

FAMILY FIXED FEE SCHEDULES

Contents

ADOPTION	2
ADOPTION – GRANTING NOTES.....	3
CARE OF CHILDREN/GUARDIANSHIP	4
CARE OF CHILDREN/GUARDIANSHIP – GRANTING NOTES	8
ORANGA TAMARIKI	9
ORANGA TAMARIKI – GRANTING NOTES	13
FAMILY VIOLENCE (APPLICANT)	14
FAMILY VIOLENCE (APPLICANT) – GRANTING NOTES	17
FAMILY VIOLENCE (RESPONDENT)	18
MAINTENANCE	21
PATERNITY	25
PATERNITY – GRANTING NOTES.....	28
PROTECTION OF PERSONAL & PROPERTY RIGHTS (PPPR)	29
RELATIONSHIP PROPERTY	32
RELATIONSHIP PROPERTY – GRANTING NOTES.....	35
INTERIM GRANT	36
INTERIM GRANT – GRANTING NOTES.....	36
PRE-PROCEEDINGS SETTLEMENTS	37
PRE-PROCEEDINGS SETTLEMENTS – GRANTING NOTES	37
ALL FAMILY SCHEDULES – GRANTING NOTES	37

Adoption

Proceedings under the Adoption Act 1955

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

Pre-hearing Matters		
Activity	Fees	Tasks
Judicial Conference(s) – Preparation*	\$140	For <ul style="list-style-type: none"> Preparing for judicial conference(s) (including memorandum of issues) Reporting to client
Judicial Conference(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> Attending judicial conference(s)
Defended Hearing(s)		
Activity	Fees	Tasks
Defended Hearing(s) – Preparation *	Estimate required by amendment	For <ul style="list-style-type: none"> Complying with Judge’s directions such as updating affidavits Preparing application for amendment to grant (including confirmation of anticipated hearing time) Reviewing file Preparing for defended hearing – cross examination, briefing witnesses, submissions Undertaking research, if necessary Reporting to client
Defended Hearing(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> Attending defended hearing
Additional Factors – Defended Hearing	\$190	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> Self-represented litigants are party to proceedings The legally aided person suffers from mental illness/intellectual disability The legally aided person requires an interpreter/translator The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator) <p>Fee can only be claimed once per stage per case.</p>
Instructing Agent *	\$190	For <ul style="list-style-type: none"> Seeking and instructing agent to attend defended hearing <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>

* 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

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

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)

Activity	Fees	Tasks
Application(s)/Order(s) – First/Only proceeding	\$620	For <ul style="list-style-type: none"> • Taking instructions, attending the client • Identifying legal and factual issues and merits of application
Application(s)/Order(s) – Two proceedings	\$310	<ul style="list-style-type: none"> • Preparing application for legal aid • Referrals to counseling services
Application(s)/Order(s) – Third and subsequent proceedings	\$310	<ul style="list-style-type: none"> • Conducting initial negotiations between parties • Preparing an application for interim/final order(s) and application to reduce time, including: <ul style="list-style-type: none"> ○ Affidavit(s) in support ○ Information sheets for the Court • Serving of documents • Receiving minute/orders (either following in chambers or 1st Registrar's/Judge's list call) • Reporting to client

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

Fee can only be claimed once per stage per case.

Interlocutories		
Activity	Fees	Tasks
Interlocutories – Document preparation *	\$140	For <ul style="list-style-type: none"> • Preparing interlocutory documents including Service • Lodging with Court • Reporting to client
Interlocutory Hearing(s) – Preparation *	\$80 per anticipated half hour of hearing time	For <ul style="list-style-type: none"> • Preparing submissions for interlocutory hearing(s) • Reporting to client
Interlocutory Hearing(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending interlocutory hearing(s)

Pre-Hearing matters		
Activity	Fees	Tasks
Pre-Hearing Matters #	\$620	For <ul style="list-style-type: none"> • 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 • Taking further instructions and reviewing merit • Filing affidavit(s) in reply and/or updating affidavits • Attending Registrar’s list/Judges list/chambers hearings • Liaising with relevant parties – Oranga Tamariki, counsel for child, witnesses, experts • Reporting to client

Pre-Hearing Matters		
Activity	Fees	Tasks
Complying with Judge’s directionsβ*	\$190	For Complying with directions from the Judge, such as updating affidavits or drug testing
Specialist Reports *	\$190 each	For <ul style="list-style-type: none"> • Considering: <ul style="list-style-type: none"> ○ a specialist report requested by the court under sections 132 and 133 ○ a Lawyer for Child report • Reporting to client
Formal Proof Hearing(s) – Preparation *	\$140	For <ul style="list-style-type: none"> • Preparing for formal proof hearing • Receiving and advising on specialist reports • Reporting to client
Formal Proof Hearing(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending formal proof hearing
Issues Conference(s) – Preparation *	\$210	For

