



Legal Aid Western Australia

# FAMILY LAW RATES AND ALLOWANCES

This guide provides a brief description of the items that may appear in a grant of aid letter and the applicable rates and maximum allowances for those items. It may not include all items that are referred to in the grant letter. Please ensure you read the grant letter carefully for full details.

Refer to the **Legal Aid WA Guide to Claiming Payment** for assistance with calculating and submitting claims, available from the Legal Aid WA [website](#) or Grants Online under [Guidelines](#).

Please ensure claims for court attendances are in accordance with the applicable rates as there are differences between the remand rates in the Family Court and the Magistrates Court.

CASE ASSESSMENT & LITIGATION (metro area) Applicants & Respondents <small>Case Assessment Conference and trial preparation</small>		Maximum Hours			Maximum RATE \$\$			
		Prep	Crt	Tot	Prep	Crt	Disb	Tot
<b>F2I</b>	Representation at first case assessment conference including consent orders	5	6	11	700	840	80	1620
<b>F2IA</b>	Urgent initial application			2	280			280
<b>F2IB</b>	Initial application only	3	2	5	420	280		700
<b>F3M</b>	Representation up to trial date in Family Court – Magistrate track.	Lump sum		10	\$1400		20	1420
<b>F4MT</b>	Magistrate track trial preparation.	15	-	15	2100	-	145	2245
<b>F3S</b>	Standard track preparation up to trial date in Family Court.	8	5	13	1120	700	65	1885
<b>F3SH</b>	Standard track preparation up to trial date in the Family Court, including interim hearing	8	10	18	1120	1400	65	2585
<b>F4ST</b>	Judges track trial preparation.	18	-	18	2520	-	145	2665
<b>F4J</b>	Judges track trial preparation.	18	-	18	2520	-	145	2665
<b>F4ST</b>	Standard track trial preparation	18	-	18	2520	-	145	2665

LITIGATION INTERVENTION Applicants & Respondents		Maximum Hours			Maximum Rate \$\$			
		Prep	Crt	Tot	Prep	Crt	Disb	Tot
F2A	Final orders to conclusion of procedural hearing.			5	700		80	780
F2B	Interim and final orders to procedural hearing/finalisation of interim application.	7	5	12	980	700	80	1760
F2C	Form 2 for parenting orders (where separate interim application necessary during course of proceedings).	6	5	11	840	700	65	1605
F2CC	Form 2 for appointment of Independent Children's Lawyer			3	420		65	485
F2CD	Dissolution/nullity of marriage including court attendances.			3.5	490		70	560
F2CF	Form 2 for Family Report (if application not part of initiating proceedings and other party does not agree to report).			3	420		65	485
F2CM	Maintenance/departure order application (summary) up to and including the hearing.			11	1540		70	1610
F2CP	Notice of non-party production of documents and inspecting documents.			2	280		65	345
F2CS	Request for leave to issue subpoena for production of documents.			3	420		120	540
F2CV	Change of venue.			3	420		65	485
F2D	Representation up to and including the conciliation conference.			3	420		25	445
F2E	Case review.			3	420			420
F2G	Recovery order (where there is an existing court order).	3	3	6	420	420	65	905
F2H	Party grant for representation on ICL's application for Single Expert			3	420		20	440

FAMILY COURT Applicants & Respondents <small>After pre-hearing conference and prior to Family Report release</small>		Maximum Hours			Maximum Rate \$\$			
		Prep	Crt	Tot	Prep	Crt	Disb	Tot
F3A	Representation from the conciliation conference to prehearing conference (standard and complex track matters).			16	2240		80	2320

FAMILY COURT Applicants & Respondents <small>Trial preparation and trial</small>		Maximum Hours			Maximum Rate \$\$			
		Prep	Crt	Tot	Prep	Crt	Disb	Tot
F4D	Representation and preparation from conciliation conference to eve of trial. Direct track matters.			16	2240		135	2375
F4S	Representation and preparation from pre-hearing conference to eve of trial (for trials listed to take up to 4 days).			10	1400		190	1590
4C	Representation and preparation from pre-hearing conference to eve of trial (for trials listed for 5 days and over).	Negotiated @ \$140 ph					190	
F5TA	Representation at trial.			7	980 per day			
F5TB	Court attendance to take judgment and explain orders.		1	1	140			140

FAMILY COURT Applicants & Respondents <small>Appeals</small>		Maximum Hours			Maximum Rate \$\$			
		Prep	Crt	Tot	Prep	Crt	Disb	Tot
F6S	Appeal to a Single Judge up to and including the hearing of appeal.			12	1680		20	1700
F6FP	Appeal to the Full Court (includes all preparation and procedural court attendances but not attendance at hearing of appeal).			10	1400		25	1425
F6FH	Solicitor attendance before the Full Court at the hearing of appeal.			7	980 per day			

