



## Notice to the Profession

The Chief Justice has authorised the issue of the following notice.

### Advice on temporary changes to Costs Court practice as of 30 March 2020

In light of the COVID-19 pandemic, the following changes to Costs Court Practice will now apply from 30 March 2020.

Note that unless referred to in this Notice **Practice Note SC Gen 11** will continue to apply.

1. Parties are expected to cooperate with the Court and each other in complying with orders and in the conduct of hearings.

### FILING SUMMONSES FOR TAXATION

2. To commence a proceeding in the Costs Court, parties must file a Summons for Taxation, the bill of costs, the Party Party Taxation Information Form, a copy of the costs order, judgment or deed of release, and pay the requisite filing fee.
3. The same practice will apply for a **Legal Profession Legislation** costs reviews.
4. The party initiating the taxation must firstly email the completed Taxation Information Sheet to: [costs.court@supcourt.vic.gov.au](mailto:costs.court@supcourt.vic.gov.au)
5. The Registry will notify the applicant of the next available date for mediation, assessment or call-over and the applicant must then e-file the Summons for Taxation, the bill of costs, the Taxation Information Form, a copy of the costs order, judgment or deed of release, and pay the requisite filing fee.

**ALL PARTY PARTY BILLS OF COSTS ARE LISTED AS FOLLOWS  
AT THE TIME OF FILING.**

6. Bills claiming a total of costs and disbursements of less than \$100,000 will be listed directly to assessment pursuant to Part 8 of Order 63 – Alternate Assessment Procedure (*Supreme Court General Civil Procedure*) Rules 2015.
7. The applicant will be given details of the assessment procedure in the assessment notice when the summons for taxation and bill of costs is filed. The applicant must include this information when serving the summons and bill of costs. Where the Party Party Taxation Information Form states that the respondent will be self-represented, the matter will be listed in the next available call-over unless the applicant informs the Court of some special reason that the matter can be assessed.
8. The applicant must include this information when serving the summons and bill of costs.

**Callovers**

9. The 5 May 2020 callover will be conducted by phone. This includes matters presently in the list as well as any new Summons for Taxation that are listed prior to the callover date.
10. All Summons in the list are now listed for hearing not before 9.30am. We are unable to advise parties the time of the call will be made from the Court, so we asking parties to be generally available that day.
11. Where possible consent orders should be exchanged and once signed by all parties forwarded to the Costs Court email address.
12. Parties are requested to advise the Costs Court of contact details (phone number, email address and any other necessary details) of one person who is fully briefed and authorised to attend.
13. Email consent order to : [costs.court@supcourt.vic.gov.au](mailto:costs.court@supcourt.vic.gov.au)

**Mediations**

14. Matters listed for mediation will remain in the list. All Costs Court mediations will be conducted ZOOM Skype or phone.
15. Parties are requested to advise the Costs Registrar listed to mediate the matter of contact details (phone number, email address and any other necessary details) of all persons who will be attending including solicitors, counsel, costs consultants, clients and all persons with instructions to settle the matter. This advice should be sent to the Costs Court email address:  
[costs.court@supcourt.vic.gov.au](mailto:costs.court@supcourt.vic.gov.au)

16. All solicitors, counsel, costs consultants are expected to be fully briefed and authorised to attend.

### **Taxations**

17. At the present time any taxations will be conducted ZOOM Skype or phone.
18. A party must scan all documents they intend to make specific reference to or are requested to be produced by another party in the Notice of Objections onto USB sticks which must be delivered to the Costs Court and to the other party not later than 7 days prior to the listed hearing. Other secure modes of technology can be utilised that allow remote access to the documents by the Court and the other party. Where possible the documents should be indexed and in a searchable format as outlined in Practice Note SC Gen 5.

### **Legal Profession Matters - Preliminary Hearings or Reviews**

19. A hearing on the papers is preferred, however some matters may be conducted via ZOOM Skype or phone.
20. Parties are expected to comply with orders to file and serve affidavits and submissions.
21. Parties will be notified ahead of time about the method of hearing and any additional requirements.

Vivienne Macgillivray

Executive Associate to the Chief Justice

30 March 2020