Pre-Hearing Matters		
		<ul style="list-style-type: none"> • Reviewing file • Preparing for Issues conference • Reporting to client
Issues Conference(s) – Hearing Time	\$67 per half hour	For
		<ul style="list-style-type: none"> • Attending Issues conference(s)
Settlement Conference(s) – Preparation *	\$210	For
		<ul style="list-style-type: none"> • Reviewing file • 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 • Reporting to client
Settlement Conference(s) – Hearing Time	\$67 per half hour	For
		<ul style="list-style-type: none"> • Attending Settlement conference(s)
Directions Conference(s) – Preparation *	\$140	For
		<ul style="list-style-type: none"> • Preparing for Directions conference(s) (including memorandum of issues) • Reporting to client
Directions Conference(s) – Hearing Time	\$67 per half hour	For
		<ul style="list-style-type: none"> • Attending Directions conference(s)
Pre-hearing Conference(s) – Preparation *	\$140	For
		<ul style="list-style-type: none"> • Preparing for Pre-hearing conference(s) (including memorandum of issues) • Reporting to client
Pre-hearing Conference(s) – Hearing Time	\$67 per half hour	For
		<ul style="list-style-type: none"> • Attending Pre-hearing conference(s)
Complex Case Management Conference (CCMC) –Preparation *	\$140	For
		<ul style="list-style-type: none"> • Reviewing file • Preparing for CCMC including briefing client • Liaising with the other party(s) • Conducting negotiations and where possible reaching agreement • Reporting to client
Complex Case Management Conference(s) – Hearing Time	\$67 per half hour	For
		<ul style="list-style-type: none"> • Attending CCMC(s)
Memorandum of Consent *	\$310	For
		<ul style="list-style-type: none"> • Negotiations that achieve consent, to be incorporated into the memorandum of consent • Preparing memorandum of consent • Seeking approval of Court • Reporting to client
Instructing Agent *	\$190	For

Pre-Hearing Matters

- Seeking and instructing agent to attend meetings, conferences or hearings listed in the 'pre-hearing matters' activities or interlocutory hearing(s).

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.

Additional Factors – Pre-Hearing Matters **\$190**

For

Additional client attendances may be required in instances where:

1. Self-represented litigants are party to proceedings (claimable from second stage)
2. The legally aided person suffers from mental illness/intellectual disability
3. The legally aided person requires an interpreter/translator
4. The legally aided person has difficulties communicating (but doesn't require an interpreter/translator)

Fee can only be claimed once per stage per case.

* 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*	\$160 per anticipated hour of hearing time	For <ul style="list-style-type: none"> • Reviewing file • Preparing for defended hearing – cross examination, briefing witnesses, submissions • Undertaking research, if necessary • Reporting to client
Defended Hearing(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending defended hearing
Review of Judgment	\$140	For <ul style="list-style-type: none"> • Receiving and considering judgment (including reserved judgments, if applicable) • Discussing with client including implementation of judgment • Reporting to client
Memorandum of Consent	\$190	For <ul style="list-style-type: none"> • Preparing memorandum of consent • Seeking approval of Court • Reporting to client
Instructing Agent*	\$190	For <ul style="list-style-type: none"> • Seeking and instructing agent to attend defended hearing <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>

Defended Hearing(s)

Additional Factors – Defended Hearing(s) **\$190**

For

Additional client attendances may be required in instances where:

1. Self-represented litigants are party to proceedings
2. The legally aided person suffers from mental illness/intellectual disability
3. The legally aided person requires an interpreter/translator
4. The legally aided person has difficulties communicating (but doesn't require an interpreter/translator)

Fee can only be claimed once per stage per case.

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

Post Defended Hearing

<i>Activity</i>	<i>Fees</i>	<i>Tasks</i>
Costs Application	\$290	For <ul style="list-style-type: none"> • Considering cost implications whether an applicant or a respondent • Preparing and receiving submissions • Receiving costs judgment and sealing order • Reporting to client <p>Note: this fee does not cover family cost contribution orders</p>
Review Hearing (Court-directed) – Preparation	\$210	For <ul style="list-style-type: none"> • Reviewing orders
Re-preparation if Review Hearing adjourned (Court directed)	\$140	<ul style="list-style-type: none"> • Taking instructions • Reporting to client
Review Hearing (Court-directed) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending review hearing
Direction to draft orders	\$190	For <ul style="list-style-type: none"> • Complying with a direction to draft further orders
Instructing Agent	\$190	For <ul style="list-style-type: none"> • Seeking and instructing agent to attend review hearing <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>

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

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

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)

