SCHEDULE 4

Article 9

REPRESENTATION (HIGHER COURTS)

PART 1

General

1. This Schedule applies to the determination of the remuneration payable to representatives for providing representation (higher courts).

2. The Department shall determine the claim submitted under Article 8 in accordance with the rates or fees set out in the relevant Table in Parts 2 to 6 of this Schedule, as applicable, and pay the assessed remuneration to the solicitor.

3. For proceedings listed within Part 2 of this Schedule, where a representative considers that the sum allowable under Table 1 or Table 2, as applicable, would not provide reasonable remuneration according to the work reasonably undertaken and properly done, the representative may apply to the judge before whom the proceedings took place for a certificate that for any reason including the exceptional length, difficulty or complexity of the proceedings the limitation on the sums allowable under Table 1 or Table 2, as applicable, shall not apply and where such certificate is granted the Department shall allow remuneration under Table 3 to 19, as applicable.

4. Where a judge has granted a certificate under paragraph 3, and there is a combination of proceedings heard together, the highest applicable composite fee will be payable with an additional payment of 30% of the composite fee in respect of the first related proceedings and an additional payment of 20% of the composite fee in respect of the second related proceedings.

5. For proceedings listed within Part 3 of this Schedule, where the costs have been taxed by a district judge, the Department will pay remuneration to the solicitor on foot of the taxed bill. If the proceedings are withdrawn, abandoned or discontinued the representative's claim will be assessed by the Department in accordance with Tables 1 to 4, as applicable.

6. For proceedings listed within Parts 4, 5 and 6 of this Schedule, the sums allowed to representatives in any proceedings shall, subject to Article 5(2)(a) and (b), be assessed by the Department in accordance with the Tables set out in the relevant Part, as applicable to the nature of the proceedings and the items of work in question.

PART 2

Family and Children Order Proceedings – Family Care Centre

Children (Northern Ireland) Order 1995(1) – including Children Order appeals from the Family Proceedings Court

Table 1:

Solicitor – Hourly Rates

Work Type

Preparation

Rate £58 per hour

(1) S.I. 1995/755 (N.I. 2)

Work Type	Rate
Letters Written	£3.65 per item
Letters Received	£1.85 per item
Telephone Calls	£3.65 per call
Non Standard Telephone Call (over 5 minutes)	£58 per hour
Advocacy – Solicitor Alone	£64 per hour
Consultation with Counsel	£32.50 per hour
Advocacy - Solicitor with Counsel	£32.50 per hour

Table 2:

Work Type	Composite Fee
On an unopposed application or a procedural issue	Standard £76.25
	Maximum £127
On the trial of a cause or matter, or the hearing of an application:	
- Where the hearing lasts for up to half a day	Standard £140
	Maximum £268
- Full Day	Standard £317.75
	Maximum £508.50
- Refresher	£140 for each additional day
Consultation	£35.50 per hour
Complex items of work (opinions, affidavits)	£82.75 per item
All other written work	£50.25 per item

Counsel – Composite Fees

Table 3:

Children Order – Proceedings under Articles 44 and 50

Work Type	Solicitor's Composite Fee
Composite Fee	£3,500
Additional Full Day	£400
Additional Half Day	£200
Judgment Fee	£150
35% of Composite Fee – Case Withdrawn or Transferred	£1,225

Work Type	Solicitor's Composite Fee
20% of Composite Fee – Case Withdrawn or Transferred	£700

Table 4:

Children Order – All Other Proceedings

Work Type	Solicitor's Composite Fee
Composite Fee	£2,000
Additional Full Day	£400
Additional Half Day	£200
Judgment Fee	£150
35% of Composite Fee – Case Withdrawn or Transferred	£700
20% of Composite Fee – Case Withdrawn or Transferred	£400

Table 5:

Children Order – Appeals from the Family Proceedings Court – Proceedings under Articles 44 and 50

Work Type	Solicitor's Composite Fee
Composite Fee	£1,400
Additional Full Day	£400
Additional Half Day	£200
Judgment Fee	£150
35% of Composite Fee – Case Withdrawn or Transferred	£490
20% of Composite Fee – Case Withdrawn or Transferred	£280

