



ANNEX B CONSULTATION QUESTIONNAIRE

1. Are amendments required to the Tables of Fees to ensure that fees recoverable are proportionate?

If yes, please detail the amendments proposed and provide any evidence you may have to support your proposal.

We have no submission to make at this time in respect of this point.

2. Are amendments required to the Tables of Fees to ensure that they better reflect the work being undertaken?

If yes, please detail the amendments proposed and provide any evidence you may have to support your proposal.

Please refer to our submission number one, two, and three within the paper apart.

3. Are amendments required to the Tables of Fees to reflect changes in practice and/or procedure?

If yes, please detail the amendments proposed.

Please refer to our submission number one within the paper apart.



4. Is there a requirement for a general modification of the level of fees provided for in the Tables of Fees?

If yes, please specify the modification proposed and the circumstances justifying the modification and provide any evidence you may have to support your proposal.

We have no submission to make at this time in respect of this point.

5. Is it necessary to consider any additional fees that are not currently included in the Tables of Fees?

If yes, please detail the additions proposed and provide any evidence you may have to support your proposal.

Please refer to our submission number four within the paper apart.



ASSOCIATION OF INDEPENDENT LAW ACCOUNTANTS

Submissions to the Consultation on the Review of Fees in the Scottish Civil Courts – Fees of Solicitors on the 17th November 2017

The Association of Independent Law Accountants (AILA) was established in Scotland in 2002 and consists of a membership specialising in all aspects of law accountancy. Meetings are held on a regular basis to provide a forum where members have the opportunity to discuss current issues relating to law accounting as well as helping to maintain the high standard of service expected from members in their day to day work. Our members regularly act for and represent the interests of both Pursuers and Defenders in both the Sheriff Court and Court of Session and welcome the opportunity to participate in this Consultation process.

Our members have been asked to submit their views in response to the questions raised within the consultation, and our appointed sub-committee has approved the points which follow within our submissions.

The submissions are presented in a numerical order responding to the points within the questionnaire:

Submission 1 (Consultation Question Two & Three)

Preparation for Summar Roll Hearing

The Act of Sederunt governing Solicitors fees in the Court of Session allows under Part VI - Inner House Business item 7a. Preparation for Summar Roll Hearing. (**See Appendix 1a**) The narrative advises that the fee covers work relating to "Preparing for hearing and instructing counsel or other person having a right of audience including instructing and lodging lists of authorities and notes of argument". The fee allowable under this section currently stands at a figure of £234.00.

At the stage the previous fee table was drafted there was no Timetable/ requirement for the preparation and exchange of Authorities and / or framing, lodging and intimating Note of Arguments for Appellant / Reclaimer.

In terms of current procedure, within the Procedural Timetables now being issued, there is a requirement for the Appellant/Reclaimer to undertake such work in addition to work envisaged at the time when the narrative (and reasonable fee) was computed.



We have prepared a draft account of expenses on a detailed basis (**see Appendix 1b**) which outlines the average level of work we would anticipate would be incurred in respect of this procedure. The fee calculated (£585.04) is over double the level of fee allowable and we would suggest that consideration could be given to reviewing the appropriateness of the current level.

As an alternative to a potential increase to this fee, the reference to Note of Argument could be deleted from the current narrative and fees for this work could become chargeable under item 9 - Other Matters which advises - " Where applicable, charges under Part V of this Chapter of this table."

Submission 2 (Consultation Question Two)

Fee for Inventory of Productions

Block fees are currently allowed for the lodging of productions or consideration of an opponent's productions at £78.00 or £39.00 respectively. These fees are allowed in terms of the Acts of Sederunt governing Solicitors fees in both the Court of Session (at Part VI - 3 (a) and (b) / Part VA - 3 (a) and (b)) and in the Sheriff Court (at Chapter II Part II - 5 (a) and (b) / Chapter II Part IIA - 4(a) and (b)) - **See Appendix 2.**

Fee for lodging of Productions

The current fee of £78 is the equivalent of 30 minutes of solicitor's time. If we however look at this fee based on the respective Courts' detailed Charges for Time Tables, the fee, although potentially sufficient to cover work in respect of a minimal perusal and collation of papers together with the framing of a one sheet inventory and thereafter lodging, is, in reality, insufficient to cover the position where numerous productions within one inventory are being lodged. In order to address this, it is submitted that consideration could be given to introducing a fee(s), in addition to the base fee for lodging productions, to cover the collation/ preparation of documents for inclusion within the inventory based on the overall sheetage. For example, up to 25 pages of documents could be included in the base fee for lodging of productions with a further fee of say, for every 50 pages or part thereof over and above the initial 25 pages, a fee of £39.00 (the equivalent of 15 mins of solicitor's time on a detailed time charging basis) be allowed