Activity	Fees	Tasks
Declaration(s) and/or Other OT Act Order(s)	\$620	For <ul style="list-style-type: none"> Taking instructions, attending client
Declaration(s) and/or Other OT Act Order(s) – second proceeding	\$310	For <ul style="list-style-type: none"> Identifying legal and factual issues and merits of application Preparing application for legal aid Preparing application for order (eg special guardianship order), if appropriate Responding to application for interim/final declarations (orders, including special guardianship orders), including: <ul style="list-style-type: none"> Affidavit(s) in support Information sheets for the Court Peruse and take instructions on affidavits from Oranga Tamariki and others Affidavit(s) in reply Serving of documents Consider need for counsel for child Considering need for s 178 report from medical or mental health specialist Attending Oranga Tamariki list or Judge’s list hearing Reporting to client
First Plan & Report – Preparation	\$330	For <ul style="list-style-type: none"> All preparation related to first plan and report Reporting to client
First Plan & Report – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> Attending hearing related to first plan and report
Application to vary or discharge a special guardianship order Where section 125(1A) and (1B) of the OT Act apply	\$620	For <ul style="list-style-type: none"> taking instructions, attending to the client re-acquaintance with file determining the material change(s) to support an application to vary or discharge a special guardianship order

Declaration(s)/Application(s)/Order(s)		
		<ul style="list-style-type: none"> • 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 • preparing and filing application(s) and/or affidavits; OR receiving/perusing notice(s) and associated documents • reporting to the client
Appeals against financial decisions - preparation	Estimate required by amendment	For <ul style="list-style-type: none"> • all preparation related to appeal • reporting to client • preparing application for amendment to grant
Appeals against financial decisions – hearing time	\$67 per half hour	<ul style="list-style-type: none"> • Attending rehearing related to an appeal against financial decisions for a permanent caregiver
Instructing Agent	\$190	For <ul style="list-style-type: none"> • Seeking and instructing agent to attend first plan and report hearing <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 – Declaration(s)/Application(s)/Order(s)	\$190	For Additional client attendances may be required in instances where:
If two or more Additional Factors - Declaration(s)/Application(s)/Order(s)	\$ 50	<ol style="list-style-type: none"> 1. Self-represented litigants are party to proceedings 2. The legally aided person suffers from mental illness/intellectual disability 3. The legally aided person requires an interpreter/translator 4. The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator) <p>Fee can only be claimed once per stage per case.</p>
Interlocutories		
Activity	Fees	Tasks
Interlocutories – Document preparation where there is no hearing *	\$140	For <ul style="list-style-type: none"> • Preparing interlocutory documents where no hearing is required • Lodging with Court • Reporting to client
Interlocutory Hearing(s) – Preparation *	Estimate required by amendment	For <ul style="list-style-type: none"> • Preparing submissions for interlocutory hearing(s) • Preparing application for amendment to grant • Reporting to client
Interlocutory Hearing(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending interlocutory hearing(s)
Pre-Hearing Matters		
Activity	Fees	Tasks
Pre-Hearing Matters	\$620	For <ul style="list-style-type: none"> • Taking further instructions and reviewing merit • Undertaking negotiations • Attending Registrar’s list/chambers hearings • Liaising with relevant parties – Oranga Tamariki, counsel for child, witnesses, experts • Reporting to client

Pre-Hearing Matters		
Specialist Reports *	\$190 each	For <ul style="list-style-type: none"> • Considering: <ul style="list-style-type: none"> ○ a specialist report requested by the court under sections 178, 186 or 187 ○ a Judge directed Lawyer for Child report • Reporting to client
Round table Meeting(s) –Preparation *	\$210	For <ul style="list-style-type: none"> • Reviewing file • Preparing for round-table meeting including briefing client • Liaising with the other party(s) • Conducting negotiations and where possible reaching agreement • Reporting to client
Round table Meeting(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending round table meeting(s)
Mediation Conference(s) (Counsel/Judge-led) – Preparation *	\$210	For <ul style="list-style-type: none"> • Reviewing file • Preparing for mediation conference(s) including briefing client, submissions • Reporting to client
Mediation Conference(s) (Counsel/Judge-led) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending mediation conference(s)
Judicial Conference(s) – Preparation *	\$140	For <ul style="list-style-type: none"> • Preparing for judicial conference(s) (including memorandum of issues) • Reporting to client
Judicial Conference(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending judicial conference(s)
Instructing Agent *	\$190	For <ul style="list-style-type: none"> • Seeking and instructing agent to attend judicial/mediation conference(s) or interlocutory hearing(s) <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	\$190	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> 1. Self-represented litigants are party to proceedings 2. The legally aided person suffers from mental illness/intellectual disability 3. The legally aided person requires an interpreter/translator 4. The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator) <p>Fee can only be claimed once per stage per case.</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 [#]	\$190	For <ul style="list-style-type: none"> Complying with directions from the Judge, such as updating affidavits
Defended Hearing(s) – Preparation *	\$160 per anticipated hour of hearing time	For <ul style="list-style-type: none"> Reviewing file Preparing for defended hearing – cross examination, briefing witnesses, submissions Undertaking research, if necessary Reporting to client
Defended Hearing(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> Attending defended hearing
Review of Judgment	\$190	For <ul style="list-style-type: none"> Receiving and considering judgment (including reserved judgments, if applicable) Advising client on implementation of judgment Reporting to client
Instructing Agent *	\$190	For <ul style="list-style-type: none"> Seeking and instructing agent to attend defended hearing <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 – Defended Hearing(s)	\$190	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> Self-represented litigants are party to proceedings The legally aided person suffers from mental illness/intellectual disability The legally aided person requires an interpreter/translator The legally aided person has difficulties communicating (but doesn't require an interpreter/translator) <p>Fee can only be claimed once per stage per case.</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*	\$330	For <ul style="list-style-type: none"> Preparing for review of case/plan Consider plan and report with client
Review(s) of Case/Plan (as result of Court order/direction) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> Attend Court on review of plan