Table 6:

Children Order – Appeals from the Family Proceedings Court – Re Other Proceedings

Work Type	Solicitor's Composite Fee
Composite fee	£800
Additional Full Day	£400
Additional Half Day	£200
Judgment Fee	£150

Work Type	Solicitor's Composite Fee
35% of Composite Fee – Case Withdrawn or Transferred	£280
20% of Composite Fee – Case Withdrawn or Transferred	£160

Table 7:

Proceedings under Adoption (Northern Ireland) Order 1987(2) – Freeing Order

Work Type	Solicitor's Composite Fee
Composite Fee	£3,500
Additional Full Day	£400
Additional Half Day	£200
Judgment Fee	£150
35% of Composite Fee – Case Withdrawn or Transferred	£1,225
20% of Composite Fee – Case Withdrawn or Transferred	£700

Table 8:

Combined Proceedings – Freeing Order and Article 50

Work Type	Solicitor's Composite Fee
Composite Fee	£5,000
Additional Full day	£400
Additional Half Day	£200
Judgment Fee	£150
35% of Composite Fee – Case Withdrawn or Transferred	£1,750
20% of Composite Fee – Case Withdrawn or Transferred	£1,000

Table 9:

Adoption Order – Contested

Work Type	Solicitor's Composite Fee
Composite Fee	£3,500
Additional Full Day	£400
Additional Half Day	£200

Work Type	Solicitor's Composite Fee
Judgment Fee	£150
35% of Composite Fee – Case Withdrawn or Transferred	£1,225
20% of Composite Fee – Case Withdrawn or Transferred	£700

Table 10:

Adoption Order – Uncontested

Work Type	Solicitor's Composite Fee
Composite Fee	£400
Additional Full Day	£400
Additional Half Day	£200
Judgment Fee	£150
35% of Composite Fee – Case Withdrawn or Transferred	£140
20% of Composite Fee – Case Withdrawn or Transferred	£80

Table 11:

Proceedings under Family Homes and Domestic Violence (Northern Ireland) Order 1988(3) – Non-Molestation / Occupation Order

Work Type	Solicitor's Composite Fee
Composite Fee	£528
Additional Full Day	£400
Additional Half day	£200
Judgment Fee	£150
35% of Composite Fee – Case Withdrawn or Transferred	£184.80
20% of Composite Fee – Case Withdrawn or Transferred	£105.60

Table 12:

Children Order – All Proceedings

Item of Work	Junior Counsel	Senior Counsel
Brief Fee	£2,000	£3,000
(3)	S.I. 1998/1071 (N.I. 6)	

Item of Work	Junior Counsel	Senior Counsel
Directions and Written Work	£780	£1,170
Refresher – Full Day	£400	£600
Refresher – Half Day	£200	£300
Judgment Fee	£150	£225
35% Brief Fee – Case Withdrawn or Transferred	£700	£1,050
20% Brief Fee – Case Withdrawn or Transferred	£400	£600

Table 13:

Children Order – Appeals from the Family Proceedings Court – No New Evidence

Item of Work	Junior Counsel	Senior Counsel
Brief Fee	£800	£1,200
Directions and Written Work	£195	£292.50
Refresher – Full Day	£400	£600
Refresher – Half Day	£200	£300
Judgment Fee	£150	£225
35% Brief Fee – Case Withdrawn or Transferred	£280	£420
20% Brief Fee – Case Withdrawn or Transferred	£160	£240

Table 14:

Children Order – Appeals from the Family Proceedings Court – New Evidence

Item of Work	Junior Counsel	Senior Counsel
Brief Fee	£1,500	£2,250
Directions and Written work	£312	£468
Refresher – Full Day	£400	£600
Refresher – Half Day	£200	£300
Judgment Fee	£150	£225
35% Brief Fee – Case Withdrawn or Transferred	£525	£787.50
20% Brief Fee – Case Withdrawn or Transferred	£300	£450