Fee for Consideration of an Opponent's Productions

Leading on from the proposal above, it is suggested that in addition to the fee for consideration of productions currently allowed, a further fee(s) could be introduced to cover the position where the productions lodged are in excess of a certain sheetage. Again, our example would be that the base fee for consideration of an opponent's productions would cover a perusal of up to 25 pages and thereafter a further fee for every 50 pages or part thereof over and above the initial 25 pages could be applied at £39.00 (the equivalent of 15 mins of solicitor's time on a detailed time charging basis).



Submission 3 (Consultation Question Two)

Unopposed Motion fee

Currently under the relevant Act of Sederunt governing Solicitors fees in the Court of Session (Part V - 15 (a) / Part VA - 15 (a)) - **See Appendix 3a** - a block fee of £39.00 is allowed for the lodging of an unopposed motion or consideration of an opponent's motion, which is then to be unopposed. This fee equates to 15 minutes of a solicitor's time on a detailed time charging basis. It is however submitted that the actual work involved in even the most straightforward motion would be in excess of this.

In respect of the preparation of the motion as a minimum the work on a detailed basis would likely be incurred as **per Appendix 3(b)** amounting to a total of £102.38.

Similarly the work undertaken in consideration of a motion , where it is to be unopposed, as a minimum on a detailed basis would likely be as **per Appendix 3(c)** amounting to a total of £82.89

Given the level of work required in both circumstances the current level of fee applicable would appear to not be an accurate reflection of the work required and we would suggest that an increase to the block fee should be considered.

We would also refer you as a comparison to the Act of Sederunt governing Solicitors fees in the Sheriff Court Chapter II Part II 18(a) (ii) and (b) (ii) - **See Appendix 3(d)**.

Submission 4 (Consultation Question Five)

On review of the fee tables governing Solicitors fees in the Sheriff Court there is a disparity between Sheriff Court Chapter II Part II Fees relating to Specifications of Documents - Item 16 (e) and Chapter II Part IIA Item 10(g) - **See Appendix 4**. Under 10(g) in personal injury actions the fee narrative reads "Perusal of documents recovered under specification of documents (or by informal means) however Item 16 (e) for Ordinary/ Commercial / Family actions simply states "Fee for perusal of documents recovered". The proposal being suggested is that a narrative change would be applied to Item 16(e) to incorporate the wording "(or by informal means)" after the word "recovered". This narrative change would also bring the wording in line with the fee tables governing Solicitors fees in the Court of Session for similar work in both Defended Actions and Defended Personal Injuries actions.

We thank the committee for taking the time to consider our submissions and hope the points raised by our members have been beneficial to the consultation process. We received a positive response from our members but have limited the points raised within our paper to focus on an initial few specific areas. If appropriate, we would welcome the opportunity in the future to address matters within this remit further.



APPENDIX 1(a)

Document Generated: 2017-11-17

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 8

Paragraph 3(3)(b)(vii)

PART VI – INNER HOUSE BUSINESS

	£
1. Reclaiming motions	
(a) Fee for reclaimer for all work (except as otherwise provided for in this Part) up to interlocutor sending cause to roll	234.00
(b) Fee for respondent	117.00
(c) Additional fee for each party for preparing or revising every 50 pages of Appendix	97.50
2. Appeals from inferior courts	
(a) Fee for appellant	273.00
(b) Fee for respondent	136.50
(c) Additional fee for each party for preparing or revising every 50 pages of Appendix	97.50
3. Special cases, Inner House petitions and appeals other than under paragraph 2 of this Part	
According to circumstances of the case.	
4. Note of objection	
(a) Instructing, perusing and lodging note of objection	156.00
(b) Perusing opponent's note of objection	78.00
(c) Where attendance of counsel or other person having a right of audience and/or solicitor required inclusive of instruction of counsel or other person having a right of audience, not exceeding half an hour	117.00
(d) Thereafter attendance fee, per additional quarter hour	39.00
5. Grounds of appeal or cross appeal	
(a) Instructing, perusing and lodging grounds of appeal or cross appeal	156.00
(b) Perusing opponent's note of appeal or cross appeal	78.00
6. Incidental procedure	
All work in connection with noting remittance of cause to Summar Roll and fixing of Summar Roll hearing	156.00
7. Summar Roll	
(a) Preparing for hearing and instructing counsel or other person having a right of audience including instructing and lodging lists of authorities and notes of arguments	234.00
(b) Attendance fee, per quarter hour	39.00
8. Obtaining a bond of caution	97.50
9. Other matters	
Where applicable, charges under Part V of this Chapter of this Table	



