

SCHEDULE

Chapter IV –

Summary Cause

Part II –

Defended Actions

1. Work before action commences – to 100.00
cover all work of a pre-litigation basis,
to include discussions/correspondence with
opposing party, exchange of documentation, etc
(not exceeding 1 hour)

(a) (a) Instruction fee to include 150.00
taking instructions, framing summons
and statement of claim, statement
of valuation, obtaining warrant
for service, enquiring for and
consideration of Response Form (1½
hours)

(b) (b) Where counter claim and 150.00
answers lodged, additional fee of (1½
hours)

(c) (c) If additional defender/third 100.00
party brought in, additional fee to each
original party's agent (1 hour)

3. Service–

(a) (a) Citation by post within 10.30
the United Kingdom, Isle of Man,
Channel Islands, or the Republic of
Ireland – for each party

Citation by post elsewhere – for each party 22.75

(b) (b) Instructing service or reservice 10.30
by sheriff officer including perusing
execution of citation and settling
sheriff officer's fee – for each party

(c) (c) Framing and instructing service 32.90
by advertisement – for each party

4. Attendance at first calling–

(a) (a) To include necessary 150.00
preparation for and conduct of
(each of) such hearings and noting
interlocutor (1½ hours)

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- (b) (b) Where waiting/hearing exceeds 25.00
one half hour – for every extra quarter
hour

5. Attendance at Court–

Attendance at any diet except as otherwise 25.00
specially provided – per half hour

**6. Precognitions– taking and drawing – per 36.40
sheet**

Note: Where a skilled witness prepares his own
precognition or report, the solicitor shall be
allowed half of above drawing fee for perusing
it (whether or not in the course of doing so he
revises or adjusts it).

7. Reports obtained under Order of Court–

- (a) (a) All work incidental to it 80.00
- (b) (b) Additional fee for perusal of 19.55
report, per quarter hour

8. Productions–

- (a) (a) For lodging productions – each 43.60
inventory
- (b) (b) For considering opponent's 21.70
productions – each inventory

**9. Affidavits– to framing affidavits (where 14.50
ordered) per sheet**

10. Motions and minutes–

Fee to cover drawing, intimating and lodging
of any written motion or minute, excluding a
minute or motion to recall decree, and relative
attendance at court (except as otherwise
provided in this Chapter)–

- (a) (a) Where opposed 101.85
- (b) (b) Where unopposed – including 43.60
for each party a joint minute or joint
motion (other than under paragraph
14(b))
- (c) (c) Where motion exceeds half 19.55
hour, additional fee per quarter hour

**11. Fee to cover considering opponent's
written motion or minute excluding minute or
motion to recall decree and relative attendance
at court–**

- (a) (a) Where motion or minute 101.85
opposed

(b) (b) Where motion or minute 43.60
unopposed

(c) (c) Where motion exceeds half 19.55
hour, additional fee per quarter hour

12. Hearing Limitation–

Fee to include work done (except as otherwise 100.00
specially provided for in this Chapter)
undertaken with a view to limiting the scope
of any hearing, and including the agreement of
evidence generally including the exchange of
documents, precognitions and expert reports,
agreeing any fact, statement or document not in
dispute, preparation and lodging of witness list,
preparing Schedule of Damages and preparing
and lodging joint minute (not exceeding 1 hour)

13. Procedure preliminary to proof–

(a) Fee to cover all work preparing
proof (except as otherwise specially
provided for in this chapter)

(i) If action settled or abandoned not later 250.00
than 7 days before the diet of proof

(ii) In any other case 300.00

(b) (b) Fee to cover preparing for 94.60
adjourned diet and all incidental work
as in (a) if diet postponed for more
than 6 days, for each additional diet

(c) (c) Fee for attendance inspecting 21.70
opponent's documents – per quarter
hour

14. Conduct of proof–

(a) (a) Fee to cover conduct of proof 21.75
or trial and debate on evidence taken
at close of proof – per quarter hour

(b) (b) Waiting time – per half hour 19.55

15. Debate on Evidence–

(a) (a) Where debate on evidence not 72.70
taken at conclusion of proof, preparing
for debate

(b) (b) Fee for conduct of debate – per 21.75
quarter hour

16. Settlements–

(a) Judicial tender–

(i) Fee for preparation and lodging or for 79.90
consideration of each minute of tender

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(ii) Fee on acceptance of tender, to include preparation and lodging or consideration of minute of acceptance and attendance at court when decree granted in terms thereof 65.50

(b) (b) Extra judicial settlement–

Fee to cover negotiations resulting in settlement, framing or revising joint minute and attendance at court when authority interposed thereto 145.30

(c) (c) Whether or not fees are payable under (a) or (b) above where additional work has been undertaken with a view to effecting settlement, including offering settlement, although settlement is not agreed – not exceeding 145.30

