



WHAT FILES SENT FOR COSTING SHOULD CONTAIN

A STEP BY STEP GUIDE

Correspondence

Correspondence should be spiked in chronological order. This assures all attendances and letters are claimed in the bill and assists quick item identification at taxation. Legal costs may be lost at taxation if the tag and relevant item cannot be located. Well presented files keep our preparation time and your cost to a minimum.

Original documents including:

- Court documents
- Medicals reports
- Expert reports
- Original Counsel Brief(s)
- Employment material (if any)
- Other relevant material

Counsel Brief(s)

Your original brief(s) will be used to identify and list copies when claiming copy documents provided for Counsel. In some cases the index of documents provided can also be used. However, copies will be disallowed on taxation without the production of Counsel's original brief(s).

Court Books (if any)

As for Counsel Brief(s) documents index attached to the court book can be used for copy calculation. On taxation, these copy documents must be produced to recover costs.

Accounts/Disbursements kept separately

Disbursements are more easily identified and captured in the bill of costs when filed in a central location. More importantly, on taxation all accounts must be produced in order to recover the cost.

Receipted accounts are preferred by the courts but not all courts are strict to the rule. Supreme Court however, does adhere to this principle and requires all accounts be receipted in order to recover the cost on taxation. The court may accept that payment has been made if the account has been stamped or marked as paid by your office, together with the payment date paid and your signature.

Costs Orders

Any Judgment in relation to costs must be authenticated. Therefore when issuing a Summons for Taxation and the costs have been awarded by the court, an order must be drawn by your office and authenticated accordingly.

©Copyright Blackstone Legal Costing 2007

Blackstone Legal Costing Factsheets are free to download. You may use them on your website or newsletter provided they appear in original form and a link to the [Blackstone Legal Costing](http://www.blackstonelegalcosting.com) website is included.

By using any of our factsheets, you agree to indemnify Blackstone Legal Costing, its directors, officers and employees from any losses, claims, damages and liabilities which arise out of their use.

We recommend upon settlement of a proceeding, orders in relation to judgment awarding costs are drawn and presented to the court as an administrative procedure. This speeds the process of recovering your Party-Party costs.

SUMMARY

A file provided to us in an organised manner:

- Assists with easy identification of omissions
- Provides the best opportunity to identify possible omissions
- Results in early contact with your office for clarification.

Experience has shown that a disorganised and unstructured file may lead to the exclusion of reasonable charges in your bill of costs. Our ability to substantiate charges on taxation can also be inhibited. The most obvious examples of this are in recoverable costs for:

- Copies made (enclosures to letters, counsel brief(s), court books etc).
- Documents perused on the file.
- Disbursements incurred.
- Inadequate details or lack of conference/attendance notes.