APPENDIX 1(b)

COURT OF SESSION

INNER HOUSE

FEE PREPARING FOR SUMMAR ROLL HEARING FOR APPELLANT
CURRENTLY £234.00

Perusing and considering Timetable and diarising same	39.00
Instructing Senior Counsel for Summar Roll Hearing and enclosing copy Timetable	19.50
Instructing Junior Counsel for Summar Roll Hearing and enclosing copy Timetable	19.50
Writing Party reporting on day, date, time and place for Summar Roll Hearing and advising Court Timetable/Procedures in order to comply with Timetable – 2 pgs	39.00
Perusing and considering draft List of Authorities received from Agents for opposing Agents	39.00
Writing Senior Counsel advising as to draft List of Authorities received from opposing Agents and requesting revisal/views on Joint List of Authorities	19.50
Writing Junior Counsel in similar terms	4.88
Revising Joint List of Authorities received from Senior/Junior Counsel	9.75
Writing opposing Agents advising that Senior and Junior Counsel have revised Joint List of Authorities and restricted same maximum of ten Authorities and requesting Agreement to the revised List in due course – 2 pgs	39.00
Writing Senior Counsel advising that opposing Agents are content with revised List of Authorities and requesting Note of Argument in due course	19.50
Writing Junior Counsel in similar terms	4.88

£ £ 253.51

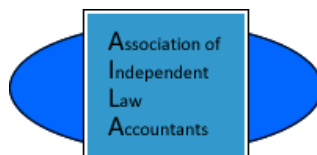


£ £ 253.51

Writing opposing Agents acknowledging receipt of e-mail, confirming agreed Joint List of Authorities and advising that Counsel have now been instructed for Note of Argument in order to comply with requirements of Court timetable	19.50
Revising draft Note of Argument by Counsel – 10 shs	39.00
Writing opposing Agents intimating Note of Argument	4.88
Lodging Note of Argument	9.75
Perusing and considering Bundle of Authorities and collating same – 30 mins	78.00
Framing Index to List of Authorities	9.75
Instructing Duplicating Agency for hard copy bundles of Authorities/Memory Sticks	19.50
Writing opposing Agents intimating that Duplicators now instructed for Authority Bundles and Memory Sticks	4.88
Perusing and considering Bundles received from Duplicators – ¼ hr	39.00
Writing Duplicators settling Invoice	4.88
Writing Senior Counsel enclosing Authority Bundle and Memory Sticks	4.88
Writing Junior Counsel in similar terms	4.88
Lodging Authority Bundles and Memory Sticks	9.75
Writing opposing Agents in similar terms	4.88
Preparing for Summar Roll Hearing/perusing and considering whole papers, Pleadings Authorities in advance of Summar Roll Hearing – 30 mins	78.00

£ 585.04

Foregoing Schedule of minimum amount of work undertaken in order to comply with requirements of Court Timetable/prepare for Summar Roll Hearing would appear to be far in excess of current fee.



APPENDIX 2 – Court of Session

Document Generated: 2017-11-17

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 6

Paragraph 3(3)(b)(v)

PART V – DEFENDED ACTIONS

	£
1. Instruction	
(a) All work (apart from precognitions) from commencement until lodgement of open record	702.00
(b) Instructing re-service where necessary	78.00
(c) If counterclaim lodged, additional fee for each party	156.00
2. Work before action commences	
All work which the Auditor is satisfied has reasonably been undertaken in contemplation of, or preparatory to, the commencement of proceedings (or such other sum as in the opinion of the Auditor is justified)	702.00
3. Lodging productions	
(a) For lodging productions – each inventory	78.00
(b) For considering opponent's productions – each inventory	39.00
4. Record	
(a) All work in connection with adjustment and closing of record (including subsequent work in connection with By Order (Adjustment) Roll, except in actions proceeding under Chapter 42A)	780.00
(b) All work as above, so far as applicable, where cause settled or disposed of before record closed	468.00
(c) If consultation held before record closed, additional fees may be allowed as follows—	
(i) arranging consultation	78.00
(ii) attendance at consultation, per quarter hour	39.00
(d) Additional fee to subparagraph (a) or (b) (to include necessary amendments) to be allowed to every existing party for each pursuer, defender or third party brought in before the record is closed	234.00
(e) Additional fee to every existing party if an additional pursuer, defender or third party is brought in after the record is closed	351.00
(f) Fee allowable to a new pursuer who requires to be brought in as a result of the death of an existing pursuer	234.00
5. By Order (Adjustment) Roll in actions proceeding under Chapter 42A	
(a) Fee to cover preparing and instruction of counsel or other person having a right of audience to include attendance not exceeding half an hour	117.00
(b) Thereafter attendance fee, per quarter hour	39.00
6. Notes of Argument, Statements of Facts or Issues and Notes of Proposals for Further Procedure	
(a) Instructing, perusing and lodging first Note of Arguments (either party)	156.00