FAMILY COURT Applicants & Respondents <small>Miscellaneous – Family</small>		Maximum Hours			Maximum Rate \$\$			
		Prep	Crt	Tot	Prep	Crt	Disb	Tot
FM01	Advice, investigations and negotiations.			4	560		10	570
FM02	Hague Convention application preparation.			4	560		20	580
FM04	Enforcement of final orders including court attendances.			5	700		20	720
FM05	Complex fee loading.				140 per hour			
FM06	Briefing agents.				140 per hour			
FM7A	Additional disbursements allowed.				As fixed by assessor			
FM08	Interpreter fees.						\$300	

<b>FM09</b>	Transfer.				140 per hour		
<b>FM10</b>	Travel costs.				84 per hour plus mileage		
<b>FM11</b>	Contempt/Breach of Court Orders	2	2	4	560		560
<b>FM12</b>	Court attendance with limited preparation		2	2	280		280
<b>FM13</b>	Court attendance with some follow-up/preparation eg Advise client on Court Expert report	1	2	3	140	280	420
<b>FM14</b>	Court attendance and substantive preparation eg prep of affidavit material	2	2	4	280	280	560
<b>FM15</b>	Mileage Clause					.65c p/km	
<b>FM16</b>	Additional preparation				140 per hour		
<b>FM17</b>	Lodgement fee for Form 11 (Consent Orders)					145	145
<b>FM 19</b>	Ongoing monitoring	3		3	420	10	430
<b>FM 20</b>	Disbursements – Travel Costs				As fixed by assessor		
<b>FM21</b>	Further Appearances				140 per hour		
<b>FM 22</b>	Prison/hospital visit				252	120	372

Independent Children's Lawyer (ICL)		Maximum Hours			Maximum Rate \$\$			
		Prep	Crt	Tot	Prep	Crt	Disb	Tot
<b>FS01</b>	ADR conference.			4	560			560
<b>FS02</b>	Initial grant for an application for interim/final orders.			7	980	80		1060
<b>FS03</b>	Further interim application filed by one of the parties to a short hearing.			7	980	20		1000
<b>FS04</b>	Appointment of a court expert, perusal of report and subsequent negotiations.			5	700	135		835
<b>FS05</b>	Procedural hearing.			2	280			280
<b>FS06</b>	Procedural hearing to conclusion of conciliation conference.			5	700	25		725
<b>FS07</b>	Request for leave to issue subpoena to produce documents including inspection of documents.			3	420	120		540
<b>FS08</b>	Case review.			3	420			420

FS09	Conciliation conference to conclusion of pre-hearing conference.			5	700	135	835
FS10	Preparation for trial (to eve of trial) where Independent Children's Lawyer is calling up to 5 witnesses.			6	840	135	975
FS11	Trial.				980 per day		
FS12	Take judgment and to explain orders to the children where appropriate.			1	140		140
FS14	Appeal to a Single Judge.			10	1400	20	1420
FS15	Appeal to the Full Court.			12	1680	25	1705
FS16	Solicitor's attendance at hearing before the Full Court.				980 per day		
FS17	Psychologist's report.						3000
FS18	Social Worker's report.					2000	3000
FS21	Psychiatrist report					4200	
FS22	Single expert inspection of subpoenaed documents					650	4200
FS23	Single Expert Witnesses Report - update				To be fixed by assessor		650
FS24	Additional Preparation				140 per hour		
FS25	Additional Court time				140 per hour		
FS26	Additional Disbursements				To be fixed by assessor		
FS27	Travel				84 per hour		
FS28	Mileage				65c per km		

FAMILY COURT-Counsel Fees		Maximum Hours			Maximum Rate \$\$			
		Prep	Crt	Tot	Prep	Crt	Disb	Tot
FC01	Brief for all preparation for trial to eve of trial on behalf of applicant/ respondent.			10	1750			
FC02	Attendance at trial for applicant/ respondent.				1225 per day			
FC03	Preparation for trial as Independent Children's Lawyer.			9.2	1750			1750
FC04	Daily fee for attendance at trial as Independent Children's Lawyer				1225 per day			

<b>FC05</b>	Brief for preparation and representation at a one-day hearing before the Full Court.			12	2100		2100
<b>FC06</b>	Additional days before the Full Court.				1225 per day		
<b>FC07</b>	Hourly Rate for Counsel				175		

<b>RESTRAINING ORDERS</b>		<b>Maximum Hours</b>			<b>Maximum Rate \$\$</b>			
		<b>Prep</b>	<b>Crt</b>	<b>Tot</b>	<b>Prep</b>	<b>Crt</b>	<b>Disb</b>	<b>Tot</b>
<b>FR01</b>	Initial application.			5	700		65	765
<b>FR02</b>	Representation at a defended hearing.	5	3	8	700	420	20	1140
<b>FR03</b>	Representation on an application for variation.			3	420		10	430
<b>FR04</b>	Appeal to a Single Judge.			8	1120		20	1140
<b>FR05</b>	Advice, investigations and negotiations			3	420		10	430
<b>FR06</b>	Representation at a defended hearing on a restraining order application following previous advice and investigation grant	3	3	6	420	420	20	860
<b>FR07</b>	Additional Preparation (VRO)				140 per hour			
<b>FR08</b>	Additional Court time (VRO)				140 per hour			
<b>FR09</b>	Travel				84 per hour			
<b>FR10</b>	Mileage				65c per km			
<b>C6</b>	Mention					80		