Review of Case / Plan		
Instructing Agent*	\$190	For <ul style="list-style-type: none"> Seeking and instructing agent to attend review of case/plan <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 – Post-Defended Hearing	\$190	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> Self-represented litigants are party to proceedings The legally aided person suffers from mental illness/intellectual disability The legally aided person requires an interpreter/translator The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator) <p>Fee can only be claimed once per stage per case.</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	\$330	For <ul style="list-style-type: none"> Reviewing file Preparing for conference including briefing client, submissions Attending Family Group Conference Reporting to client <p>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).</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 family violence issues affecting the legally aided person.

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

Family Violence (Applicant)

Proceedings under the Family Violence Act 2018

Termination of instructions

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

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

Application(s)/ Order(s)		
Activity	Fees	Tasks
Defended 'on notice' or 'without notice'		
Defended Protection Order	\$430	For <ul style="list-style-type: none"> Receiving/perusing notice of defence and associated documents from respondent Taking instructions, attending client Preparing, filing and serving applicant's reply Liaising with Court appointed counsel, and third parties (Police, doctor, hospital, witnesses, experts) Preparing and attending, as required, Registrar's list(s) Reporting to client
Defended Second and Third Family Violence Applications <ul style="list-style-type: none"> Occupation/tenancy, ancillary furniture order(s); or Special condition(s). 	\$210	For <ul style="list-style-type: none"> Preparing one or two orders/protection related conditions in addition to the protection order Reporting to client
Formal Proof Hearing(s) – Preparation *	\$140	For <ul style="list-style-type: none"> Preparing for formal proof hearing Reporting to client
Formal Proof Hearing(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> Attending formal proof hearing
Instructing Agent *	\$190	For <ul style="list-style-type: none"> Seeking and instructing agent to attend formal proof hearing <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 – Application(s)/Order(s)	\$190	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> Self-represented litigants are party to proceedings The legally aided person suffers from mental illness/intellectual disability The legally aided person requires an interpreter/translator The legally aided person has difficulties communicating (but doesn't require an interpreter/translator)
If two or more Additional Factors – Application(s)/Order(s)	\$50	For <p>Fee can only be claimed once per stage per case.</p>
Interlocutories		
Activity	Fees	Tasks
Interlocutories – Document preparation where there is no hearing *	\$140	For <ul style="list-style-type: none"> Preparing interlocutory documents where no hearing is required including Service Lodging with Court Reporting to client

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

Pre-Hearing Matters		
Activity	Fees	Tasks
Pre-Hearing Matters	\$620	For <ul style="list-style-type: none"> Taking further instructions and reviewing merit Preparing interlocutory application(s), pre-trial conference memorandum Updating Registrar's list Reporting to client
Judicial Conference(s) – Preparation *	\$140	For <ul style="list-style-type: none"> Preparing for judicial conference(s) Reporting to client
Judicial Conference(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> Attending judicial conference(s)
Instructing Agent *	\$190	For <ul style="list-style-type: none"> Seeking and instructing agent to attend judicial conference(s) <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	\$190	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> Self-represented litigants are party to proceedings The legally aided person suffers from mental illness/intellectual disability The legally aided person requires an interpreter/translator The legally aided person has difficulties communicating (but doesn't require an interpreter/translator) <p>Fee can only be claimed once per stage per case.</p>

Defended Hearing(s)		
Activity	Fees	Tasks
Complying with Judge's directions [#]	\$190	For <ul style="list-style-type: none"> Complying with directions from the Judge, such as updating affidavits
Defended Hearing(s) – Preparation *	\$160 per anticipated hour of hearing time	For <ul style="list-style-type: none"> Reviewing file Preparing for defended hearing – cross examination, briefing witnesses, submissions Undertaking research, if necessary, including Police, Oranga Tamariki and medical records Reporting to client
Defended Hearing(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> Attending defended hearing

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 *	\$190	For <ul style="list-style-type: none"> Seeking and instructing agent to attend defended hearing <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 – Defended Hearing(s)	\$190	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> Self-represented litigants are party to proceedings The legally aided person suffers from mental illness/intellectual disability The legally aided person requires an interpreter/translator The legally aided person has difficulties communicating (but doesn't require an interpreter/translator) <p>Fee can only be claimed once per stage per case.</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*	\$430	For <ul style="list-style-type: none"> Taking instructions, attending the client Preparing and filing an application(s) to discharge any existing Protection Order(s) when required to do so in order to progress another proceeding Preparation and filing of any affidavits and/or memorandum Determining whether Court staff have effected service Receiving the minute or order Reporting to client

* This fee can only be claimed to progress an application under the Victim's Orders Against Violent Offenders Act 2014.