APPENDIX 2 – Court of Session Personal Injury

Document Generated: 2017-09-25

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 7

Paragraph 3(3)(b)(vi)

PART VA – DEFENDED PERSONAL INJURIES ACTIONS COMMENCED ON OR AFTER 1 APRIL 2003

	£
1. Precognitions/Expert Reports/Factual Reports	
Taking and drawing precognitions, per sheet	78.00
Note:	
Where a skilled person prepares his or her own precognition or report, the solicitor shall be allowed, for perusing it (whether or not in the course of doing so he or she revises or adjusts it), half of the taking and drawing fee per sheet.	
2. Pre-litigation fee	
All work which the Auditor is satisfied has reasonably been undertaken in contemplation of, or preparatory to the commencement of proceedings particularly to include communications between parties in relation to areas of medical/quantum/discussion re settlement (or such other sum as in the opinion of the Auditor is justified)	702.00
3. Lodging productions	
(a) For lodging productions, each inventory	78.00
(b) For considering opponent's productions, each inventory	39.00
4. Instruction	
(a) To cover all work (except as otherwise specially provided for in this Part) from commencement to lodging of defences	702.00
(b) Specification of documents per Form 43.2-B	117.00
(c) Fee to opponent for considering specification of documents	78.00
(d) In the event of the summons being drafted without the assistance of counsel or other person having a right of audience such further fee will be allowed as the Auditor considers appropriate, up to	234.00
(e) Instructing re-service where necessary	78.00
(f) If counterclaim lodged, additional fee for each party to include Answers	234.00
(g) Arranging commission to recover documents, citing havers, instructing commissioner and shorthand writer and preparation for commission	156.00
(h) Fee to opponent where commission arranged	78.00
(i) Attendance at execution of commission, per quarter hour	39.00
(j) If alternative procedure adopted, a fee per person on whom order served	58.50
(k) Fee for perusal of documents recovered under a specification of documents (or by informal means) where not otherwise provided for in the Table of Fees, per quarter hour	39.00
5. Record	
(a) All work in connection with adjustment and closing of record	780.00



APPENDIX 2 – Sheriff Court

Document Generated: 2017-07-27

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 3

Paragraph 3(3)(a)

PART II – DEFENDED ORDINARY ACTIONS (OTHER THAN PERSONAL INJURIES ACTIONS TO WHICH PART IIA APPLIES), COMMERCIAL ACTIONS AND FAMILY ACTIONS COMMENCED AFTER 1ST JANUARY 1994

1. Work before action commences – Ordinary Action and Family Action	£
To cover all work which the Auditor is satisfied has reasonably been undertaken in contemplation of, or preparatory to, the commencement of proceedings (or such lesser sum as in the opinion of the Auditor is justified)	624.00
2. Work before action commences – Commercial Action	
To cover all work which the Auditor is satisfied has reasonably been undertaken in contemplation of, or preparatory to, the commencement of proceedings in a commercial action or such other sum as in the opinion of the Auditor is justified	702.00
3. Instruction	
(a) To cover all work (except as otherwise specifically provided for in this Part) from commencement to the lodging of defences including copying	780.00
(b) Additional fee where separate statement of facts and counterclaim and answers lodged	273.00
4. Precognitions and reports	
Taking and drawing precognitions, per sheet	78.00
Note:	
Where a skilled witness prepares his or her own precognition or report, the solicitor shall be allowed, for perusing it (whether or not in the course of doing so he or she revises or adjusts it), half of the taking and drawing fee per sheet.	
5. Productions	
(a) For lodging productions, each inventory	78.00
(b) For considering opponent's productions, each inventory	39.00
6. Adjustment	
To cover all work (except as otherwise specifically provided for in this Part) in connection with the adjustment of the record including making up and lodging certified copy record—	
(a) Solicitor for any party	351.00
(b) If action settled before expiry of adjustment period, each original party's solicitor	195.00
(c) If additional defender brought in before Options Hearing, additional fee to each original party's solicitor	156.00
(d) If additional defender brought in after Options Hearing, additional fee to each original party's solicitor	234.00



