

<b>ITEM SCALE IN FAMILY LAW, CHILD PROTECTION AND RELATED MATTERS</b>
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Item	Description	Hours	Totals	
<b>ALTERNATIVE DISPUTE RESOLUTION PHASE</b>				
1	<b><u>PDR early intervention</u></b>			
	(a) Take instructions, arrange time and prepare for PDR process	2		
	(b) Represent client at PDR process	2		
	(c) Prepare consent orders, if appropriate, inc draw Form 11, exchange negotiate, confirm instructions engross, execute and file, obtain birth certificates			
		1	5	Sol
2	<b>PDR at other stage including second conference</b>			
	(b) Representing client at PDR process	2		
	(c) Preparing consent orders, as above	2	4	Sol
<b>PREPARATION OF CONSENT ORDERS at any other time when discrete item</b>				
5	Includes draw, engross, negotiate, confirm instructions, execute and file			
		3	3	Sol
<b>COURT PROCEEDINGS PHASE</b>				
<b>FAMILY COURT</b>				
6	<b>FORM 1 &amp; 1A- application initial grant</b>			
	Initiating proceedings up to end of Case Conference/directions hearing			
	(a) Taking initial instructions; communications;	2		
	(b) preparing application/response; attending to filing and service;			
	(c) court attendance x 1, consent orders, if appropriate	2		

		3	7	Sol
7	<b>FORM 1 &amp; 1A - Case Asst Conf /first return date to Joint Case Conference</b>			
	(a) File management, take instructions.	1		
	(b) Court attendance (x2 usual)	1		
	(c) JCC attendance	2	4	Sol
8	<b>FORM 1 &amp; 2 OR 1A &amp; 2A - with interim application</b>			
	Initiating court proceedings – up to conclusion of directions hearing/s, including application for interim relief filed at the same time			
	(a) Take instructions for initiating court proceedings and for affidavits; (contd.) <b>FORM 1 &amp; 2 with interim application (contd.)</b>	2		
8. contd	(b) Preparing applications (x2) affidavits; obtaining short service; filing serving			
	(c) Draw, file, notify, serve subpoena (1-3 usual)	5		
	(d) Court attendance (first)	2		
		3	12	Sol
9	<b>FORM 1 – LAT stream – first return date/CAC to first LAT hearing date</b>			
	Attendance to explain and assist with Client Questionnaire, file and serve same, obtain instructions about list of witnesses and trial plan	2	2	Sol
10	<b>FORM 1 – LAT stream – first hearing date</b>			
	Preparation and conference with client	1		
	Appear in court first LAT hearing event, inc debriefing client	2	3	Csl
11	<b>FORM 1 - first return date/first LAT hearing to pre-hearing conference/Div 12A directions hearing</b>			
	- File management; taking instructions; settle Expert Report terms of reference, prepare client for family report process;			
	read family report, copy to client, appointment to obtain instructions re same	2		
	PTC/Div 12A attendance; incl obtaining consent orders, if appropriate	2		
		2	6	Sol

12	<b>FORM 1 - from pre-hearing conference/1st Div12A hearing to release of family report</b>  - Preparing client for family report process; reading family report; advising client; obtaining consent orders, if appropriate	3	3	Sol
13	<b>FORM 1 – DOCUMENTS FOR TRIAL - after Family Report before first day contested trial (for trial estimated 1-2 days)</b>  take instructions on client trial affidavit, draw, re-interview to settle, swear, engross incl annexure and copies, file and serve  interview witnesses (x3 standard) on affidavit, draw, re-interview to settle, swear, engross, file and serve  preparing outline of case, communicate to settle joint case summary	6  4	12	Sol
14	<b>DITTO where trial estimate 3 days PLUS</b>  Add extra witnesses interviews, settle and swear extra affidavits, draw trial plan, file and serve	4	4	Sol
15	<b>TRIAL PREPARATION</b>  Review all material including pleadings, affidavits and subpoenaed material, draw list of objections, plan and prepared opening and submissions  prepare examination in chief  prepare cross-examination	5 1 4	10	Sol
16	<b>TRIAL COSTS - as Solicitor Advocate</b>  Attendance first day of hearing including 2 hours pre-trial prep conferences before and after court	6	6	Csl
17	<b>TRIAL COSTS – instructing solicitor – complex where approved</b>  Attendance each day to instruct	6	6	Sol
18	<b>TAKE JUDGMENT</b>  Attend Court, take judgment, argue costs where necessary, settle incidental issues requested by Court, conference with client to explain	1	1	Csl
19	<b>COSTS APPLICATION – CONTESTED – DISCRETE ITEM</b>  Obtain instructions on financial circumstances, attend court, argue and debrief client	2	2	Csl

