

Disbursements Scale

(operative from 9 November 2023)

The following fees are maximum fees which can only be varied by the Commission in a specific case.

1. Standard Family Assessment & Report \$507 2. Review of Standard Family Assessment & Report \$507 3. Supplementary Standard Family Assessment & Report \$5097 4. Complex Family Assessment & Report \$50,000 5. Review of Complex Family Assessment & Report \$1,045 Others Others 7. Treating Specialists Report \$1,000 8. Treating Specialists Report \$1,000 9. Treating General Practitioners Report \$1,000 9. Treating Medical/Counsellor's Report \$1,000 10. Other Investigators – hourly rate \$1,000 11. Parentage Testing Report (standard) \$790 8. Additional parties – per party \$240 12. Cancelled appointment – per party \$360 13. Cancelled appointment – per party \$360 14. Full day \$1,300 CRIMINAL LAW 15. Assessment & Report (inc. Gaol visit) Psychiatrist \$1,300 CRIMINAL LAW 16. Specialist specialists report \$1,000 10. Other Investigators – hourly rate \$207 11. Parentage Testing Report (standard) \$360 12. Cancelled appointment – per party \$360 13. Less than a full day – hourly rate \$207 14. Full day \$1,300 CRIMINAL LAW 15. Assessment & Report (inc. Gaol visit) Psychiatrist \$1,300 Updated Report – where authorised \$1,300 Updated Report – where authorised \$1,000 14. Psychologist \$1,000 15. Specialist psychiatric/expert from interstate/overseas, having satisfied ALL general criteria (1-9) \$1,300 Up to \$1,300 17. Psychologist \$1,000 19. Treating Specialists report \$207 20. Attendance at Court to give evidence – hourly rate \$207 21. Attendance at Court to give evidence – hourly rate \$207 22. Specialists Safety Experts- Interview & Report & Technical Investigators- Handwriting experts, \$1,300 19. Treating General Practitioner's Report \$1,300 Up to \$1,608 21. Specialists Safety Experts- Interview & Report & Technical Investigators- Handwriting experts, \$1,300 Up to \$1,608 15. Specialists Safety Experts- Interview & Report & Technical Investigators - Handwriting experts, \$1,500 Up to \$1,608 16. Other Investigators, Process Servers, etc. – hourly rate \$88 Up to \$1,608 17. Complex Family Assessment & Report involving m	ITEM	FAMILY LAW - ASSESSMENTS & REPORTS	FEE PAYABLE
3. Supplementary Standard Family Assessment & Report 4. Complex Family Assessment & Report 5. Review of Complex Family Assessment & Report 6. Assessment and Report - Psychiatrist 7. Treating Specialists Report 8. Treating General Practitioners Report 9. Treating Medical/Counsellor's Report 9. Up to \$490 9. Treating Medical/Counsellor's Report 9. Up to \$881 11. Parentage Testing Report (standard) Additional parties - per party Subsequent test 9. Sa60 12. Cancelled appointment – per party (Where an expert sets aside time to interview parties for the purposes of an assessment and the appointment is cancelled with less than 24 hours' notice) FAMILY LAW - ATTENDANCE AT COURT 13. Less than a full day – hourly rate 14. Full day 9. Sassesment & Report (inc. Gaol visit) Psychiatrist Updated Report – where authorised 16. Specialist psychiatric/expert from interstate/overseas, having satisfied ALL general criteria (1-9) 19. Treating Specialist's report (eg Orthopaedic Surgeon, Forensic Immunologist, Psychiatrist, Obstetrics, Surgeon, etc) 19. Treating General Practitioner's Report 20. Attendance at Court to give evidence - hourly rate 21. Attendance at Court to give evidence - hourly rate 22. Specialist Safety Experts- Interview & Report & Technical Investigators- Handwriting experts, I/T forensic analysis 23. Other Investigators, Process Servers etc – hourly rate 24. Same as criminal scale for above categories 25. Specialist Safety Experts- Interview & Report & Technical Investigators 26. Other Investigators, Process Servers, etc – hourly rate 27. Same as criminal scale for above categories 28. In NEED OF CARE	1.	Standard Family Assessment	\$1,393