17. Specification of documents–

(a) Fee to cover drawing, intimating and lodging specification and relative motion

(i) Where motion unopposed 79.90

(ii) Where motion opposed – additional fee per quarter hour 19.55

(b) (b) Fee to opposing solicitor

(i) Where motion unopposed 43.60

(ii) Where motion opposed – additional fee per quarter hour 19.55

(c) (c) Fee for citation of havers, preparation for and attendance before commissioner at execution of commission–

(i) Where attendance before commissioner does not exceed one hour 79.90

(ii) For each additional quarter hour after the first hour 21.70

(d) (d) If optional procedure adopted – fee per person upon whom order is served 19.55

(e) (e) Fee for perusal of documents recovered – per quarter hour 19.55

18. Commissions to take evidence–

Open Commissions–

(a) (a) Fee to solicitor applying 145.40
for commission to include all
work (except as otherwise specially
provided for in this chapter) up to
lodging report of commission but
excluding attendance thereat

(b) (b) Fee to opposing solicitor 72.70

(c) (c) Fee for attendance at execution 21.70
of commission – per quarter hour

19. Appeals–

(a) (a) Fee to cover instructions, 218.10
marking of appeal or noting that
appeal marked, noting of diet of
hearing thereof, perusing Stated Case,
framing Questions in Law and
Adjustment thereof, preparation for
hearing

(b) (b) Fee to cover conduct of hearing 21.70
on Adjustments – per quarter hour

(c) (c) Conduct of Appeal – per quarter 21.70
hour

20. Final Procedure–

(a) (a) Fee to cover settling with 109.10
witnesses and noting final interlocutor

(b) (b) Fee to cover drawing 94.60
of expenses, arranging, intimating
and attending diet of taxation
and obtaining approval of auditor's
report and where necessary, ordering,
procuring and examining extract
decree or adjusting account with
opponent

(c) (c) Fee to cover considering 19.55
opponent's account of expenses,
objections and attendance at hearing
on expenses – per quarter hour

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Chapter IV – Summary Cause Part II – Defended Actions

Personal Injury Claims Only

1. Work before action commences – to 284.60
cover all work of a pre-litigation basis,
to include discussions/correspondence with
opposing party, exchange of documentation, etc
(not exceeding 3 hours)

- (a) (a) Instruction fee to include 300.00
taking instructions, framing summons
and statement of claim, statement
of valuation, obtaining warrant
for service, enquiring for and
consideration of Response Form (not
exceeding 2_ hours)
- (b) (b) Where counter claim and 150.00
answers lodged, additional fee of (not
exceeding 1½ hours)
- (c) (c) If additional defender/third 150.00
party brought in, additional fee to each
original party's agent (not exceeding
1½ hours)

3. Service–

- (a) (a) Citation by post within 12.35
the United Kingdom, Isle of Man,
Channel Islands, or the Republic of
Ireland – for each party

Citation by post elsewhere – for each party 27.25

- (b) (b) Instructing service or reservice 12.35
by sheriff officer including perusing
execution of citation and settling
sheriff officer's fee – for each party
- (c) (c) Framing and instructing service 32.85
by advertisement – for each party

4. Attendance at first calling–

- (a) (a) To include necessary 195.60
preparation for and conduct of
(each of) such hearings and noting
interlocutor (2 hours)

- (b) (b) Where waiting/hearing exceeds 27.15
one half hour – for every extra quarter
hour

5. Attendance at Court–

Attendance at any diet except as otherwise 54.50
specially provided – per half hour

6. Precognitions– taking and drawing – per 45.50
sheet

Note: Where a skilled witness prepares his own
precognition or report, the solicitor shall be
allowed half of above drawing fee for perusing
it (whether or not in the course of doing so he
revises or adjusts it).

7. Reports obtained under Order of Court–

- (a) (a) All work incidental to it 100.00
- (b) (b) Additional fee for perusal of 12.65
report, per quarter hour

8. Productions–

- (a) (a) For lodging productions – each 54.50
inventory
- (b) (b) For considering opponent's 27.15
productions – each inventory

9. Affidavits– to framing affidavits (where 18.15
ordered) per sheet

10. Motions and minutes–

Fee to cover drawing, intimating and lodging
of any written motion or minute, excluding a
minute or motion to recall decree, and relative
attendance at court (except as otherwise
provided in this Chapter)–

- (a) (a) Where opposed 127.35
- (b) (b) Where unopposed – including 54.50
for each party a joint minute or joint
motion (other than under paragraph
14(b))
- (c) (c) Where motion exceeds half 27.15
hour, additional fee per quarter hour

11. Fee to cover considering opponent's
written motion or minute excluding minute or
motion to recall decree and relative attendance
at court–

