LEGAL PRACTICE ACT 2003

LEGAL PRACTITIONERS (DISTRICT COURT APPEALS) (CONTENTIOUS
BUSINESS) REPORT 2006

Made by the Legal Costs Committee under section 214 of the Act.

PART 1 - PRELIMINARY

Citation

1. (1) This report may be cited as the Legal Practitioners (District Court Appeals) (Contentious Business) Report 2006.

(2) The determination set out in the Schedule to this report is referred to in this rep01i as the Legal Practitioners (District Court Appeals) (Contentious Business) Determination 2006.

PART 2 - NOTICE AND INQUIRIES

Notice under section 213 of the Act

2. The Legal Costs Committee has complied with the notice provisions of section 213 of the Act.

Inquiries and submissions under section 213 of the Act

3. Before making the Legal Practitioners (District Court Appeals) (Contentious Business) Determination 2006, the Legal Costs Committee -

(a) reviewed all submissions received as a result of the notice given under section 213 of the Act;

(b) reviewed the operation of the time based system of calculating costs; and

(c) reviewed the impact of movements in the Consumer Price and Labour Price Indices for the financial year ending June 2005, and for the September 2005, December 2005 and March 2006 quarters.

4. In addition to the matters described in clause 3, the Committee -

(a) collated and reviewed the information gained from an electronic questionnaire distributed to legal practitioners in Western Australia; and

(b) distributed a questionnaire amongst a number of users of legal services and made that questionnaire available to the public electronically on the Committee's website.

PART 3 - REPORT OF COMMITTEE'S CONCLUSIONS

5. The information gained as a result of the inquiries and submissions described in clauses 3 and 4 satisfied the Legal Costs Committee that the existence of competition for the supply oflegal services made it appropriate to adopt the hourly and daily rates used in the Legal Practitioners (District Court) (Contentious Business) Determination 2004 ([published in Government Gazette 25 June 2004 PP 2313-

23141 as the basis for the

recommended scale of costs which have been generally rounded up or down to represent an increase of 7.3% inclusive of the Goods and Services Tax and for administrative convenience

Schedule

LEGAL PRACTICE ACT 2003

LEGAL PRACTITIONERS DISTRICT COURT

Note 1

Note 2

TABLE

DISTRICT COURT APPEALS SCALE OF COSTS

AMOUNT
ITEM