Family Violence (Applicant) – Granting notes

Application(s)/Order(s)

The reduced fee that is available for undefended second and third family 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.

Family Violence (Respondent)

Proceedings under the Family Violence Act 2018

Termination of instructions

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

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)

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

Fee can only be claimed once per stage per case.

Pre-Hearing Matters		
Activity	Fees	Tasks
Pre-Hearing Matters	\$620	For <ul style="list-style-type: none"> • Taking further instructions and reviewing merit • Preparing interlocutory application(s), pre-trial conference memorandum • Updating Registrar’s list • Reporting to client
Judicial Conference(s) – Preparation*	\$140	For <ul style="list-style-type: none"> • Preparing for judicial conference(s) • Reporting to client
Judicial Conference(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending judicial conference(s)
Instructing Agent *	\$190	For <ul style="list-style-type: none"> • Seeking and instructing agent to attend judicial conference(s) <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	\$190	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> 1. Self-represented litigants are party to proceedings 2. The legally aided person suffers from mental illness/intellectual disability 3. The legally aided person requires an interpreter/translator 4. The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator) <p>Fee can only be claimed once per stage per case.</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 [#]	\$190	For <ul style="list-style-type: none"> Complying with directions from the Judge, such as updating affidavits
Defended Hearing(s) – Preparation*	\$160 per anticipated hour of hearing time	For <ul style="list-style-type: none"> Reviewing file Preparing for defended hearing – cross examination, briefing witnesses, submissions Undertaking research, if necessary, including Police statement of Facts; other statements; photographs; medical, hospital and ACC records; family violence and Oranga Tamariki records etc Reporting to client
Defended Hearing(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> Attending defended hearing
Costs Application – when respondent applying for costs or defending an application for costs	\$290	For <ul style="list-style-type: none"> Considering cost implications Preparing and receiving submissions Receiving costs judgment and sealing order Reporting to client
Instructing Agent*	\$190	For <ul style="list-style-type: none"> Seeking and instructing agent to attend defended hearing <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 – Defended Hearing(s)	\$190	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> Self-represented litigants are party to proceedings The legally aided person suffers from mental illness/intellectual disability The legally aided person requires an interpreter/translator The legally aided person has difficulties communicating (but doesn't require an interpreter/translator) <p>Fee can only be claimed once per stage per case.</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	\$290	For <ul style="list-style-type: none"> Taking instructions, attending the client Preparing application for legal aid Attempting to contact the client Closing the file Reporting to client Reporting to and invoicing Ministry of Justice
<p>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.</p>		
Application(s)/Order(s)		
Activity	Fees	Tasks
Application(s)/Order(s) – First/Only Proceeding	\$620	For <ul style="list-style-type: none"> Taking instructions, attending the client
Application(s)/Order(s) – Second Proceeding	\$310	<ul style="list-style-type: none"> Identifying legal and factual issues and merits of application Preparing application for legal aid
Application(s)/Order(s) – Third and Subsequent Proceedings	\$310	<ul style="list-style-type: none"> Referrals to counseling services Conducting initial negotiations between parties Preparing without notice or on notice application for interim/final order(s) and application to reduce time, including: <ul style="list-style-type: none"> Affidavit(s) in support Information sheets for the Court Serving of documents Receiving minute/orders (either following in chambers or 1st Registrar's/Judge's list call) Reporting to client
<p>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.</p>		
Formal Proof Hearing(s) – Preparation *	\$140	For <ul style="list-style-type: none"> Preparing for formal proof hearing Receiving and advising on reports Reporting to client
Formal Proof Hearing(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> Attending formal proof hearing to resolve undefended application(s)