4. Complex Family Assessment & Report 5. Review of Complex Family Assessment & Report 6. Assessment and Report - Psychiatrist 7. Treating Specialists Report 8. Treating Specialists Report 9. Treating General Practitioners Report 9. Treating Medical/Counsellor's Report 10. Other Investigators - hourly rate 11. Parentage Testing Report (standard) Additional parties - per party Subsequent test 12. Cancelled appointment - per party (Where an expert sets aside time to interview parties for the purposes of an assessment and the appointment is cancelled with less than 24 hours' notice) FAMILY LAW - ATTENDANCE AT COURT 13. Less than a full day - hourly rate 15. Assessment & Report (inc. Gaol visit) Psychiatrist Updated Report - where authorised 16. Specialist psychiatric/expert from interstate/overseas, having satisfied ALL general criteria (1-9) 19. Treating Specialist's report (eg Orthopaedic Surgeon, Forensic Immunologist, Psychiatrist, Obstetrics, Surgeon, etc) 19. Treating General Practitioner's Report 20. Attendance at Court to give evidence - hourly rate 21. Attendance at Court to give evidence - hourly rate 22. Specialists Safety Experts- Interview & Report & Technical Investigators- Handwriting experts, I/T forensic analysis 23. Other Investigators, Process Servers, etc - hourly rate 24. Same as criminal scale for above categories 26. Other Investigators, Process Servers, etc - hourly rate 27. Specialist Safety Experts- Interview & Report & Technical Investigators 28. IN NEED OF CARE	2.	Review of Standard Family Assessment & Report	\$697
5. Review of Complex Family Assessment & Report Others 6. Assessment and Report - Psychiatrist 7. Treating Specialists Report 8. Treating Specialists Report 9. Treating General Practitioners Report 10. Other Investigators – hourly rate 11. Parentage Testing Report (standard) Additional parties – per party (Where an expert sets aside time to interview parties for the purposes of an assessment and the appointment is cancelled with less than 24 hours' notice) FAMILY LAW - ATTENDANCE AT COURT 13. Less than a full day – hourly rate \$207 14. Full day \$1,300 CRIMINAL LAW 15. Assessment & Report (inc. Gaol visit) Psychiatrist Updated Report – where authorised 16. Specialist psychiatric/expert from interstate/overseas, having satisfied ALL general criteria (1-9) Up to \$1,300 Updated Report – where authorised 18. Treating Specialist's report (eg Orthopaedic Surgeon, Forensic Immunologist, Psychiatrist, Obstetrics, Surgeon, etc) 19. Treating General Practitioner's Report 20. Attendance at Court to give evidence - hourly rate 21. Attendance at Court to give evidence - full day 22. Specialist Safety Experts - Interview & Report & Technical Investigators - Handwriting experts, If Torensic analysis 23. Other Investigators, Process Servers etc – hourly rate 24. Same as criminal scale for above categories 25. Specialist Safety Experts - Interview & Report & Technical Investigators 10. NEED OF CARE	3.	Supplementary Standard Family Assessment & Report	\$697
Others 6. Assessment and Report - Psychiatrist \$1,600 7. Treating Specialists Report Up to \$1,046 8. Treating General Practitioners Report Up to \$490 9. Treating Medical/Counsellor's Report Up to \$897 10. Other Investigators – hourly rate Up to \$88 11. Parentage Testing Report (standard) \$790 Additional parties – per party \$240 Subsequent test (Where an expert sets aside time to interview parties for the purposes of an assessment and the appointment – per party (Where an expert sets aside time to interview parties for the purposes of an assessment and the appointment is cancelled with less than 24 hours' notice) FAMILY LAW - ATTENDANCE AT COURT 13. Less than a full day – hourly rate \$207 14. Full day \$1,300 CRIMINAL LAW 15. Assessment & Report (inc. Gaol visit) Psychiatrist Up to \$1,600 Up to \$490 Updated Report – where authorised 16. Specialist psychiatric/expert from interstate/overseas, having satisfied ALL general criteria (1-9) Up to \$3,206 Updated Report – where authorised Up to \$3,00 17. Psychologist Updated Report – where authorised Up to \$3,00 Up to \$4,300 Up to \$4,300 Up to \$4,300 Up to \$4,500 Up	4.	Complex Family Assessment & Report	\$2,090
6. Assessment and Report - Psychiatrist \$1,600 7. Treating Specialists Report Up to \$1,046 8. Treating General Practitioners Report Up to \$490 9. Treating Medical/Counsellor's Report Up to \$490 10. Other Investigators – hourly rate Up to \$888 11. Parentage Testing Report (standard) \$790 Additional parties - per party \$240 Subsequent test \$360 12. Cancelled appointment – per party (Where an expert sets aside time to interview parties for the purposes of an assessment and the appointment is cancelled with less than 24 hours' notice) FAMILY LAW - ATTENDANCE AT COURT 13. Less than a full day – hourly rate \$207 14. Full day \$1,300 CRIMINAL LAW 15. Assessment & Report (inc. Gaol visit) Psychiatrist Up to \$1,800 Up dated Report – where authorised 16. Specialist psychiatric/expert from interstate/overseas, having satisfied ALL general criteria (1-9) Up to \$3,206 17. Psychologist Updated Report – where authorised Up to \$650 18. Treating Specialist's report (eg Orthopaedic Surgeon, Forensic Immunologist, Psychiatrist, Obstetrics, Surgeon, etc) 19. Treating General Practitioner's Report 20. Attendance at Court to give evidence - full day \$1,300 21. Attendance at Court to give evidence - full day \$1,300 22. Specialists Safety Experts - Interview & Report & Technical Investigators - Handwriting experts, IT forensic analysis 23. Other Investigators, Process Servers etc – hourly rate \$88 CIVIL LAW 24. Same as criminal scale for above categories 25. Specialist Safety Experts - Interview & Report & Technical Investigators 10. Up to \$1,698	5.	