

Scale of fees – civil law

Child protection

STAGE 1 – Initial advice and assistance

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Prepare and attend			
Initial assistance – includes reading material, provide initial advice, attend a mention	4	612.00	–
Review case plan/draft material, attend family group meeting/case plan review meeting, attend a mention	5	765.00	–
Initiate or respond to an application to vary or revoke a final order, review and prepare material, attend a mention	7	1071.00	–
Additional attendances	2	306.00	–
Additional preparation	3	459.00	–
Inspect the court file (separate representative only)	6	918.00	–
Inspect the department's file (separate representative only)	4	612.00	–

Child protection

STAGE 2 – Litigation

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Prepare and attend			
Attend court ordered conference, attend a mention	5	765.00	–
Prepare and attend family group meeting/case plan review meeting, attend a mention	4	612.00	–
Prepare and attend at an interim hearing	6	918.00	1251.00
Additional appearances at court	2	306.00	–

Child protection

STAGE 3 — Prepare for hearing

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Prepare and attend			
Contested hearing preparation, attendance at 2 mentions (solicitor)	14	2142.00	—
Contested hearing preparation (counsel)	—	—	1251.00
Prepare and attend family group meeting/case plan review meeting, attend a mention	4	612.00	—
Additional preparation (counsel)	—	—	625.00
Additional appearances at court	2	306.00	—

Child protection

STAGE 4 — Attend hearing/assistance after final orders

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Prepare and attend			
Attend day of hearing	6	918.00	1251.00
Additional preparation for adjourned hearing	4	612.00	848.00
Post order negotiation with department, attendance at case planning meeting	5	765.00	—

Child protection

STAGE 5 — Appeal of an order

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees (\$208 per hour)</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Prepare and attend			
Prepare and attend day one of appeal	10	1530.00	2084.00
Attendance at additional days of appeal	6	918.00	1251.00
Additional preparation (per hour)	1	Hourly rate	Hourly rate

Child protection — QCAT

	<i>Solicitor fees (\$153.00 per hour)</i>	
	Maximum hours	Maximum fee (\$)
Peruse filed material (separate representative only)	4	612.00
Prepare and attend		
Negotiation and case planning (including mentions)	5	765.00
Preliminary mention/hearing/conference	5	765.00
Hearing (day one)	10	1530.00
Additional days of hearing	6	918.00

Domestic violence

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Preparation			
Apply, respond or vary and application	10	1530.00	—
Prepare for and attend contested hearing	12	1836.00	1251.00
Attend additional days of contested hearing	6	918.00	1251.00

Employment Law

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Fair Work Commission			
Prepare and lodge Application	3	459.00	—
Prepare and attend conciliation conference	8	1224.00	—
Obtain opinion from counsel on an employment matter	2	306.00	460.00
Prepare and attend day one of hearing	18	2754.00	2354.00
Additional day of hearing	6	918.00	959.00

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Federal Court			
Prepare and attend day one of hearing	18	2754.00	2396.00
Additional day of hearing	6	918.00	959.00
Arbitration in relation to general protection issues as an alternative to Federal Court	12	1836.00	—

Peace and good behaviour

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Prepare and attend			
Peace and good behaviour hearing	6	918.00	—

Consumer protection

	<i>Solicitor fees</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Prepare and attend			
Alternative dispute resolution tribunal	—	1224.00	—
Lodging a complaint to the ombudsman	—	1836.00	—
Conduct involved negotiations in relation to a consumer dispute	—	1530.00	—
Investigation and representation in a commonwealth consumer protection matter	—	306.00	—
Representation at a lawyer assisted negotiation in a commonwealth consumer protection matter	—	459.00	—
Obtain counsel's opinion			
In respect of issues arising out of a consumer dispute	4	612.00	525.00
In respect of issues arising out of a complex consumer dispute	4	612.00	1242.00

Dangerous prisoner

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Obtain counsel's opinion			
Prospects of success in relation to an application in line with the <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i>	4	612.00	873.00
Respond to all Crown applications for initiating, contravention, extension or annual review, including any preliminary hearing	10	1530.00	1965.00
Final hearing (day one)	8	1224.00	1670.00
Preliminary or final hearing (additional day)	6	918.00	1330.00
Application for amendment of the conditions of a supervision order	8	1224.00	873.00
Exceptional circumstances application	4	612.00	873.00
Additional court mandated mentions/reviews	2	306.00	436.00
Additional preparation	20	3060.00	3492.00

Dangerous prisoner appeal

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Prepare and attend			
Court of Appeal	11	1683.00	2313.00
Additional days of appeal	6	918.00	1330.00

Community safety orders

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Prepare and attend			
Respond to all applications for initiating, variation, or periodic review, including any preliminary hearing	10	1530.00	1965.00
Final hearing (day one)	8	1224.00	1670.00
Preliminary or final hearing (additional day)	6	918.00	1330.00
File or respond to application in a proceeding	8	1224.00	1330.00
Additional procedural hearings / mentions	2	306.00	436.00
Additional preparation	20	3060.00	3492.00

Community safety orders appeal

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Obtain counsel's opinion			
Prospects of success in relation to an appeal	4	612.00	873.00
Prepare and attend			
Court of Appeal	11	1683.00	2313.00
Additional days of appeal	6	918.00	1330.00