- (a) (a) Where motion or minute 127.35
opposed

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(b) (b) Where motion or minute 54.50
unopposed

(c) (c) Where motion exceeds half 27.15
hour, additional fee per quarter hour

12. Procedure preliminary to proof–

(a) Fee to cover all work preparing proof
– as follows – exchanging of witness
list, documents list, skilled witnesses,
reports, consideration of defender’s
schedule of damages, citation of
witnesses, general preparation for
Proof (except as otherwise specially
provided for in this chapter) (not
exceeding 3 hours)

(i) If action settled or abandoned not later 400.00
than 7 days before the diet of proof

(ii) In any other case 526.95

(b) (b) Fee to cover preparing for 118.25
adjourned diet and all incidental work
as in (a) if diet postponed for more
than 6 days, for each additional diet

13. Hearing Limitation–

Fee to include work done (except as otherwise 400.00
specially provided for in this Chapter)
undertaken with a view to limiting the scope
of any hearing and including the agreement of
evidence generally, including the agreement
of photographs, sketch plans, documents,
precognitions and expert reports, agreeing
any fact, statement or documents, agreeing
Schedule of Damages and preparing and
lodging joint minute of admissions (not
exceeding 3 hours)

14. Conduct of proof–

(a) (a) Fee to cover conduct of proof 27.15
or trial and debate on evidence taken
at close of proof – per quarter hour

(b) (b) Waiting Time – per half hour 24.45

15. Debate on Evidence–

(a) (a) Where debate on evidence not 90.85
taken at conclusion of proof, preparing
for debate

(b) (b) Fee for conduct of debate – per 27.15
quarter hour

16. Settlements–

- (a) Judicial tender—
 - (i) Fee for preparation and lodging or for consideration of each minute of tender 99.90
 - (ii) Fee on acceptance of tender, to include preparation and lodging or consideration of minute of acceptance and attendance at court when decree granted in terms thereof 81.85
 - (b) (b) Extra judicial settlement—
 - Fee to cover negotiations resulting in settlement, framing or revising joint minute and attendance at court when authority interposed thereto 181.65
 - (c) (c) Whether or not fees are payable under (a) or (b) above where additional work has been undertaken with a view to effecting settlement, including offering settlement, although settlement is not agreed – not exceeding 136.40
17. Specification of documents—
- (a) Fee to cover drawing, intimating and lodging specification and relative motion
 - (i) Where motion unopposed 99.90
 - (ii) Where motion opposed – additional fee per quarter hour 24.45
 - (b) (b) Fee to opposing solicitor
 - (i) Where motion unopposed 99.90
 - (ii) Where motion opposed – additional fee per quarter hour 24.45
 - (c) (c) Fee for citation of havers, preparation for and attendance before commissioner at execution of commission—
 - (i) Where attendance before commissioner does not exceed one hour 99.90
 - (ii) For each additional quarter hour after the first hour 27.15
 - (d) (d) If optional procedure adopted – fee per person upon whom order is served 24.45
 - (e) (e) Fee for perusal of documents recovered – per quarter hour 24.45

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18. Commissions to take evidence–

Open Commissions–

- (a) (a) Fee to solicitor applying 181.75
for commission to include all
work (except as otherwise specially
provided for in this chapter) up to
lodging report of commission but
excluding attendance thereat
- (b) (b) Fee to opposing solicitor 90.85
- (c) (c) Fee for attendance at execution 27.15
of commission – per quarter hour

19. Appeals–

- (a) (a) Fee to cover instructions, 272.65
marking of appeal or noting that
appeal marked, noting of diet of
hearing thereof, perusing Stated Case,
framing Questions in Law and
Adjustment thereof, preparation for
hearing
- (b) (b) If Counsel employed 154.60
- (c) (c) Fee to cover conduct of hearing 27.15
on Adjustments – per quarter hour
- (d) (d) Conduct of Appeal – per quarter 27.15
hour

20. Final Procedure–

- (a) (a) Fee to cover settling with 136.40
witnesses and noting final interlocutor
- (b) (b) Fee to cover drawing 118.25
of expenses, arranging, intimating
and attending diet of taxation
and obtaining approval of auditor's
report and where necessary, ordering,
procuring and examining extract
decree or adjusting account with
opponent
- (c) (c) Fee to cover considering 24.45
opponent's account of expenses and
attendance at hearing on expenses

21. Instruction of Counsel–

- (a) (a) Fee for instructing counsel to 118.25
attend court
- (b) (b) Fee for attending consultation
with counsel–

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| (i) Where total time engaged does not exceed one hour | 118.25 |
| (ii) For each additional quarter hour | 24.45 |

Note: Excludes Adjustment, Debate, Amendment, Interrogatories, Process Fee.