APPENDIX 2 – Sheriff Court Personal Injury

Document Generated: 2017-08-29

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 4

Paragraph 3(3)(b)

PART IIA – DEFENDED PERSONAL INJURIES ACTIONS PROCEEDING UNDER PART AI OF CHAPTER 36 OF THE ORDINARY CAUSE RULES

	£
1. Precognitions and reports	
Taking and drawing, per sheet	78.00
Note:	
Where a skilled witness prepares his or her own precognition or report, the solicitor shall be allowed, for perusing it (whether or not in the course of doing so he or she revises or adjusts it), half of the taking and drawing fee per sheet.	
2. Pre-litigation fee	
All work which the Auditor is satisfied has reasonably been undertaken in contemplation of, or preparatory to the commencement of proceedings (or such lesser sum as in the opinion of the Auditor is justified)	624.00
3. Instruction	
(a) To cover all work (except as otherwise specifically provided for in this Part) from commencement to the lodging of defences	780.00
(b) Instructing re-service by sheriff officers where necessary	78.00
(c) Specification of documents as per Form PI2	78.00
(d) Fee to opponent for considering specification of documents	78.00
(e) Arranging commission to recover documents, citing havers, instructing commissioner and shorthand writer and preparation for commission	156.00
(f) Fee to opponent where a commission arranged	78.00
(g) Attendance at execution of commission, per quarter hour	39.00
(h) If optional procedure adopted, a fee per person on whom order is served	39.00
(i) Fee for perusal of documents recovered under a specification of documents (or by informal means) where not otherwise provided for in the Table of Fees, per quarter hour	39.00
(j) Attendance in chambers for remittance of cause to Ordinary Roll, per quarter hour	39.00
(k) Additional fee where separate counterclaim and answers lodged	273.00
4. Productions	
(a) For lodging productions, each inventory	78.00
(b) For considering opponent's productions, each inventory	39.00
5. Adjustment	
To cover all work (except as otherwise specifically provided for in this Part) in connection with adjustment of the record including making up and lodging certified copy record—	
(a) Solicitor for any party	351.00



APPENDIX 3 (a)

Document Generated: 2017-11-17

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

course of doing so he or she revises or adjusts it), half of the taking and drawing fee per sheet.

11. Reports obtained under order of court excluding Auditor's report

(a) All work incidental to it	156.00
(b) Additional, fee for perusal of report, per quarter hour (or such other sum as in the opinion of the Auditor is justified)	35.00

12. Specification of documents

(a) Instructing counsel or other person having a right of audience, revising and lodging and all incidental procedure to obtain a diligence up to and including obtaining interlocutor	156.00
(b) Fee to opponent	78.00
(c) Arranging commission to recover documents, citing havers, instructing commissioner and shorthand writer and preparation for commission	156.00
(d) Fee to opponent	78.00
(e) Attendance at execution of commission, per quarter hour	39.00
(f) If alternative procedure adopted, a fee per person on whom order served	58.50
(g) Fee for perusal of documents recovered under a specification of documents (or by informal means) where not otherwise provided for in the Table of Fees, per quarter hour	39.00

13. Commission to take evidence on interrogatories

(a) Applying for commission to cover all work up to and including lodging report of commission with completed interrogatories and cross-interrogatories	312.00
(b) Fee to opponent if cross-interrogatories lodged	234.00
(c) Fee to opponent if no cross-interrogatories lodged	97.50
(d) In addition to above, fee per sheet to each party for completed interrogatories or cross-interrogatories, including all copies	19.50

14. Commission to take evidence on open commissions

(a) Applying for commission up to and including lodging report of commission, but excluding subparagraph (c)	351.00
(b) Fee to opponent	156.00
(c) Fee for attendance at execution of commission, per quarter hour	39.00

15. Miscellaneous motions and minutes where not otherwise covered by this Part

(a) Where attendance of counsel or other person having a right of audience and/or solicitor not required	39.00
(b) Where attendance of counsel or other person having a right of audience and/or solicitor required, inclusive of instruction of counsel or other person having a right of audience, not exceeding half an hour	117.00
(c) Thereafter attendance fee, per additional quarter hour	39.00