Table 15:

Proceedings under Adoption (Northern Ireland) Order 1987(4) – Freeing Order

Item of Work	Junior Counsel	Senior Counsel
Brief Fee	£2,500	£3,750
Directions and Written Work	£780	£1,170
Refresher – Full Day	£400	£600
Refresher – Half Day	£200	£300
Judgment Fee	£150	£225
35% Brief Fee – Case Withdrawn or Transferred	£875	£1,312.50
20% Brief Fee – Case Withdrawn or Transferred	£500	£750

Table 16:

Combined Proceedings – Freeing Order and Article 50

Item of Work	Junior Counsel	Senior Counsel
Brief Fee	£3,520	£5,280
Directions and Written Work	£1,170	£1,755
Refresher – Full Day	£400	£600
Refresher – Half Day	£200	£300
Judgment Fee	£200	£300
35% Brief Fee – Case Withdrawn or Transferred	£1,232	£1,848
20% Brief Fee – Case Withdrawn or Transferred	£704	1,056

Table 17:

Adoption Order – Contested

Item of Work	Junior Counsel	Senior Counsel
Brief Fee	£2,500	£3,750
Directions and Written Work	£780	£1,170
Refresher – Full Day	£400	£600
Refresher – Half Day	£200	£300
Judgment Fee	£150	£225

Item of Work	Junior Counsel	Senior Counsel
35% Brief Fee – Case Withdrawn or Transferred	£875	£1,312.50
20% Brief Fee – Case Withdrawn or Transferred	£500	£750

Table 18:

Adoption Order – Uncontested

Item of Work	Junior Counsel	Senior Counsel
Brief Fee	£1,150	£1,725
Directions and Written Work	£312	£468
Refresher – Full Day	£400	£600
Refresher – Half Day	£200	£300
Judgment Fee	£150	£225
35% Brief Fee – Case Withdrawn or Transferred	£402.50	£603.75
20% Brief Fee – Case Withdrawn or Transferred	£230	£345

Table 19:

Proceedings under Family Homes and Domestic Violence (Northern Ireland) Order 1998(5) – Non-Molestation / Occupation Order

Item of Work	Junior Counsel	Senior Counsel
Brief Fee	£1,500	£2,250
Directions and Written Work	£780	£1,170
Refresher – Full Day	£400	£600
Refresher – Half Day	£200	£300
Judgment Fee	£150	£225
35% Brief Fee – Case Withdrawn or Transferred	£525	£787.50
20% Brief Fee – Case Withdrawn or Transferred	£300	£450

PART 3

Divorce and other Family Proceedings in the County Court

Table 1:

Divorce - Matrimonial Causes (Northern Ireland) Order 1978 - Solicitor

Work Type	Rate
Hourly Rate	£30 per hour
Letters and Telephone Calls	£3.35 per item

Table 2:

Committal Proceedings

Work Type ⁽¹⁾	Solicitor	Counsel
Composite Fee ⁽²⁾	£601	£222
Case withdrawn on morning of hearing	25% deduction applied	25% deduction applied

(1) Where a case is withdrawn before a hearing date has been set, a time-based assessment of work carried out will be undertaken for the solicitor. Hourly rates - £30, letters and telephone calls - £3.35.

(2) For each day or part of a day on which a hearing is continued after the first day, both solicitor and counsel in attendance are entitled to an additional sum equivalent to one third of counsel's fee.

Table 3:

Adoption Proceedings

Work Type	Solicitor	Counsel
Standard Fee ⁽¹⁾	£193.50	£129
Adjournments	£51.60	£32.25

(1) An uplift of 50% on the basic fee will be payable to both Solicitor and Junior Counsel for each additional child involved with the same proceedings.