# FEDERAL MAGISTRATES COURT

20	<p><b><u>FMC - without interim application</u></b></p> <p>Initiating court proceedings – up to conclusion of directions hearing/s, including application for interim relief filed at the same time</p> <p>(a) Take instructions for initiating court proceedings and for affidavits;</p> <p>(b) Prepare applications (x2) affidavits, file, serve</p> <p>Court attendance (CAC/first return date)</p>	2			
		5			
		2	9		Sol
21	<p><b><u>FMC - with interim application</u></b></p> <p>Initiating court proceedings – up to conclusion of directions hearing/s, including application for interim relief filed at the same time</p> <p>(a) Take instructions for initiating court proceedings and for affidavits;</p> <p>(b) Preparing applications (x2) affidavits; obtaining short service; filing serving</p> <p>(c) Draw, file, notify, serve subpoena (1-3 usual)</p> <p>Court attendance (first)</p>	2			
		5			
		2			
		3	12		Sol
22	<p><b><u>FMC - MENTION/DIRECTIONS HEARING AS DISCRETE EVENT</u></b></p> <p>File management, obtain instructions, negotiate, communication,</p> <p>Court appearance</p>	1			
		1	2		Sol
23	<p><b><u>FORM 1 – DOCUMENTS FOR TRIAL - after Family Report before first day contested trial (for trial estimated 1-2 days)</u></b></p> <p>take instructions on client trial affidavit, draw, re-interview to settle, swear, engross incl annexure and copies, file and serve</p> <p>interview witnesses (x3 standard) on affidavit, draw, re-interview to settle, swear, engross, file and serve</p>	6			

	preparing outline of case, communicate to settle joint case summary	4		
		2	12	Sol
24	<b>TRIAL PREPARATION</b>			
	Review all material including pleadings, affidavits and subpoenaed material, draw list of objections, plan and prepared opening and submissions	5		
	prepare examination in chief	1		
	prepare cross-examination	4	10	Sol
25	<b><u>FMC - TRIAL COSTS as Solicitor Advocate or Counsel</u></b>			
	Attendance first day of hearing including 2 hours pre-trial prep conferences before and after court	6	6	Csl
26	<b><u>DITTO</u></b>			
	Subsequent day	6	6	Csl
27	<b><u>CONTRAVENTION PROCEEDINGS - APPLICANT</u></b>			
	Peruse order, obtain instructions on contravention	1		Sol
	Draw Form 12, draw affidavit, settle and swear affidavit, file and serve, obtain evidence in support including subpoena			Sol
	Court appearance	3		
		4	8	Csl
28	<b><u>CONTRAVENTION PROCEEDINGS - RESPONDENT</u></b>			
	Peruse order, application and affidavit, obtain instructions on contravention			
	Draw affidavit, settle and swear affidavit, obtain evidence in support including subpoena, prepare cross-examination and submissions	1		Sol
	Court appearance	3		Sol
		4	8	Csl
<b>MISCELLANEOUS SHORT ITEMS</b>				
29	<b><u>FORM 1 pre-2006 matter into Div 12A</u></b>			
	Attendance to explain process, obtain consent, complete, file & serve consent form.	1	1	Sol
30	<b><u>CHILD RESPONSIVE PROGRAM additional item following first court date</u></b>			
	Read short family report, conference client debrief and obtain instructions,			

	Feedback conference	2		
	Attend Registrar's Procedural hearing, negotiate orders and directions, prepare and mention for consent orders or trial directions	2		
		1	5	Sol
31	<b><u>INTERIM HEARING on adjourned date</u></b>			
	File management, refresh, negotiate resolution, obtain instructions	1		Sol
	Attend court on contest or consent orders	2	3	Csl
32	<b><u>JUDICIAL INTERIM OR SUMMARY HEARING – discrete event</u></b>			
	Take instructions for application, communicate and negotiate			
	Draw application and affidavits (x2 usual), attend swearing affs, file and serve; obtain short service	2		Sol
	Court attendance (including consent orders)	3		Sol
		3	8	Csl
33	<b><u>SUBPOENA LIST - discrete event</u></b>			
	(a) Draw, file, notify, serve subpoena	0.5		
	(b) Appear on return	0.5		
	(c) Read material, note up	0.5	1.5	Sol
34	<b><u>SINGLE EXPERT APPOINTMENT discrete item</u></b>			
	(a) Negotiate identity of SE and availability	1		
	(b) Review issues and draw, circulate, execute, and file Terms of Reference	2		
	(c) Registrar's list attendance (x2)	1	4	Sol
35	<b><u>OTHER CONTESTED SHORT LIST</u></b> Eg Single Expert dispute, disputed directions, contested subpoena list, defaulters list, applications for leave to issue subpoena			
	Review file, prepare argument, negotiate, draw necessary submissions, documents	1		
	Appear in Court	2	3	Csl
36	<b><u>BRIEFING COUNSEL where approved</u></b>			
	Prepare and deliver brief to counsel;	1		
	Conference with client, counsel;	1	2	Sol