Review of Complex Family Assessment & Report	\$1,045
Treating Specialists Report Up to \$1,046 Treating General Practitioners Report Up to \$490 Treating General Practitioners Report Up to \$490 Treating Medical/Counsellor's Report Up to \$697 Other Investigators – hourly rate Up to \$88 The Parentage Testing Report (standard) \$790 Additional parties – per party \$240 Subsequent test \$360 Cancelled appointment – per party (Where an expert sets aside time to interview parties for the purposes of an assessment and the appointment is cancelled with less than 24 hours' notice) FAMILY LAW – ATTENDANCE AT COURT 13. Less than a full day – hourly rate \$207 14. Full day \$1,300 CRIMINAL LAW 15. Assessment & Report (inc. Gaol visit) Psychiatrist Up to \$1,600 Up dated Report – where authorised 16. Specialist psychiatric/expert from interstate/overseas, having satisfied ALL general criteria (1-9) Up dated Report – where authorised 17. Psychologist Updated Report – where authorised 18. Treating Specialist's report (eg Orthopaedic Surgeon, Forensic Immunologist, Psychiatrist, Obstetrics, Surgeon, etc) Treating Specialist's report (eg Orthopaedic Surgeon, Forensic Immunologist, Psychiatrist, Obstetrics, Surgeon, etc) Treating General Practitioner's Report 19. Treating General Practitioner's Report 20. Attendance at Court to give evidence - hourly rate 21. Attendance at Court to give evidence - hourly rate 22. Specialists Safety Experts - Interview & Report & Technical Investigators - Handwriting experts, I/T forensic analysis 23. Other Investigators, Process Servers etc – hourly rate 44. Same as criminal scale for above categories 55. Specialist Safety Experts - Interview & Report & Technical Investigators 17. We for investigators, Process Servers, etc – hourly rate 28. Other Investigators, Process Servers, etc – hourly rate 29. Other Investigators, Process Servers, etc – hourly rate 20. Other Investigators, Process Servers, etc – hourly rate 21. NEED OF CARE		Others	
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22. Specialists Safety Experts- Interview & Report & Technical Investigators- Handwriting experts, I/T forensic analysis 23. Other Investigators, Process Servers etc – hourly rate CIVIL LAW 24. Same as criminal scale for above categories 25. Specialist Safety Experts - Interview & Report & Technical Investigators Up to \$1,698 26. Other Investigators, Process Servers, etc – hourly rate \$88 IN NEED OF CARE	20.	Attendance at Court to give evidence - hourly rate	\$207
I/T forensic analysis 23. Other Investigators, Process Servers etc – hourly rate CIVIL LAW 24. Same as criminal scale for above categories 25. Specialist Safety Experts - Interview & Report & Technical Investigators Cher Investigators, Process Servers, etc – hourly rate IN NEED OF CARE	21.	Attendance at Court to give evidence - full day	\$1,300
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24. Same as criminal scale for above categories 25. Specialist Safety Experts - Interview & Report & Technical Investigators 26. Other Investigators, Process Servers, etc – hourly rate IN NEED OF CARE	23.	Other Investigators, Process Servers etc – hourly rate	\$88
25. Specialist Safety Experts - Interview & Report & Technical Investigators Up to \$1,698 26. Other Investigators, Process Servers, etc – hourly rate \$88 IN NEED OF CARE		CIVIL LAW	
26. Other Investigators, Process Servers, etc – hourly rate \$88 IN NEED OF CARE	24.	Same as criminal scale for above categories	
IN NEED OF CARE	25.	Specialist Safety Experts - Interview & Report & Technical Investigators	Up to \$1,698
	26.	Other Investigators, Process Servers, etc – hourly rate	\$88
27. Complex Family Assessment & Report involving more than one family Up to \$2,090		IN NEED OF CARE	
	27.	Complex Family Assessment & Report involving more than one family	Up to \$2,090

