</li> <li>When invoicing provide fixture notice if anticipated hearing time is 1 or more days</li> <li>Reporting to client</li> </ul>
Defended Hearing (s)– Hearing Time	<b>\$60 per half hour</b>	For <ul style="list-style-type: none"> <li>Attending defended hearing</li> </ul>
Review of Judgment	<b>\$490</b>	For <ul style="list-style-type: none"> <li>Receiving and considering judgment</li> <li>Sealing judgment (if appropriate)</li> <li>Advising client on implementation of judgment – re-financing, conveyancing, re-occupation, debt management, allocation of funds</li> <li>Reporting to client</li> </ul>
Instructing Agent*	<b>\$220</b>	For <ul style="list-style-type: none"> <li>Seeking and instructing agent to attend defended hearing</li> </ul> <p><b>Note: this fee does not cover the agent's preparation/attendances as they are covered by the fee for the activity being undertaken by the agent.</b></p>
Additional Factors – Defended Hearing(s)	<b>\$190</b>	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> <li>Self-represented litigants are party to proceedings</li> <li>The legally aided person suffers from mental illness/intellectual disability</li> <li>The legally aided person requires an interpreter/translator</li> <li>The legally aided person has difficulties communicating (but doesn't require an interpreter/translator)</li> </ol> <p><b>Fee can only be claimed once per stage per case.</b></p>

\* This is a repeatable activity and can be claimed per occurrence of this activity

## Relationship Property – Granting notes

### Pre-proceedings

If the parties settle prior to Relationship Property proceedings, this fee applies instead of the general Pre-proceedings settlement fee.

# Interim Grant

For determining merits/prospects of success

Interim Grant		
Activity	Fees	Tasks
Interim Grant – Determine Merits/Prospects of Success	<b>\$290</b>	For <ul style="list-style-type: none"><li>• Taking instructions, attending the client</li><li>• Identifying merits/prospects of success of application</li><li>• Preparing application for legal aid</li><li>• Reporting to client</li></ul>

## Interim Grant – Granting notes

Legal aid may be granted on an interim basis in specific circumstances when the Commissioner needs to make informed decisions on whether a case has merit or prospects of success. Interim grants enable a provider to investigate a matter prior to a decision being made on the substantive application.

An example, in which an interim grant may be considered, includes complex family cases where the interim grant will enable the provider to provide an opinion of the merits or prospects of success.

A fixed fee is claimable where legal aid has been granted on an interim basis to cover the work required by the provider to identify the merits/prospects of success.

Interim grants of aid are **not available**:

- to gather general information that is not complicated and that can be obtained through the normal process of requesting further information, such as information to determine financial eligibility
- to fast-track urgent cases
- for on notice COCA cases.

# Pre-Proceedings Settlements

For settlement of legal disputes prior to proceedings

Settlement of legal disputes prior to proceedings		
Activity	Fees	Tasks
Negotiation of Settlement	<b>\$430</b>	For <ul style="list-style-type: none"><li>• Taking instructions, attending the client</li><li>• Identifying legal and factual issues and merits of application</li><li>• Preparing application for legal aid</li><li>• Liaising with the other party(s)</li><li>• Conducting negotiations and reaching agreement</li><li>• Reporting to client</li><li>• Reporting to and invoicing Ministry of Justice</li></ul> <p><b>Note: This fee can only be claimed where the matter is resolved at this stage and cannot be claimed in conjunction with any other schedule.</b></p>

## Pre-Proceedings Settlements – Granting notes

### Relevant proceedings

A pre-proceedings settlement fee applies to each proceeding that is settled, with the exceptions listed below.

- the Relationship Property and Paternity schedules contain their own Pre-Proceedings stage, and so the separate Pre-Proceedings Settlement fixed fee does not apply in those cases, unless the parties settle prior to the Paternity proceedings

## All family schedules – Granting notes

### Documentation requirements

- application for Family Legal Aid (*LA form 6*) [s 14 Legal Services Act 2011]
- family Legal Aid Fixed Fee Tax Invoice – including evidence that there have been reasonable attempts to negotiate and settle the issues in dispute
- family Legal Aid Fixed Fee/Fixed Fee Plus Amendment to Grant [s 28 Legal Services Act 2011] – if the fixed fee for an activity is inadequate
- supporting documents such as evidence of initial proceedings, court notices and minutes.

### Invoicing

- reporting to Ministry of Justice and invoicing in line with fees under the applicable schedule are tasks deemed to be included in every fixed fee. Additional payment cannot be claimed for these tasks.