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

Application(s)/Order(s)		
Activity	Fees	Tasks
Memorandum of Consent	\$190	For <ul style="list-style-type: none"> • Preparing memorandum of consent and draft orders if agreement reached • Seeking approval of Court • Reporting to client
Instructing Agent*	\$190	For <ul style="list-style-type: none"> • Seeking and instructing agent to attend formal proof hearing <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 – Application(s)/Order(s)	\$190	For Additional client attendances may be required in instances where:
If two or more Additional Factors – Application(s)/Order(s)	\$50	<ol style="list-style-type: none"> 1. Self-represented litigants are party to proceedings 2. The legally aided person suffers from mental illness/intellectual disability 3. The legally aided person requires an interpreter/translator 4. The legally aided person has difficulties communicating (but doesn't require an interpreter/translator) <p>Fee can only be claimed once per stage per case.</p>
Interlocutories		
Activity	Fees	Tasks
Interlocutories – Document preparation where there is no hearing *	\$140	For <ul style="list-style-type: none"> • Preparing interlocutory documents where no hearing is required • Lodging with Court • Reporting to client
Interlocutory Hearing(s) – Preparation*	Estimate required by amendment	For <ul style="list-style-type: none"> • Preparing submissions for interlocutory hearing(s) • Preparing application for amendment to grant • Reporting to client
Interlocutory Hearing(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending interlocutory hearing(s)

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

Pre-Hearing Matters		
Activity	Fees	Tasks
Pre-Hearing Matters	\$620	For <ul style="list-style-type: none"> Receiving notice of defence and undertaking negotiations Taking further instructions and reviewing merit Filing affidavit(s) in reply Attending Registrar's list/Judge's list/chambers hearings Liaising with relevant parties – Oranga Tamariki, counsel for child, witnesses, experts Reporting to client
Round-Table Meeting(s) – Preparation*	\$210	For <ul style="list-style-type: none"> Reviewing file Preparing for round-table meeting including briefing client Liaising with the other party(s) Conducting negotiations and where possible reaching agreement Reporting to client
Round-Table Meeting(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> Attending round-table meeting(s)
Judicial Conference(s) – Preparation*	\$140	For <ul style="list-style-type: none"> Preparing for judicial conference(s) (including memorandum of issues) Reporting to client
Judicial Conference(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> Attending judicial conference(s)
Memorandum of Consent	\$190	For <ul style="list-style-type: none"> Preparing memorandum of consent Seeking approval of Court Reporting to client
Instructing Agent *	\$190	For <ul style="list-style-type: none"> Seeking and instructing agent to attend round-table meeting(s), judicial/mediation conference(s), or interlocutory hearing(s) <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	\$190	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> Self-represented litigants are party to proceedings The legally aided person suffers from mental illness/intellectual disability The legally aided person requires an interpreter/translator The legally aided person has difficulties communicating (but doesn't require an interpreter/translator) <p>Fee can only be claimed once per stage per case.</p>

Pre-Hearing Matters

Defended Hearing(s)

Activity	Fees	Tasks
Complying with Judge's directions [#]	\$190	For <ul style="list-style-type: none"> Complying with directions from the Judge, such as updating affidavits
Defended Hearing(s) – Preparation*	\$160 per anticipated hour of hearing time	For <ul style="list-style-type: none"> Reviewing file Preparing for defended hearing – cross examination, briefing witnesses, submissions Undertaking research, if necessary Reporting to client
Defended Hearing(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> Attending defended hearing
Review of Judgment	\$140	For <ul style="list-style-type: none"> Receiving and considering judgment (including reserved judgments, if applicable) Discussing with client Advising client on implementation of judgment Reporting to client
Costs Application	\$290	For <ul style="list-style-type: none"> Considering cost implications whether an applicant or a respondent Preparing and receiving submissions Receiving costs judgment and sealing order Reporting to client
Instructing Agent*	\$190	For <ul style="list-style-type: none"> Seeking and instructing agent to attend defended hearing <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 – Defended Hearing(s)	\$190	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> Self-represented litigants are party to proceedings The legally aided person suffers from mental illness/intellectual disability The legally aided person requires an interpreter/translator The legally aided person has difficulties communicating (but doesn't require an interpreter/translator) <p>Fee can only be claimed once per stage per case.</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	\$290	For <ul style="list-style-type: none"> • Taking instructions, attending the client • Preparing application for legal aid • Attempting to contact the client • Closing the file • Reporting to client • Reporting to and invoicing Ministry of Justice <p>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.</p>
Declaration(s)/Application(s)/Order(s)		
Activity	Fees	Tasks
Pre-proceedings	\$310	For <ul style="list-style-type: none"> • Taking instructions, attending the client • Identifying legal and factual issues and merits of application • Preparing application for legal aid • Conducting initial negotiations between parties • Reporting to the client
Application(s) for Paternity Order(s)/Declaration(s) as to Paternity	\$310	For <ul style="list-style-type: none"> • Preparing application for final order(s), including: <ul style="list-style-type: none"> ○ Affidavit(s) in support ○ Information sheets for the Court ○ Application for birth costs (s 78(2) Family Proceedings Act 1980) • Serving of documents • Receiving minute/orders (either following in chambers or 1st Registrar's/Judge's list call) • Reporting to client
DNA Test **	\$150	<ul style="list-style-type: none"> • Arranging DNA test, if required