37	<b><u>READING TIME discrete item</u></b>			
	For brief in excess of 500 pages or on resumption of part heard trial after significant lapse of time	2	2	Csl
38	<b><u>CASE REVIEW - complex where approved</u></b>			
	Review file, Preparing court documents (if any); taking instructions; court attendance; obtaining consent orders, if appropriate	3	3	Sol

## CHILD REP/ICL

39	<b>CHILD REP/ICL initial grant</b>			
	File Address for Service, obtain and read material, obtain authorities, procure and read medical reports, teacher info	5		
	Organize appointment and venue, interview children			
	Draw, file, serve and notify subpoena (x 2 usual) and appear in subpoena list or Registrar's procedural list	2		
		2	9	Sol
40	<b>CHILD REP – read subpoena material</b>	2	2	Sol
41	<b>CHILD REP/ICL mediation conference chair</b>			
	Read outlines, organize conference and venue, communicate to set agenda	0.5		
	Conduct conference	3		
	Draw parenting agreement/consent orders	0.5	4	Csl
42	<b>CHILD REP/ICL first court event</b>			
	First appearance at CAC, JCC or in Div12A first day hearing, including prepare list of issues	3	3	Csl
43	<b>CHILD REP/ICL – interview children subsequent – discrete item</b>			
	Organize interview venue	0.5		
	Conduct interview with children report as appropriate to parties, experts.	1.5	2	Sol
44	<b>CHILD REP/ICL – interim or summary hearing as discrete event ( incl waiting time )</b>			
	Reading and prep, negotiation	1		
	Court appearance	3	4	Csl

45	<b>CHILD REP/ICL – Preparation for trial</b>  Check subpoenaed material, interview expert and lay witnesses, draw file and serve affidavits (x2 standard), prepare single expert, read parties' material served, prepare outline of case document	6	6	Csl
46	<b>CHILD REP/ICL – contested hearing as solicitor advocate/counsel</b> First day fee including re-reading material, prepare cross-examination and submissions, settlement negotiations and conferences before and after court	6	6	Csl
47	<b>CHILD REP/ICL – contested hearing as solicitor advocate</b>  Subsequent day incl take judgment, arrange and attend debrief interview with children.	6	6	Csl
<b>APPEALS</b>				
48	<b>Appeal to Full Court Family Court</b>  Obtain and read transcript, advise client, draw Notice of Appeal, draft summary or argument, settle Appeal Books	10	10	Sol
49	<b>Appeal to a single judge of Family Court</b>  Obtain and read transcript, advise client, draw Notice of Appeal, draft summary or argument, settle Appeal Book	8	8	Csl
50	<b>Appeal to Full Court or Single Judge</b>  Draw and settle amended Notice of Appeal	2		
	Draw and settle final summary of argument	4	6	Csl
51	<b>Appeal to Full Court or Single Judge</b>  Appear on hearing first day as solicitor advocate/counsel	6	6	Csl
52	<b>Appeal to Full Court or Single Judge</b>  Appear on hearing Subsequent days	6	6	Csl
<b>CHILD SUPPORT</b>				
53	<b>Child Support – Paternity Test, declaration s.106, 107</b>  Obtain instructions on conception, draw application and affidavit, file and serve, appear on return date and order, arrange test documentation, read certificate, file same and appear on directions hearing following test	6	6	Sol
54	<b>CHILD SUPPORT departure application</b>			

	Obtain instructions, draw application, file, serve and notify, conciliation conference, and all appearances up to final hearing	8	8	Sol
55	<b>CHILD SUPPORT Departure application</b>			
	Fee on hearing incl conferences and hearing	6	6	Csl

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**CARE AND PROTECTION**

56	<b>ACTING FOR PARTICIPATING PARTY – initial grant</b>			
	Take instructions, communication and negotiation	2		
	Read initial DHHS material, appear one Court mention date			
	Conference with client before s.52 Conference, read further affidavits and expert reports	2		
	Attend s.52 Conference and same day Mention	2		
		3	9	Sol
57	<b>ACTING FOR PARTY – subsequent file management item (*high maintenance clients)</b>			
	Attend to urgent client concerns, additional conference, communication and negotiation	2	2	Sol
58	<b>ACTING FOR PARTY – from s.52 conference</b>			
	Read DHHS trial material up to 500 pages	2		
	Take instructions on affidavit, draw, attend on settling affidavit, swear, engross, copy, file and serve	2		
	Take instructions on witness affidavit (1 standard), draw, attend on settling, swear, engross, copy, file and serve	2		
	Attend at least one further Court mention/directions date	1		
		1	6	Sol
59	<b>ACTING FOR INTERESTED PARTY – appear trial as solicitor advocate/counsel</b>			
	Prep, reading, first day hearing fee, incl conferences before and after Court	6	6	Sol
60	<b>ACTING FOR INTERESTED PARTY – appear trial as solicitor advocate/counsel</b>			
	Subsequent day	6	6	Sol