PROTECTION & CARE Respondents		Maximum Hours			Maximum Rate \$\$			
		Prep	Crt	Tot	Prep	Crt	Disb	Tot
FP01	Advice and negotiations only in relation to protection proceedings.	4	2	6	560	280	10	850
FP02	Representation on application to pre-trial conference.			4	560		25	585
FP03	From pre-trial conference to eve of trial.			8	1120		25	1145
FP04	Trial days.				980 per day			
FP05	Representation on appeal against wardship order.			10	1400		20	1420
FP06	Court attendance				140			
FP07	Further court attendance in Children's Court				140 per hour			140
FP09	Prison visit				252		120	372
FP10	Travel				84 per hour			
FP11	Mileage				.65 c per kilometre			
FP12	Additional preparation				140 per hr			
FP13	Advice and negotiations (Limited grant)	3	1	560	420	140	25	585

PROTECTION & CARE Child Representation		Maximum Hours			Maximum Rate \$\$			
		Prep	Crt	Tot	Prep	Crt	Disb	Tot
FPS1	Separate representation in the Children's Court up to and including the pre-trial conference.			6	840		25	865
FPS2	Separate representation from pre-trial conference to eve of trial.			6	840		25	865
FPS3	Trial.				980 per day			
FPS4	Representation on appeal against wardship order			10	1400		20	1420
FPS5	Further court attendance in Children's Court				140 per hour			
FPS6	Application to the Children's Court for the appointment of a Court Expert				560		25	585
FPS7	Secure Care				420 + 2 X 84 travel		45	633

SIGNS OF SAFETY - PROTECTION & CARE Respondents		Maximum Hours			Maximum Rate \$\$			
		Prep	Conf	Tot	Prep	Conf	Disb	Tot
FPP1	Advice and representation at Signs of Safety Meeting Prebirth			4	560		10	570
FPP2	Advice and representation at a second Signs of Safety Meeting Pre-Birth			4	560		10	570
FPP3	Advice and representation at Signs of Safety Pre-Hearing Conference	1	4	5	700		10	710
FPP4	Advice and representation at a second Signs of Safety Pre-Hearing Conference			4	560		10	570
FPP5	Advice and attendance at informal SOS meeting at DCPFS			2	280		10	290
FPP6	Additional preparation for SOS meeting/conference				140 per hr			

FPCC	Convenors fees ( <i>matters referred from Children's Court</i> )						150	150
FPFC	Facilitator fees ( <i>SOS meetings which take place at KEMH and are pre birth conferences</i> )						150	150

SIGNS OF SAFETY - PROTECTION & CARE Child Representation		Maximum Hours			Maximum Rate \$\$			
		Prep	Conf	Tot	Prep	Conf	Disb	Tot
FSR1	Separate representation at a Signs of Safety Pre-hearing Conference			4	560		10	570
FSR2	Separate representation at a second Signs of Safety Prehearing Conference			3	420		10	430
FSR3	Psychologist fee						3,000	3,000
FSR4	Social Worker fee						2,000	2,000

CHILDREN'S COURT Other Applications		Maximum Hours			Maximum Rate \$\$			
		Prep	Crt	Tot	Prep	Crt	Disb	Tot
FA01	Application under the Acts Amendment (Abortion) Act.			4	560		10	570



ALTERNATIVE DISPUTE RESOLUTION Applicants & Respondents		Maximum Hours			Maximum Rate \$\$			
		Prep	Conf	Tot	Prep	Conf	Disb	Tot
FR1	Advice for conference – early intervention.	1		1	140			140
FR2	Preparation and representation at conference – early intervention.	1	3	4	140	420		560
FR3C	Preparation and representation at conference – children's issues.	1	4	5	140	560		700
FR3P	Preparation and representation at conference – property.	2	4	6	280	560		840
FR3S	Children and Property issues – splitting order required	1		1	140			140
FRPS	Property issues only – splitting order required	1		1	140			140
FRW	Views Report - Children				Up to 6 hours @ \$70 per hour			420
FR4	Preparation and representation at conference – litigation intervention.		5	5		700		700
FRCH	Chairperson's fees						280	280
FRA1	Initial advice for property + review whether ADR suitable	1		1	140			140
FRA2	Initial advice for property + review whether ADR suitable – complex	2		2	280			280

ADMINISTRATIVE APPEALS TRIBUNAL		Maximum Hours			Maximum Rate\$\$			
		Prep	Crt	Tot	Prep	Crt	Disb	Tot
FCS1	Advice, investigations regarding merit of AAT application and negotiations.			4	560		10	570
FCS2	Representation at AAT up to and including preliminary hearing.			7.5	1050		50	1100
FCS3	Preparation and attendance at AAT hearing.			7.5	1050		50	1100
FCS4	Preparation and attendance on an application to the AAT up to and including a preliminary hearing			4	560		25	585