** 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	\$100	For <ul style="list-style-type: none"> • Preparing memorandum of consent and draft orders if agreement reached • Seeking approval of Court • Reporting to client
Formal Proof Hearing(s) – Preparation *	\$140	For <ul style="list-style-type: none"> • Preparing for formal proof hearing • Reporting to client
Formal Proof Hearing(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending formal proof hearing
Costs Application	\$290	For <ul style="list-style-type: none"> • Considering cost implications whether an applicant or a respondent • Application for costs order such as 50% of DNA test where test is positive and costs application is appropriate • Preparing and receiving submissions • Receiving costs judgment and sealing order • Reporting to client
Instructing Agent *	\$190	For <ul style="list-style-type: none"> • Seeking and instructing agent to attend formal proof hearing <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 – Declaration(s)/Application(s)/Order(s)	\$190	For <ul style="list-style-type: none"> • Additional client attendances may be required in instances where: <ol style="list-style-type: none"> 1. Self-represented litigants are party to proceedings 2. The legally aided person suffers from mental illness/intellectual disability 3. The legally aided person requires an interpreter/translator 4. The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator) <p>Fee can only be claimed once per stage per case.</p>
If two or more Additional Factors – Declaration(s)/Application(s)/Order(s)	\$ 50	
Interlocutories		
Activity	Fees	Tasks
Interlocutories – Document preparation where there is no hearing *	\$140	For <ul style="list-style-type: none"> • Preparing interlocutory documents where no hearing is required including Service • Lodging with Court • Reporting to client

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

Pre-hearing Matters		
Activity	Fees	Tasks
Judicial Conference(s) – Preparation*	\$140	For <ul style="list-style-type: none"> • Preparing for judicial conference(s) (including memorandum of issues) • Reporting to client
Judicial Conference(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending judicial conference(s)

Defended Hearing(s)		
Activity	Fees	Tasks
Defended Application(s)/Hearing(s) – Preparation *	Estimate required by amendment	For <ul style="list-style-type: none"> • Complying with directions from the Judge, such as updating affidavits • Receiving/perusing notice of defence and associated documents from respondent • Taking instructions, attending client • Preparing for defended hearing – cross examination, briefing witnesses, submissions • Arranging DNA test, if required and discussing results with client • Preparing for, and attending Registrar’s list(s) • Preparing application for amendment to grant (including confirmation of anticipated hearing time) • Receiving and considering judgment • Reporting to client
Defended Hearing(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending defended hearing
Instructing Agent*	\$190	For <ul style="list-style-type: none"> • Seeking and instructing agent to attend defended hearing <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>

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

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

Paternity – Granting notes

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	\$290	For <ul style="list-style-type: none"> Taking instructions, attending the client Preparing application for legal aid Attempting to contact the client Closing the file Reporting to client Reporting to and invoicing Ministry of Justice
<p>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.</p>		

Application(s)/Order(s)		
Activity	Fees	Tasks
Welfare/Property Interim and/or Final Order(s)	\$620	For <ul style="list-style-type: none"> Taking instructions, attending the client (NB: not subject person who is separately represented by counsel appointed by the Court under s 65) Identifying legal and factual issues and merits of application Preparing application for legal aid Preparing and filing application for interim/final order including: <ul style="list-style-type: none"> Affidavit(s) in support Information sheets for the Court Liaising with counsel appointed for the affected person Attending any relevant hearing to resolve interim/final order(s) Reporting to client
Second proceeding – Application(s)/Order(s)	\$310	
Formal Proof Hearing(s) (if defended) – Preparation *	\$140	For <ul style="list-style-type: none"> Preparing for formal proof hearing Reporting to client
Formal Proof Hearing(s) (if defended) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> Attending formal proof hearing
Memorandum of Consent (where no notice of defence has been filed)	\$100	For <ul style="list-style-type: none"> Preparing memorandum of consent Seeking approval of Court Reporting to client

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

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

Fee can only be claimed once per stage per case.

Interlocutories		
Activity	Fees	Tasks
Interlocutories – Document preparation where there is no hearing *	\$140	For <ul style="list-style-type: none"> • Preparing interlocutory documents where no hearing is required, including Service • Lodging with Court • Reporting to client
Interlocutory Hearing(s) – Preparation *	Estimate required by amendment	For <ul style="list-style-type: none"> • Preparing submissions for interlocutory hearing(s) • Preparing application for amendment to grant • Reporting to client
Interlocutory Hearing(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending interlocutory hearing(s)

Pre-hearing Matters		
Activity	Fees	Tasks
Judicial Conference(s) – Preparation *	\$140	For <ul style="list-style-type: none"> • Preparing for judicial conference(s) • Reporting to client
Judicial Conference(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending judicial conference(s)

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

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

Protection of Personal & Property Rights

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*	\$160 per anticipated hour of hearing time	For <ul style="list-style-type: none"> • Reviewing file • Preparing for defended hearing – cross examination, briefing witnesses, submissions • Undertaking research, if necessary • Receiving and considering judgment • Reporting to client
Defended Hearing(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending defended hearing
Costs Application	\$290	For <ul style="list-style-type: none"> • Considering cost implications whether an applicant or a respondent • 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) • Preparing and receiving submissions • Receiving costs judgment and sealing order • Reporting to client
Instructing Agent*	\$190	For <ul style="list-style-type: none"> • Seeking and instructing agent to attend defended hearing <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>

* 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

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

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)

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

Fee can only be claimed once per stage per case.

