

SUPREME COURT TAXING OFFICE

PRACTICE DIRECTION

2004 No.1

PLEADING AND INTERLOCUTORY MATTERS

The list of Counsel's fees which was last increased in September 1999 has been the subject of discussion between the Taxing Master and the Bar Council. A list of the new fees relating to such cases, which will come into operation in respect of instructions and briefs delivered on or after **1 March 2004** is set out as below. The fees in the list will be proper to be allowed on taxation in the normal run of such cases where the item has been dealt with fully. Save in the case of consultation fees, each fee is intended to cover all necessary perusal of papers in connection with the item.

A lower fee may be appropriate where the item has not been dealt with comprehensively or was unusually simple, or where more than one item has been dealt with simultaneously. If a higher fee has been marked or agreed it will need to be justified on taxation, as indeed will any fee which is claimed whether included in the list or not. The fees in the list do not apply to matrimonial proceedings.

FEES FOR PLEADINGS AND INTERLOCUTORY MATTERS

CHANCERY DIVISION

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Writ	30.00
Statement of Claim	95.00
Defence	70.00
Defence and Counterclaim	95.00
Reply and Defence to Counterclaim	55.00
Reply	25.00

ORIGINATING PROCEEDINGS

Originating Summons or Notice of Motion	55.00
Brief on Hearing of Summons or on Ex-parte application	85.00
Minute of Judgment	60.00
Motion for Judgment	105.00

PROCEEDINGS BY PETITION

Petition or Answer	70.00
Other Pleadings	55.00
Brief on Hearing of Summons or Motion	85.00

QUEEN'S BENCH DIVISION

Writ (generally endorsed)	25.00
Writ (specially endorsed)	60.00
Statement of Claim	
(running down non-fatal)	65.00
(all other cases)	90.00
Defence	60.00
Defence with Particulars	65.00
Defence and Counterclaim	75.00
Reply and Defence to Counterclaim	60.00
Reply (simple)	12.00
Third Party Notice	60.00
Brief on Ex-parte Hearing	60.00
Brief on Hearing of Summons or Motion	90.00
Brief on Hearing of minor settlement	90.00

FAMILY DIVISION

PROBATE

Motion Paper	75.00
Motion	75.00
Writ	35.00
Brief on Ex-parte Hearing	70.00
Brief on Hearing of Summons or Motion	85.00
Statement of Claim or Defence	85.00
Defence and Counterclaim	75.00
Reply and Defence to Counterclaim	50.00
Reply (simple)	13.00

BANKRUPTCY

Examination of witnesses	115.00
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GENERAL

Affidavits	50.00
Notice of Motion/Summons	35.00
Notice for Particulars	
Or Answer thereto	50.00
Notice to Admit Facts	55.00
Replies to Notice to Admit Facts	55.00
Interrogatories and Answers	80.00

***Proofs (Liability Admitted)**

Senior	180.00
Junior	150.00

*Proofs (Liability Denied)	
Senior	260.00
Junior	215.00
Supplementary Advice where necessary (Senior)	200.00
Supplementary Advice where necessary (Junior)	165.00
*Opinions, liability and quantum	150.00
Liability only	110.00
Quantum only	110.00
Further	65.00
*Notice of Appeal	70.00
Consultation up to one hour	
Senior	150.00
Thereafter per ½ hour	60.00
Consultation up to one hour	
Junior	100.00
Thereafter per ½ hour	40.00
*to include consultation (if any)	

Dated this 29th day of March 2004

J CHRISTOPHER NAPIER
MASTER (Taxing Office)