

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)

- (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 unopposed 43.60
- (c) (c) Where motion exceeds half hour, additional fee per quarter hour 19.55

12. Hearing Limitation–

Fee to include work done (except as otherwise 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) 100.00

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 than 7 days before the diet of proof 250.00
- (ii) In any other case 300.00
- (b) (b) Fee to cover preparing for adjourned diet and all incidental work as in (a) if diet postponed for more than 6 days, for each additional diet 94.60
- (c) (c) Fee for attendance inspecting opponent's documents – per quarter hour 21.70

14. Conduct of proof–

- (a) (a) Fee to cover conduct of proof or trial and debate on evidence taken at close of proof – per quarter hour 21.75
- (b) (b) Waiting time – per half hour 19.55

15. Debate on Evidence–

- (a) (a) Where debate on evidence not taken at conclusion of proof, preparing for debate 72.70
- (b) (b) Fee for conduct of debate – per quarter hour 21.75

16. Settlements–

- (a) Judicial tender–
- (i) Fee for preparation and lodging or for consideration of each minute of tender 79.90

<ul style="list-style-type: none"> (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
<ul style="list-style-type: none"> (b) (b) Extra judicial settlement– 	
<ul style="list-style-type: none"> Fee to cover negotiations resulting in settlement, framing or revising joint minute and attendance at court when authority interponed thereto 	145.30
<ul style="list-style-type: none"> (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
<p>17. Specification of documents–</p>	
<ul style="list-style-type: none"> (a) Fee to cover drawing, intimating and lodging specification and relative motion 	
<ul style="list-style-type: none"> (i) Where motion unopposed 	79.90
<ul style="list-style-type: none"> (ii) Where motion opposed – additional fee per quarter hour 	19.55
<ul style="list-style-type: none"> (b) (b) Fee to opposing solicitor 	
<ul style="list-style-type: none"> (i) Where motion unopposed 	43.60
<ul style="list-style-type: none"> (ii) Where motion opposed – additional fee per quarter hour 	19.55
<ul style="list-style-type: none"> (c) (c) Fee for citation of havers, preparation for and attendance before commissioner at execution of commission– 	
<ul style="list-style-type: none"> (i) Where attendance before commissioner does not exceed one hour 	79.90
<ul style="list-style-type: none"> (ii) For each additional quarter hour after the first hour 	21.70
<ul style="list-style-type: none"> (d) (d) If optional procedure adopted – fee per person upon whom order is served 	19.55
<ul style="list-style-type: none"> (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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