Interlocutories		
Activity	Fees	Tasks
Interlocutories – Document preparation where there is no hearing *	\$140	For <ul style="list-style-type: none"> • Preparing interlocutory documents where a hearing is not required • Lodging with Court • Reporting to client
Interlocutory Hearing(s) – Preparation *	Estimate required by amendment	For <ul style="list-style-type: none"> • Preparing submissions for interlocutory hearing(s), including interlocutory application(s)/pre-trial conference memorandum • Preparing application for amendment to grant • Reporting to client
Interlocutory Hearing(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending interlocutory hearing(s)

Pre-Hearing Matters		
Activity	Fees	Tasks
Complying with Judge’s directions	\$190	For <ul style="list-style-type: none"> • Complying with directions from the Judge, such as updating affidavits
Settlement Conference(s) – Preparation *	\$240 per anticipated hour of hearing time	For <ul style="list-style-type: none"> • Preparing submissions for settlement conference(s) including memorandum of issues • Reporting to client
Settlement Conference(s) – Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> • Attending settlement conference(s)
Memorandum of Consent	\$270	For <ul style="list-style-type: none"> • Preparing/reviewing memorandum of consent if agreement reached in settlement conference • Reporting to client
Discovery	\$490	For <ul style="list-style-type: none"> • Undertaking further round of discovery – updated accounting reports, asset valuations, debt levels • Reporting to client
Interrogatories	\$320	For <ul style="list-style-type: none"> • Obtaining information requested from other party to clarify/support the matter • Reporting to client

Pre-Hearing Matters		
Activity	Fees	Tasks
Document Preparation	\$650	For <ul style="list-style-type: none"> • Preparing pre-hearing documents – lists of issues, authorities, ‘bundle’ of documents (affidavits, statements of evidence) • Reporting to client

Judicial Conference(s) – Preparation *	\$140	For	<ul style="list-style-type: none"> • Preparing for judicial conference(s) (including memorandum of issues) • Reporting to client
Judicial Conference(s) – Hearing Time	\$67 per half hour	For	<ul style="list-style-type: none"> • Attending judicial conference(s)
Instructing Agent *	\$220	For	<ul style="list-style-type: none"> • Seeking and instructing agent to attend settlement conference or interlocutory hearing(s) <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	\$190	For	<p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> 1. Self-represented litigants are party to proceedings 2. The legally aided person suffers from mental illness/intellectual disability 3. The legally aided person requires an interpreter/translator 4. The legally aided person has difficulties communicating (but doesn’t require an interpreter/translator) <p>Fee can only be claimed once per stage per case.</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	\$190	For <ul style="list-style-type: none"> Complying with directions from the Judge, such as updating affidavits
Defended Hearing(s) – Preparation*	\$180 per anticipated hour of hearing time	For <ul style="list-style-type: none"> Reviewing file Preparing for defended hearing – cross examination, briefing witnesses, submissions Undertaking research, if necessary Reporting to client
Defended Hearing (s)– Hearing Time	\$67 per half hour	For <ul style="list-style-type: none"> Attending defended hearing
Review of Judgment	\$490	For <ul style="list-style-type: none"> Receiving and considering judgment Sealing judgment (if appropriate) Advising client on implementation of judgment – re-financing, conveyancing, re-occupation, debt management, allocation of funds Reporting to client
Instructing Agent*	\$220	For <ul style="list-style-type: none"> Seeking and instructing agent to attend defended hearing <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 – Defended Hearing(s)	\$190	For <p>Additional client attendances may be required in instances where:</p> <ol style="list-style-type: none"> Self-represented litigants are party to proceedings The legally aided person suffers from mental illness/intellectual disability The legally aided person requires an interpreter/translator The legally aided person has difficulties communicating (but doesn't require an interpreter/translator) <p>Fee can only be claimed once per stage per case.</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	\$290	For <ul style="list-style-type: none">• Taking instructions, attending the client• Identifying merits/prospects of success of application• Preparing application for legal aid• Reporting to client

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	\$430	For <ul style="list-style-type: none">• Taking instructions, attending the client• Identifying legal and factual issues and merits of application• Preparing application for legal aid• Liaising with the other party(s)• Conducting negotiations and reaching agreement• Reporting to client• Reporting to and invoicing Ministry of Justice <p>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.</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 (*Family and civil legal aid application form*) [s 14 Legal Services Act 2011]
- family Legal Aid Fixed Fee Tax Invoice
- 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

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.