28.	Family Assessment & Report (Interaction parents with children)	Up to \$1,393
29.	Family Assessment & Report (Parents only)	Up to \$1,046
	GENERAL	
30.	Professional witnesses can also claim a fee based on lost income due to absence from Office or Surgery to attend Court to give evidence, based on the above scale. <i>In cases where the expert seeks to claim actual loss of income due to attendance at Court to give evidence, relevant details should be supplied for the Commission's consideration for reimbursement of that loss eg: actual cancellation, loss of a lecturing appointment, postponed surgery, etc.</i>	
31.	Lost time – daily rate	\$1,046
32.	Attendance at court to give evidence	\$1,046
33.	There is therefore a MAXIMUM DAILY CLAIM for professional witnesses in such matters.	\$2,092

Explanatory Notes

General

• The following general provisions apply to expert expenses. These provisions should be read in conjunction with the specific provisions for fees for expert reports.

When assigned practitioners seek funding for an expert's report, they **must ensure** that the particular expert will:

- Report in accordance with the fees outlined in this Scale, and
- Attend Court to give evidence on the fees outlined in this Scale.
- They must inform the Commission when seeking aid that the proposed expert has agreed to these requirements.
- If the Commission is going to approve an extension of legal assistance to be granted for the engagement of an expert witness and if a South Australian independent resident expert is available, then that expert must ordinarily be engaged.
- When an aided person wishes to engage an interstate, or overseas expert, they must demonstrate to the Legal Services Commission that comprehensive enquiries have been made within South Australia, or in the case of the proposed overseas witnesses, within Australia, as to those holding the necessary qualifications and expertise in the relevant field.
- If there is no such person available in South Australia, or clearly none that would be either acceptable to the Court in terms of knowledge, qualifications or expertise, or only persons who lack considerable reputation amongst their peers, then the Commission may allow interstate expert to be engaged.
- If there is no such person available **interstate** or clearly none that would be either acceptable to the Court in terms of knowledge, qualifications or expertise, or only persons who lack considerable reputation amongst their peers, then the Commission may allow **overseas** experts to be engaged.
- However, because interstate or overseas witnesses will cost more than local witnesses, especially for
 travel and accommodation etc, the person seeking to engage an expert from interstate or overseas must
 satisfy the Commission that the importance or relevance of expert's evidence is such that his, her or their
 case would be significantly prejudiced if they were restricted to calling a South Australian resident expert,
 in the case of an interstate witness. This prejudice may be established by reference to a previous similar
 matter, or some other compelling and cogent factors, which may include an expert's prior extensive
 involvement in the case.

The Commission must be satisfied that an aided person's case would be so prejudiced because
interstate, or overseas, witnesses will inevitably consume more limited legal aid funds, and in most
cases, considerably more than local experts. The Commission therefore must have this clear
assurance before it risks its funds, in order to satisfy the two well-settled arms of the Commission's
Merits Test (ie "the prudent self-funding litigant" and "the proper use of public funds" tests).

TRAVEL, ACCOMMODATION AND SUBSISTENCE EXPENSES

General

Witnesses from Interstate/Overseas

- (a) Economy class air fare, plus taxi fare to and from airports.
- (b) Car expenses and train fares will normally only be allowed in special circumstances, such as where there is an aversion to air travel, or several witnesses can travel by car together.

Witnesses within South Australia

- (a) If public transport is available, economy class air or train fare, plus taxi fare to and from airport.
- (b) Car expenses may be paid (at Public Service rates) for professional witnesses and where several witnesses can travel together.
- (c) Taxi transport from hotel to court is allowed.

Accommodation & Subsistence

Necessary subsistence and accommodation will be paid strictly in accordance with the schedules issued from time to time by the Commissioner for Public Employment, relating to travel within South Australia, Interstate and Overseas.

Drug Testing - Family Law

- Legal Services will meet the actual cost of hair strand testing where ordered by the Court or as authorised as part of a funded FDR process, up to a maximum amount of \$425 +GST in relation to a legally aided party during the period of the family law proceeding. This is effectively funding for a single test.
- 2. The funding for this hair strand testing will be capped at the actual cost of the testing and cannot extend to any travel-based claims associated with the testing.
- 3. If the cost of testing will be greater than \$425 +GST, such as where additional drugs are to be tested for or where the testing is for alcohol use, the party may pay the gap.
 - It is the party's responsibility to make themselves available for testing as directed by the Court.