APPENDIX 3 (a)

Document Generated: 2017-09-25

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Fixing diet, obtaining note on the line of evidence etc., borrowing and returning process, and all other work prior to the consultation on the sufficiency of evidence	351.00
<hr/>	
12. Specification of documents (if further specification considered necessary)	
(a) Instructing counsel or other person having a right of audience, revising and lodging and all incidental procedure to obtain a diligence up to and including obtaining interlocutor	156.00
(b) Fee to opponent	78.00
(c) Arranging commission to recover documents, citing havers, instructing commissioner and shorthand writer and preparation for commission	156.00
(d) Fee to opponent	78.00
(e) Attendance at execution of commission, per quarter hour	39.00
(f) If alternative procedure adopted, a fee per person on whom order served	58.50
(g) Fee for perusal of documents recovered under a specification of documents (or by informal means) where not otherwise provided for in the Table of Fees, per quarter hour	39.00
13. Commission to take evidence on interrogatories	
(a) Applying for commission to cover all work up to and including lodging report of commission with completed interrogatories and cross-interrogatories	312.00
(b) Fee to opponent if cross-interrogatories lodged	234.00
(c) Fee to opponent if no cross-interrogatories lodged	97.50
(d) In addition to above, fee per sheet to each party for completed interrogatories or cross-interrogatories, including all copies	19.50
14. Commission to take evidence on open commission	
(a) Applying for commission up to and including lodging report of commission, but excluding subparagraph (c)	351.00
(b) Fee to opponent	156.00
(c) Fee for attendance at execution of commission, per quarter hour	39.00
15. Miscellaneous motions and minutes where not otherwise covered by this Part	
(a) Where attendance of counsel or other person having a right of audience and/or solicitor not required	39.00
(b) Where attendance of counsel or other person having a right of audience and/or solicitor required inclusive of instruction of counsel or other person having a right of audience, not exceeding half an hour	117.00
(c) Thereafter attendance fee, per quarter hour	39.00



APPENDIX 3 (b)

COURT OF SESSION
DEFENDED ACTIONS/DEFENDED PERSONAL INJURIES ACTIONS
FEE FOR UNOPPOSED MOTION
CURRENTLY £39.00

Perusing and considering file	39.00
Framing motion - 1sht	19.50
Intimating motion	4.88
Lodging motion	9.75
Perusing interlocutor allowing motion	9.75
Writing client advising on motion and outcome - 1sht	19.50

TOTAL	£102.38

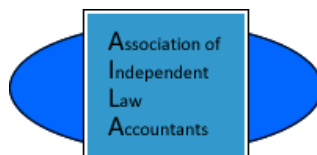


APPENDIX 3 (c)

COURT OF SESSION
DEFENDED ACTIONS/DEFENDED PERSONAL INJURIES ACTIONS
FEE FOR UNOPPOSED MOTION
CURRENTLY £39.00

Perusing and considering motion	39.00
Writing client advising on motion and obtaining instructions - 1sht	19.50
Writing opponent advising no opposition to motion	4.88
Writing Court advising no opposition to motion	4.88
Perusing interlocutor allowing motion	9.75
Writing client advising on motion and outcome	4.88

TOTAL	£82.89



APPENDIX 3 (d)

Document Generated: 2017-07-27

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(i) where attendance before commissioner does not exceed one hour	156.00
(ii) for each additional quarter hour after the first hour	39.00
(d) If optional procedure adopted, fee per person upon whom order is served	39.00
(e) Fee for perusal of documents recovered, per quarter hour	39.00
17. Amendment of Record	
(a) Fee to proposer—	
(i) to cover drawing, intimating and lodging minute of amendment and relative motion	156.00
(ii) fee for perusal of answers	78.00
(iii) fee for any court appearance necessary, per quarter hour	39.00
(b) Fee to opponent—	
(i) for perusing minute of amendment	117.00
(ii) fee for preparation of answers	78.00
(iii) fee for any court appearance necessary per quarter hour	39.00
(c) Additional fee for adjustment of minute and answers, where applicable, to be allowed to each party	156.00
18. Motions and minutes	
(a) Fee to cover drawing, intimating and lodging any written motion or minute, including a reponing note, and initial attendance at court (except as otherwise specially provided for in this Chapter)—	
(i) where opposed	195.00
(ii) where unopposed (including for each party a joint minute other than under paragraph 26(b))	78.00
(b) Fee to cover considering opponent's written motion, minute or reponing note, and attendance at court—	
(i) where opposed	195.00
(ii) where unopposed	78.00
19. Withdrawal of solicitors	
(a) Fee to cover all work in preparation for any diet (or any diets) fixed under rule 24.2(1) and attendance at first such diet	156.00
(b) Fee for attendance at each additional such diet, per quarter hour	39.00
20. Attendance not otherwise provided for	
(a) Where hearing does not exceed half an hour	78.00
(b) Where hearing exceeds half an hour, per additional quarter hour	39.00
21. Hearing limitation fee	
Fee to include work (except as otherwise specifically provided for in this Chapter) undertaken with a view to limiting the scope of any hearing, and including the exchange of documents, precognitions and expert reports, agreeing any fact, statement or document not in dispute,	702.00