Equal opportunities and anti-discrimination

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
QCAT or Federal Circuit Court			
Prepare and lodge a complaint	3	459.00	–
Conciliation conference	4	612.00	–
Prepare and attend day one of hearing	18	2754.00	1837.00
Prepare and attend additional day of hearing	6	918.00	1086.00
Conference	–	–	223.00

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Federal Court			
Prepare for and attend day one of a discrimination hearing	18	2754.00	1883.00
Prepare for and attend additional day of a discrimination hearing	6	918.00	896.00
Conference	–	–	253.00

Inquests/coronial inquiries

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Prepare and attend			
Inquest/coronial inquiry (day one)	9	1377.00	–
Inquest/coronial inquiry (additional day)	6	918.00	–
Prepare and attend when instructing counsel			
Inquest/coronial inquiry (day one)	14	2142.00	1642.00
Inquest/coronial inquiry (additional day)	6	918.00	1179.00

Mental Health Court

	<i>Solicitor fees</i>	<i>Counsel fees</i>
	Maximum fee (\$)	Fee on brief (\$)
Obtain counsel's opinion		
Prospects of referral to the Mental Health Court	1530.00	1981.00
Prepare and attend		
Mental Health Court (day one)	3825.00	5020.00
Mental Health Court (additional day)	918.00	1330.00
Appeal before the Mental Health Court	1071.00	1844.00

Mental Health Review Tribunal

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Prepare and attend			
Mental Health Review Tribunal	5	765.00	639.00

Proceeds of Crime (State)

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Prepare and attend			
Proceedings under the <i>Criminal Proceeds Confiscation Act 2002</i>	10	1530.00	1647.00
Additional day of hearing	6	918.00	1091.00
Negotiate settlement with the DPP	5	765.00	–

Proceeds of Crime (Commonwealth)

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Prepare and attend			
Proceedings under the <i>Criminal Proceeds Confiscation Act 2002</i>	10	1530.00	1621.00
Additional day of hearing	6	918.00	1082.00
Negotiate settlement with the DPP	5	765.00	–

Administrative Appeals Tribunal for social security and other commonwealth benefit matters

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Investigate prospects of success			
Appeal to the Administrative Appeals Tribunal	4	612.00	–
Prepare and attend			
Administrative Appeals Tribunal (day one)	–	2448.00	1428.00
Administrative Appeals Tribunal (additional day)	–	918.00	956.00
Conference	–	–	231.00

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

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Counsel's opinion			
Prospects of success	–	–	583.00
Preparation			
Apply for a review of a decision	10	1530.00	–
AAT hearing	7	1071.00	–
Attendance			
AAT hearing (day one)	5	765.00	1248.00
AAT hearing (additional days)	6	765.00	769.00
Conference	–	–	194.00

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

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Counsel's opinion			
Prospects of success	–	–	583.00
Preparation			
Institute or defend a federal court appeal	40	6120.00	2471.00
Prepare and attend			
Federal court appeal (day one)	15	2295.00	2190.00
Federal court appeal (additional days)	–	918.00	1440.00

Workers' compensation

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Preparation			
Workers' compensation claim for reference to a medical board	9	1377.00	–
Prepare and attend			
Hearing in Industrial Magistrates Court (day one)	15	2295.00	650.00
Hearing in Industrial Magistrates Court (additional day)	–	918.00	650.00

Other Federal Court proceedings

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Prepare and attend			
Institute or defend proceedings	30	4590.00	951.00
Continue with action up to but not including hearing	12	1836.00	1279.00
Hearing	15	2295.00	2390.00
Additional day of hearing	6	918.00	1593.00
Conference	–	–	288.00
Judgement	–	–	208.00
Day one of an appeal – single judge	14	2142.00	2322.00
Day one of an appeal – full court	14	2142.00	2469.00
Additional day of appeal – single judge	6	918.00	1547.00
Additional day of appeal – full court	6	918.00	1649.00

High Court proceedings

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Prepare and lodge			
Application for special leave to appeal	11	1683.00	1883.00
Prepare and attend			
High Court appeal (day one)	12	1836.00	2510.00
High Court appeal (additional day)	6	918.00	1676.00

National Disability Insurance Scheme—Appeals

	<i>Solicitor fees (\$153.00 per hour)</i>		<i>Counsel fees</i>
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Investigate prospects of success			
Review material and obtain advice from counsel in relation to review of a decision made by the NDIA where an appeal has been filed with the AAT	12	1836.00	–
Counsel's opinion			
Prospects of success	–	–	871.00
Prepare and attend			
Case conference at the AAT	5	765.00	–
Conciliation conference at the AAT	10	1530.00	–
Administrative Appeals Tribunal (day one)	12	1836.00	1253.00
Administrative Appeals Tribunal (additional day)	5	765.00	769.00

Application to alter the record of sex

Prepare and attend	Solicitor fees (\$153.00 per hour)		Counsel fees
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Application to alter the record of sex	12	1836.00	—

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

	Solicitor fees (\$153.00 per hour)		Counsel fees
	Maximum hours	Maximum fee (\$)	Fee on brief (\$)
Standard dispensation application	8	1224.00	—
Complex dispensation application	13	1989.00	—