60a	<b>CHILD REP/ICL initial grant</b>			
	<b>File Address for Service, obtain and read material, obtain authorities procure and read medical reports, teacher info</b>	5		
	<b>Organise appointment and venue, interview children</b>	2		
	<b>Draw, file, serve and notify subpoenae (x 2 usual) and appear in subpoenae list or Registrar's procedural list</b>	2	9	Sol
60b	<b>CHILD REP - read DHHS material</b>	2	2	Sol
60c	<b>CHILD REP/ICL - conference chair</b>			
	Read outlines, organise conference and venue, communicate to set agenda	0.5		
	Conduct conference	3		
	Draw orders	0.5	4	Sol
60d	<b>CHILD REP/ICL first court event</b>			
	First appearance in first day hearing, including prepare list of issues	3	3	Sol
60e	<b>CHILD REP/ICL - interview children subsequent - discrete item</b>			
	Organise interview venue	0.5		
	Conduct interview with children report as appropriate to parties, experts.	1.5	2	Sol
60f	<b>CHILD REP/ICL - S52 Conference</b>			
	Reading and prep, negotiation	1		
	Conference	3	4	Sol
60g	<b>CHILD REP/ICL - Preparation for trial</b>			
	Check subpoenaed material, interview expert and lay witnesses, draw file and serve affidavits (x2 standard),prepare single expert, read parties' material serviced, prepare outline of case document	6	6	Sol
60h	<b>CHILD REP/ICL - contested hearing</b>			
	First day fee including re-reading material, prepare cross-examination and submission, settlement negotiations and conferences before and after court	6	6	Sol
60i	<b>CHILD REPR/ICL - contested hearing</b>			
	Subsequent day incl take judgment, arrange and attend debrief interview	6	6	Sol

## RELATIONSHIPS ACT – SUPREME COURT

61	<b>INITIAL GRANT</b>			
	Take initial instructions	2		
	Collect and read financial documents, negotiate before filing	2	4	
62	<b>INITIATING PROCEEDINGS</b>			
	Draw Originating Application	0.5		
	Draw, settle in conference with client and administer affidavit and file and serve	4	4.5	
63	<b>RESPOND TO ORIGINATING APPLICATION</b>			
	Conference obtaining initial instructions	2		
	Notice of Appearance, draw file and serve	0.5	2.5	
64	<b>CROSS-APPLICATION</b>			
	Draw file and serve pleading	0.5		
	Draw, settle in conference with client and administer affidavit in response, file and serve	4	4.5	
65	<b>DIRECTIONS HEARING BEFORE MASTER</b>			
	Review file, negotiate directions and appear	1	1	
66	<b>DISCOVERY</b>			
	Incl draw and serve list of documents, peruse other party list of docs	2		
	Peruse documents discovered	3	5	
67	<b>INTERROGATORIES</b>			
	Draw Interrogatories	3		
	Peruse other party interrogatories, arrange appointment, obtain instructions, draw answers, settle, attend on swearing and serve	2	5	
68	<b>MEDIATION</b>			
	Conference client to prepare client and discuss settlement	1		
	Attend mediation conference, including pre-mediation phone conference,	3	4	Sol
69	<b>DRAW SEPARATION AGREEMENT/CONSENT ORDERS</b>			
	Draw, negotiate, settle agreement or orders and agreed statement of facts, engross, attend to execution and filing or exchange	4	4	Sol
70	<b>TRIAL PREP – DOCUMENTS FOR TRIAL</b>			

	Including subpoenae, interview witnesses, witness affidavits (x2 usual), file and serve	8		Sol
	Outline of argument, chronology	2	10	Csl
71	<b>TRIAL PREPARATION</b>			
	Review all material including pleadings, affidavits and subpoenaed material, draw list of objections, plan and prepared opening and submissions	5		
	Prepare examination in chief/reply	1		
	Prepare cross-examination	4	10	Csl
72	<b>BRIEFING COUNSEL where approved</b>			
	Prepare and deliver brief to counsel;	1		
	Conference with client, counsel;	1	2	Sol
73	<b>CONTESTED TRIAL as Solicitor Advocate/Counsel</b>			
	First day hearing fee inc conferences before and after court	6	6	Csl
74	<b>APPEALS</b>			
	As for Full Court Family Court			