APPENDIX 4 – Sheriff Court

Document Generated: 2017-07-27

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(b) Where counsel or solicitor advocate employed, fee to solicitor appearing with counsel, per quarter hour	35.00
(c) Waiting time, per quarter hour	35.00
13. Interim Interdict Hearings and other Interim Hearings	
(a) Preparation for each hearing, each party	156.00
(b) Fee to conduct hearing, per quarter hour	39.00
(c) Where counsel or solicitor advocate employed, fee to solicitor appearing with counsel, per quarter hour	35.00
(d) Waiting time, per quarter hour	35.00
14. Reports obtained under order of court	
(a) Fee for all work incidental thereto	156.00
(b) Additional fee for perusal of report, per quarter hour	35.00
15. Commissions to take evidence	
(a) On interrogatories—	
(i) fee to solicitor applying for commission to include drawing, intimating and lodging motion, drawing and lodging interrogatories, instructing commissioner and all incidental work (except as otherwise specially provided for in this Chapter) but excluding attendance at execution of commission	429.00
(ii) fee to opposing solicitor if cross-interrogatories prepared and lodged	273.00
(iii) if no cross-interrogatories lodged	78.00
(b) Open commissions—	
(i) fee to solicitor applying for commission to include all work (except as otherwise specially provided for in this Chapter) up to lodging report of commission but excluding attendance at execution of commission	273.00
(ii) fee to opposing solicitor	156.00
(iii) fee for attendance at execution of commission, per quarter hour	39.00
(iv) if counsel or solicitor advocate employed, fee for attendance of solicitor, per quarter hour	35.00
16. Specification of documents	
(a) Fee to cover drawing, intimating and lodging specification and relative motion—	
(i) where motion unopposed	156.00
(ii) where motion opposed, additional fee per quarter hour	39.00
(b) Fee to opposing solicitor—	
(i) where motion not opposed	78.00
(ii) where motion opposed, additional fee per quarter hour	39.00
(c) Fee for citation of havers, preparation for and attendance before commissioner at execution of commission—	



APPENDIX 4 – Sheriff Court

Document Generated: 2017-07-27

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(i) where attendance before commissioner does not exceed one hour	156.00
(ii) for each additional quarter hour after the first hour	39.00
(d) If optional procedure adopted, fee per person upon whom order is served	39.00
(e) Fee for perusal of documents recovered, per quarter hour	39.00

17. Amendment of Record

(a) Fee to proposer—	
(i) to cover drawing, intimating and lodging minute of amendment and relative motion	156.00
(ii) fee for perusal of answers	78.00
(iii) fee for any court appearance necessary, per quarter hour	39.00
(b) Fee to opponent—	
(i) for perusing minute of amendment	117.00
(ii) fee for preparation of answers	78.00
(iii) fee for any court appearance necessary per quarter hour	39.00
(c) Additional fee for adjustment of minute and answers, where applicable, to be allowed to each party	156.00

18. Motions and minutes

(a) Fee to cover drawing, intimating and lodging any written motion or minute, including a reponing note, and initial attendance at court (except as otherwise specially provided for in this Chapter)—	
(i) where opposed	195.00
(ii) where unopposed (including for each party a joint minute other than under paragraph 26(b))	78.00
(b) Fee to cover considering opponent's written motion, minute or reponing note, and attendance at court—	
(i) where opposed	195.00
(ii) where unopposed	78.00

19. Withdrawal of solicitors

(a) Fee to cover all work in preparation for any diet (or any diets) fixed under rule 24.2(1) and attendance at first such diet	156.00
(b) Fee for attendance at each additional such diet, per quarter hour	39.00

