

## Lawyer-Assisted Family Law Property Mediation Trial

### Stage of Matter Work Items & Fee Schedule

		<b>Hours</b>	<b>Rate</b>
<b>Stage One Conference one phase</b>	.		
<b>1.1</b>	<p><b>Client Case Preparation</b> Attend client, complete and lodge intake and disclosure documents including financial statement/balance sheet. Identify and obtain searches, superannuation statements and if required Superannuation Information Form (SIF). Identify if appraisal or joint valuation required, respond to request for further information from Case Manager.</p>	3.5	Sol
<b>1.2</b>	<p><b>Conference Preparation</b> Attend client, attend pre-conference meeting with Chair, take instructions on summary report, other party's documents and disclosure documents. If required conduct searches, obtain superannuation statement, SIF or joint valuation. Negotiations on identifying the property pool and valuation issues. Formulate and take instructions on settlement proposals for conference.</p>	2	Sol
<b>1.3</b>	<p><b>Conference One</b> Represent client at conference</p>	3	Sol
<b>Stage Two Conference two phase</b>			
<b>2.1</b>	<p><b>Conference Two Preparation</b> Attend client, complete and lodge intake and disclosure documents including list of issues. Confer with other party's lawyer and produce joint statement of facts. Obtain any outstanding searches, valuations or SIF's</p>	2	Sol
<b>2.2</b>	<p><b>Conference Two</b> Represent client at conference</p>	2	Sol
<b>Stage Three Consent order/other phase</b>			
<b>3.1</b>	<p><b>Consent Orders – Party One Only</b> Prepare and exchange consent orders including all supporting documents such as SIF's, Statement As To Procedural Fairness, negotiate, instructions on and attending to make amendments, execution and filing and remedying requisitions, report to Case Manager as to outcomes.</p>	3	Sol

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		<b>Hours</b>	<b>Rate</b>
<b>3.2</b>	<b>Consent Orders – Party Two only</b> Instructions on consent orders, identifying and advising areas of disagreement, negotiations, attendance to execute.	1.5	Sol
<b>3.3</b>	<b>Consent Orders after conference two where previous grant for consent orders – Party one only</b> Prepare and exchange consent orders including all supporting documents such as superannuation statements or SIF's, Statement As To Procedural Fairness, negotiate, instructions on and attending to make amendments, execution and filing and remedying requisitions, report to Case Manager as to outcomes.	1.5	Sol
<b>3.4</b>	<b>Consent Orders after conference two where previous grant for consent orders – Party two only</b> Instructions on consent orders, negotiations, attendance to execute	1	Sol
<b>3.5</b>	<b>Post Order</b> Notify Superannuation Fund, banks, creditors, transfer registrations, remove caveat, report to client.	1	Sol
<b>3.6</b>	<b>Conveyancing – Where Home Is Retained only<sup>1</sup></b> Convey property from one party to the other including all dealings/registrations with Mortgagors/Caveators	2.5	Sol

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<sup>1</sup> Only one party per matter will be aided for this item

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<b>3.7</b>	<b>Lodge Caveat</b> Establish basis for lodgement, draft and register caveat, give notices required, remedy requisitions	1	Sol
<b>Stage Four Litigation Phase 4.1</b>	<b>Urgent Injunction<sup>2</sup></b> Initiate proceedings for urgent injunctive relief (including initiating application) including instructions, drawing all documents, filing, serving, negotiations, mentions and interim hearing, drawing orders/consent orders, report to Case Manager as to outcomes.	10	Sol
<b>4.2</b>	<b>Initiate proceedings</b> Initiate proceedings including instructions, drawing all documents, filing, serving, negotiations, court appearances up to and including trial directions, drawing orders/consent orders, if settled report to Case Manager as to outcomes.	5	Sol
<b>4.3</b>	<b>Additional mention</b> Where matter has had more than 2 previous mentions/interim or procedural hearings – for negotiations and appearance at additional mention	1	Sol
<b>4.4</b>	<b>Conciliation Conference</b> Instructions, preparation, disclosure, negotiations and attend conference.	3	Sol
<b>4.5</b>	<b>Issue subpoena</b> Draw, file and serve subpoena, notice to inspect, inspect documents.	1.5	Sol
<b>4.6</b>	<b>Inspect subpoena (not issuing party)</b> Inspect documents	1	Sol
<b>4.7</b>	<b>Inspect subpoena (documents exceeding 100 pages)</b> Per additional 100 pages	1	Sol

<sup>2</sup> If aid for urgent injunction granted, client is not entitled to a separate grant to initiate proceedings.

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<b>4.8</b>	<b>Documents and preparation for trial</b> Amend application/response, affidavits, notice to admit facts, notice to produce and all other documents required by trial directions, if settled report to Case Manager as to outcomes.	5	Sol
<b>4.9</b>	<b>Trial costs – Counsel</b> Attendance at each day of hearing including negotiations over the course of the trial – per day. Once resolved report to Case Manager as to outcomes.	7	Counsel
<b>4.10</b>	<b>Enforcement</b> Prepare, file and serve application for enforcement or contempt of court, attend mention/s and conduct hearing.	7	Counsel
<b>4.11</b>	<b>Third parties<sup>3</sup></b> Where additional work is required to negotiate/communicate with lenders, creditors or Official Trustee in Bankruptcy.	Variable up to 3	Sol
<b>4.12</b>	<b>Counsel Reading Time<sup>4</sup></b> Where Counsel is retained after the conciliation conference	2	Counsel
<b>Disbursements</b> <b>5.1</b>	<b>Chairperson Fee –Conference One</b> Consider intake documents, follow up disclosure with lawyers/parties, seek agreement as to searches, valuations or SIF's required, hold pre-conference meeting with each party(and lawyer if applicable), draw property summary report to be provided to both lawyers/parties with the financial statement and disclosure documents of other party, mediate conference, prepare outcomes report.	\$980	
<b>5.2</b>	<b>Chairperson fee – conference Two</b> Consider intake documents, follow up disclosure with lawyers/parties, seek	\$630	

<sup>3</sup> A maximum of 1 grant per party

<sup>4</sup> Only where briefing of Counsel is approved, given additional cost to Commission of this item.

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	agreement as to searches, valuations or SIF's required, consider joint statement of facts, mediate conference, prepare outcomes report.		
<b>5.3</b>	<b>Subpoena production expenses</b>	Up to \$200	
<b>5.4</b>	<b>Interpreter</b>	Variable up to \$300	
<b>5.5</b>	<b>Photocopying Subpoenaed Documents</b> Where USB or other electronic copy is not available.	.20 per page but not to exceed \$50	
<b>5.6</b>	<b>Regional Travel – solicitor's time in hours</b> In limited circumstances, for example where a conference is to be held more than 20km from a solicitor's practice, or in the litigation phase where Counsel travel is necessary.	Up to \$140 for each hour of travel	
<b>5.7</b>	<b>Travel distance</b> In limited circumstances, for example where a conference is to be held more than 20km from a solicitor's practice, or in the litigation phase where Counsel travel is necessary.	0.40 per km	
<b>5.8</b>	<b>Valuation</b> If in conference phase, must be a joint valuation, maximum one valuation per matter.	Variable up to \$1300 per matter.	
<b>5.9</b>	<b>Superannuation Information Form Fee/Actuarial Fee</b>	Variable up to \$500	
<b>5.10</b>	<b>Process Service Fee</b>	Variable up to \$100	
<b>5.11</b>	<b>Caveat lodgement fee</b> Only payable where no exemption is available under s51(1) of the Legal Aid Commission Act 1990.	\$171.72	