Table 4:

Appeals from the Family Proceedings Court

Work Type	Solicitor	Counsel
Standard Fee – irrespective of Full or Half day	£422	£110
Case withdrawn at hearing	£347	£110
Case withdrawn prior to hearing	£211	£55
Adjournments	£51.50	£34

PART 4

Other Proceedings in the County Court

Table 1:

Ordinary Civil Bill Scales – Plaintiff's and Defendant's Remuneration

Department's assessment of value of the claim	Solicitor	Counsel
Does not exceed £1,000	£538	£180
Exceeds £1,000 but does not exceed £2,500	£1,136	£263
Exceeds £2,500 but does not exceed £5,000	£1,614	£383
Exceeds £5,000 but does not exceed £7,500	£2,092	£478
Exceeds £7,500 but does not exceed £10,000	£2,391	£562
Exceeds £10,000 but does not exceed £12,500	£2,630	£640
Exceeds £12,500 but does not exceed £15,000	£2,869	£718
Exceeds £15,000 but does not exceed £20,000	£3,876	£842
Exceeds £20,000 but does not exceed £25,000	£4,253	£953
Exceeds £25,000 but does not exceed £30,000	£4,692	£1,060
Drafting notice for, or replies to notice for, particulars – payable to either the solicitor or counsel		£43
Drafting interrogatories, or answers to interrogatories, as certified by the judge		£70
Additional Days		n 50% of counsel's scale fee on d, the amount claimed or decreed, g as appropriate

Table 2:

Equity Civil Bill Scales – Plaintiff's and Defendant's Remuneration

Where value of the personalty and / or lands	Solicitor's Fee	Counsel's Fee – for advising proceedings/ defence, settling the equity civil bill and advising proofs	Counsel's Fee – on hearing of equity civil bill or petition
Does not exceed £5,000	£538	£92	£267
Exceeds £5,000 but does not exceed £10,000	£1,136	£124	£342
Exceeds £10,000 but does not exceed £15,000	£1,614	£152	£458
Exceeds £15,000 but does not exceed £20,000	£2,092	£200	£534
Exceeds £20,000 but does not exceed £25,000	£2,391	£230	£612
Exceeds £25,000 but does not exceed £35,000	£2,630	£301	£763
Exceeds £35,000 but does not exceed £45,000	£2,869	£369	£917
Additional Days	50% of solicitor's scale fee on the amount claimed or decreed, as appropriate, not exceeding £600	N/A	50% of counsel's scale fee on the amount claimed or decreed, as appropriate

Table 3:

Ejectment proceedings for the Recovery of property – Plaintiff's and Defendant's Remuneration

Item of Work	Solicitor	Counsel
Proceedings for the recovery of possession of premises by a statutory body	£132	£64

Item of Work	Solicitor	Counsel
In other cases, where valuation does not exceed £4,060	£321	£123
In other cases, where valuation exceeds £4,060	£458	£230
Additional days	50% of solicitor's scale fee on the amount claimed or decreed, as appropriate, not exceeding £600	50% of counsel's scale fee on the amount claimed or decreed, as appropriate

Table 4:

Plaintiff's Remuneration in Remitted Actions

Amount decreed (or value of case as assessed by Department)	Solicitor	Counsel
Does not exceed £1,000	£538	£180
Exceeds £1,000 but does not exceed £2,500	£1,136	£263
Exceeds £2,500 but does not exceed £5,000	£1,614	£383
Exceeds £5,000 but does not exceed £7,500	£2,092	£478
Exceeds £7,500 but does not exceed £10,000	£2,391	£562
Exceeds £10,000 but does not exceed £12,500	£2,630	£640
Exceeds £12,500 but does not exceed £15,000	£2,869	£718
Exceeds £15,000 but does not exceed £20,000	£3,876	£842
Exceeds £20,000 but does not exceed £25,000	£4,253	£953
Exceeds 25,000 but does not exceed £30,000	£4,692	£1,060
Drafting notice for, or replies to notice for, particulars –payable to either the solicitor or counsel		243

Amount decreed (or value of case as assessed by Department)	Solicitor	Counsel
Drafting interrogatories, or answers to interrogatories, as certified by the judge		£70
Additional Days		50% of counsel's scale fee on the amount claimed or decreed, as appropriate

Table 5:

Defendant's Remuneration in Remitted Actions

Item of Work	Solicitor	Counsel
Fee Payable	£2869	£718
Drafting notice for, or replies to notice for, particulars –payable to either the solicitor or counsel, as certified by the judge	£	43
Additional Days		50% of counsel's scale fee on the amount claimed or decreed, as appropriate

Table 6:

Interlocutory Applications

Item of Work	Solicitor	>Counsel
Instruction, drawing Notice of Motion etc.	£118.56	£118.56
Attending before Judge on notice or ex-parte	£59.28	£59.28
Drawing up list of documents under Order 15	£42.07	£42.07

Table 7:

Occasional Costs

Item of Work	Rate
Affidavit of Service	£2.72
Other Affidavit	£1.12
Preparing Recognizance	£3.12

Item of Work	Rate
Drawing, issuing and serving a witness summons	£9.10
Drawing costs and copies	£6.74 per page
Attending taxation	£11.39 per hour

Table 8:

Item of Work	Solicitor	Counsel
Counsel's Opinion	£75	£30
- up to 5 pages	£75	£50
- up to 7 pages	£75	£65
Engineer's Report	£100	N/A
Engineer's Report (no details provided)	£75	N/A
Medical Report	£50	N/A
Issue and service of Civil Bill, Replies and Discovery	£200	N/A
Stamp Duty	£50	N/A
Stamp Duty with other limitation	£100	N/A
Discovery	£50	N/A

Limited Certificates

PART 5

High Court Proceedings

High Court Bail Applications

Table 1:

Standard Fees

Solicitor	Counsel
£180	£180

Proceedings which have been withdrawn, abandoned or discontinued

Solicitor's remuneration can be claimed on the basis of either Composite Fees (Table 2), or Hourly Rates (Table 3), at the election of the solicitor

Table 2:

Solicitor – Composite Fees

Departmo assessme of value the claim	nt of	After Writ	After Statement of Claim	After Defence	After Warned List	Within 21 Days of Trial
Does exceed £14,999	not	£2,515	£3,165	£3,565	£4,230	£4,885
£15,000 £19,999	_	£2,910	£3,565	£3,960	£4,755	£5,680
£20,000 £24,999	_	£3,435	£4,090	£4,485	£5,012	£6,075
£25,000 £29,999	_	£3,690	£4,360	£4,755	£5,410	£6,470
£30,000 £34,999	_	£3,960	£4,620	£5,155	£5,805	£6,870
£35,000 £39,999	_	£4,230	£4,885	£5,410	£6,205	£7,260
£40,000 £44,999	_	£4,485	£5,155	£5,805	£6,600	£7,655
£45,000 £49,999	_	£4,720	£5,410	£6,205	£7,000	£8,050
£50,000 £54,999	_	£5,015	£5,680	£6,600	£7,395	£8,450
£55,000 £59,999	_	£5,280	£5,940	£7,000	£7,795	£8,845
£60,000 £64,999	_	£5,550	£6,205	£7,395	£8,190	£9,245
£65,000 £69,999	_	£5,805	£6,470	£7,795	£8,580	£9,640
£70,000 £74,999	_	£6,075	£6,730	£8,190	£8,975	£10,035
£75,000 £79,999	_	£6,330	£6,985	£8,580	£9,370	£10,435
£80,000 £84,999	_	£6,600	£7,290	£8,975	£9,770	£10,830
£85,000 £89,999	-	£6,870	£7,525	£9,370	£10,165	£11,220
£90,000 £94,999	_	£7,130	£7,795	£9,770	£10,560	£11,615

Department's assessment of value of the claim	After Writ	After Statement of Claim	After Defence	After Warned List	<i>Within 21</i> Days of Trial
£95,000 – £99,999	£7,395	£8,050	£10,165	£10,960	£12,010

Table 3:

Solicitor – Hourly Rates

Column header	Hourly Rate
Preparation	£94
Letters and Telephone Calls	£9.40 per item

Counsel's Fees – Pleadings and Interlocutory Matters

Table 4:

Chancery Division

Item of Work		
Writ	£40	
Statement of Claim	£150	
Defence	£150	
Defence and Counterclaim	£175	
Reply and Defence to Counterclaim	£100	
Reply	£35	

Table 5:

Originating Proceedings

Item of Work		
Originating Summons or Notice of Motion	£65	
Brief on Hearing of Summons or Ex-parte application	£100	
Minute of Judgment	£70	
Motion for Judgment	£125	

Table 6:

Proceedings by Petition (not including divorce)

Item of Work		
Petition or Answer	£85	
Other Pleadings	£65	
Brief on Hearing of Summons or Motion	£100	

Table 7:

Queen's Bench Division

Item of Work	
Writ (generally endorsed)	£35
Writ (specially endorsed)	£75
Statement of Claim (all cases)	£150
Defence	£150
Defence with Particulars	£80
Defence and Counterclaim	£175
Reply and Defence to Counterclaim	£100
Reply	£30
Third Party Notice	£75
Brief on Ex-parte Hearing	£100
Brief on Hearing of Summons or Motion	£100
Special Appointments Hearing in Motion Court	£200

Table 8:

Family Division – Probate

Item of Work	
Motion Paper	£90
Motion	£90
Writ	£45
Brief on Ex-parte Hearing	£100
Brief on Hearing of Summons or Motion	£100
Statement of Claim or Defence	£150
Defence and Counterclaim	£175
Reply and Defence to Counterclaim	£100

Item of Work	
Reply	£30
Table 9:	
Bankruptcy	
Item of Work	
Examination of Witnesses	£130
Table 10:	
Judicial Revie	W
Item of Work	
Ex-parte docket	£45
Order 53 Statement	£90
Certificate of Urgency	£30
Substantive Affidavit	£125
Table 11:	
Ancillary Reli	ef
Item of Work	
Summons	£45
Affidavit of Means etc.	£125
Table 12:	
General	
Item of Work	
Affidavits (general)	£60
(exceptional)	£125
Notice of Motion / Summons	£65
Notice for Particulars or Answer thereto	£60
Notice to Admit to Facts	£65
Replies to Notice to Admit Facts	£75
Interrogatories and Answers	£100
Proofs (Liability Admitted) ⁽¹⁾	
Senior	£250
(1) to include consultation (if any)	

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Item of Work	22.0.0
or Junior	£200
Proofs (Liability Denied) ⁽¹⁾ Senior	£300
or Junior	£250
Supplementary Advice, where necessary	(220)
Senior	£230
or Junior	£200
Opinions ⁽¹⁾	
Liability and quantum	£200
Liability only	£150
Quantum only	£150
Further	£80
Notice of Appeal ⁽¹⁾	£85
Consultation (including joint negotiations) up to one hour	
Senior	£185
Thereafter per half hour	£80
Consultation (including joint negotiations) up to one hour	
Junior (attending on senior)	£125
Thereafter per half hour	£55
Junior (without senior)	£150
Thereafter per half hour	£60
Appearance at Review/Application/Mention Hearing ⁽¹⁾	
-less than 30 minutes	£100
-up to 1 hour	(attended)
	£125
	(unattended)
	£150

(1) to include consultation (if any)

Item of Work	
Core Issues	£125
Skeleton Argument	£125

(1) to include consultation (if any)

PART 6

Other Proceedings

Asylum and Immigration Proceedings before the First-Tier Tribunal and the Upper Tribunal

Table 1:

Solicitor – Composite Fees

Item of Work	Composite Fee
Representation at a Case Management Review Hearing for First-Tier Tribunal	£175
First-Tier Tribunal (including first leave application)	£1,200
Onward Appeal Hearing in Upper Tribunal (to include second leave application)	£1,200
Adjourned hearings which are part-heard or re- listed to be concluded on a separate date	£170 per day
Appeal withdrawn prior to the substantive hearing (20% of fee)	£240
Appeal withdrawn on the day of the substantive hearing (35% of fee)	£420
Asylum and Immigration Bail Hearing	£400