20. Attendance not otherwise provided for

(a) Where hearing does not exceed half an hour	78.00
(b) Where hearing exceeds half an hour, per additional quarter hour	39.00

21. Hearing limitation fee

Fee to include work (except as otherwise specifically provided for in this Chapter) undertaken with a view to limiting the scope of any hearing, and including the exchange of documents, precognitions and expert reports, agreeing any fact, statement or document not in dispute,	702.00
--	--------



APPENDIX 4 – Sheriff Court Personal Injury

Document Generated: 2017-08-29

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(b) If action settled before expiry of adjustment period, each original party's solicitor	195.00
(c) Additional fee to sub-paragraph (a) or (b), to include amendment to the pursuer and existing defender, to be allowed for each pursuer, defender or third party brought in before the record is lodged under the timetable issued under rule 36.G1(1)(b)	156.00
(d) Additional fee if an additional pursuer, defender or third party is brought in after the record is lodged under the timetable issued under rule 36.G1(1)(b) to the existing pursuer and existing defender or defenders	234.00
6. Affidavits	
Framing affidavits, per sheet	39.00
7. Valuation of Claim	
(a) Fee to cover preparation of statement of valuation of claim—	
(i) where counsel or solicitor advocate not employed	234.00
(ii) where valuation of claim prepared by counsel or solicitor advocate	117.00
(b) Fee to cover consideration of opponent's valuation of claim	117.00
(c) Inspection of documents, per quarter hour	39.00
8. Incidental hearings/variation of timetable order	
(a) Fee to cover preparing for and attendance at hearing not exceeding half an hour	117.00
(b) Thereafter attendance fee, per additional quarter hour	39.00
(c) In event of separate advising/opinion and all work incidental thereto	117.00
9. Reports obtained under order of court excluding Auditor's Report	
(a) All work incidental thereto	156.00
(b) Additional fee for perusal of report, per quarter hour	35.00
10. Specification of documents (if further specification deemed necessary)	
(a) Fee to cover drawing, intimating and lodging specification and relevant motion—	
(i) where motion unopposed	156.00
(ii) where motion opposed, additional fee per quarter hour	39.00
(b) Fee to opponent—	
(i) where motion not opposed	78.00
(ii) where motion opposed, additional fee per quarter hour	39.00
(c) Fee for arranging commission to recover documents, citing havers, instructing commissioner and shorthand writer and preparation for commission	156.00
(d) Fee to opponent	78.00



APPENDIX 4 – Sheriff Court Personal Injury

Document Generated: 2017-08-29

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(e) Attendance at execution of commission, per quarter hour	39.00
(f) If optional procedure adopted, fee per person upon whom order is served	39.00
(g) Fee for perusal of documents recovered under a specification of documents (or by informal means) where not otherwise provided for in the Table of Fees, per quarter hour	39.00

11. Commission to take evidence

(a) On interrogatories—	
(i) fee to solicitor applying for commission to include drawing, intimating and lodging interrogatories, instructing commissioner and all incidental work (except as otherwise specifically provided for in this Chapter) but excluding attendance at execution of commission	429.00
(ii) fee to opposing solicitor if cross-interrogatories prepared and lodged	273.00
(b) Open commission—	
(i) fee to solicitor applying for commission to include all work (except as otherwise specifically provided for in this Chapter) up to and lodging report of commission but excluding attendance at execution of commission	273.00
(ii) fee to opposing solicitor	156.00
(iii) fee for attendance at execution of commission, per quarter hour	39.00
(iv) if counsel or solicitor advocate employed, fee to solicitor appearing with counsel or solicitor advocate, per quarter hour	35.00

12. Motions and minutes

(a) Fee to cover drawing, intimating and lodging any written motion or minute, including a reponing note, and relative attendance at court (except as otherwise specifically provided for in this Chapter)—	
(i) where opposed	195.00
(ii) where unopposed (including for each party a joint minute other than under paragraph 24(b))	78.00
(iii) attendance at continued motion, per quarter hour	39.00
(b) Fee to cover considering opponent's written motion, minute or reponing note and attendance at court—	
(i) where opposed	195.00
(ii) where unopposed	78.00
(iii) attendance at continued motion, per quarter hour	39.00

13. Debate (other than on evidence)

(a) Where counsel or solicitor advocate not employed—	
(i) to include preparation for all work incidental to any hearing or debate other than on evidence	312.00