

PARTY/PARTY COSTS

The following materials have been prepared for the use of litigants who are not represented by counsel and who have been awarded costs.

If you have been awarded costs by a Judge, Associate Judge or Registrar, you are entitled to receive payment from the unsuccessful party. To receive this payment, you must first quantify the costs to which you are entitled. This involves the following steps:

1. You must have an **entered** copy of the order awarding you costs. The order must contain a specific reference to your entitlement to costs.
2. You must complete a bill of costs in Form 62 of the Supreme Court Civil Rules or Form F71 of the Supreme Court Family Rules. Copies of these forms are attached to these materials. To prepare the bill, you must review the schedule set out in Appendix B to each of the Rules of Court. You are entitled to costs for work done which is included in an Item described in Appendix B. To ascertain which Items are appropriate to note on your bill of costs, you must review each Item in Appendix B and enter each applicable Item on the draft bill of costs.
3. Under the Supreme Court Civil Rules, as well as entering the Item number, you must also seek a particular number of units for each Item under the Supreme Court Civil Rules. A unit is simply a measure that can be converted to a dollar value. For example, at Scale A, each unit is valued at \$60. The number of units chosen reflects the amount of time which should **ordinarily** have been spent in performing the task. The Judge, Associate Judge or Registrar will determine the scale you are entitled to and that scale is usually stated in the order. If your award of costs is silent with respect to the scale, then the applicable scale is Scale B which represents \$110.00 for each unit. These amounts are set out in section 3 of Appendix B. Note that if there is a hearing to assess your costs, you will have to tell the registrar what happened for each Item you list. Some Items will require documents to support the claim. For example for Item 1 (correspondence etc.) you may have to produce your correspondence file that contains letters, faxes etc. that were exchanged before commencement, after commencement to trial and after trial.
4. In the Supreme Court Civil Rules, once you have listed each appropriate Item together with the appropriate number of units, you must indicate a total value at the conclusion of the Items. Under the Supreme Court Family Rules you total the amount of costs for each

Item. The applicable tax(es) is/are added to the total costs in each set of rules.

5. It is then necessary to list each of the disbursements or out of pocket expenses for which you seek reimbursement. A number of these items will be listed as your actual cost, for example, court filing fees, fees for service, etc. Other disbursements are allowable at set rates. For example, the allowable rate for photocopying is \$.25 per page; the allowable rate for faxed material \$.35 per page, incoming or outgoing. It should be noted, however, that the Registrar retains considerable discretion in assessing these disbursements. You must produce each and every receipt for the disbursements for which you are seeking reimbursement (except for copy work and faxes). If you cannot produce a receipt, the registrar may disallow the expense.
6. Once you have completed the bill of costs you may send it to the party who has been ordered to pay your costs with a covering letter asking if they will consent to your bill by signing it. If they do, a hearing is not necessary; you can enter a certificate of costs by presenting the bill signed by all parties consenting to the amount.
7. If they do not consent to your bill, a hearing will have to be arranged to have the bill assessed. Call the court registry to obtain available hearing dates before the registrar. Then contact the other party, or their lawyer if they have one, obtain a mutually agreeable date for this hearing based on the dates the booking clerk gives you. If a lawyer represents the other party, ask them when they would be available. If all parties agree to a date or you cannot agree, you may set the date for the appointment before the Registrar. The booking secretary will likely ask how much time you require. If your bill contains fewer than 10 items, 30 minutes will probably be sufficient. If your bill contains more than 30 items, you will likely require between 1 and 2 hours.
8. You must then file an Appointment, (see sample attached) with a copy of the bill of costs attached (the filing fee is \$80.00) and deliver it to the other party at least five (5) days before the assessment. If you have prepared an affidavit in support of your bill of costs, this too must be delivered to the party against whom costs are to be assessed at least five (5) days before the assessment.
9. The party that files the appointment is required to provide a hearing record to the registry where the hearing is to take place, no later than 4 p.m. on the business day that is one full business day before the date set for the hearing. Civil Rule 23-6(3.1) and Family Rule 22-7(3.1) set out the requirements and contents of the hearing record.

For an appointment to assess costs the following applies,

- a) the hearing record must be in a ring binder or in some other form of secure binding;
 - b) the hearing record must contain, in consecutively numbered pages, or separated by tabs, the following documents in the following order:
 - i. a title page bearing the style of proceeding and the names of the lawyers, if any, for the applicant and the persons served with the appointment (in this subrule called the “respondents”);
 - ii. an index;
 - iii. a copy of the filed appointment and of every document that, under these rules, is required to be filed with that appointment;
 - iv. a copy of the affidavit of service of the appointment, which copy must not include the exhibits to the affidavit;
 - v. if the appointment is to assess costs under Civil Rule 14-1 or Family Rule 16-1, a copy of the entered order for costs;
 - vi. a copy of every filed affidavit and pleading, and of every other document, that is to be relied on at the hearing;
 - c) the hearing record may contain
 - i. a draft of the proposed report or certificate, and
 - ii. a list of authorities
 - d) the hearing record must not contain
 - i. written argument,
 - ii. copies of authorities, including case law, legislation, legal articles or excerpts from text books, or
 - iii. any other documents unless they are included with the consent of the applicant and the respondents.
10. At the conclusion of the assessment, the registrar will sign a certificate of costs. A sample form is attached to this material. This form, once it has been filed in the court registry and a filing fee of \$40.00 paid, is enforceable as a judgment of the Supreme Court.

Form 62

No.
..... Registry

In the Supreme Court of British Columbia

Between

Plaintiff/Petitioner(s)

and

Defendant/Respondent(s)

BILL OF COSTS

This is the bill of costs of:
[name(s)]

Tariff scale Unit value \$

TARIFF ITEMS

Item #	Description	# of Units Claimed	# of Units Allowed
.....
.....
.....
	Total number of units:
	Multiply by unit value:
	Subtotal:	\$.....	\$.....
	Applicable Taxes	\$.....	\$.....

Total: \$..... \$..... \$.....

DISBURSEMENTS

Description	Claimed	Allowed	
.....	\$.....	\$.....	
.....	\$.....	\$.....	
.....	\$.....	\$.....	
.....	\$.....	\$.....	
Applicable taxes:	\$.....	\$.....	
	Total: \$.....	\$.....	\$.....

TOTAL ALLOWED \$..... \$.....

Date:

.....
Signature of assessing officer

Court File No.:
 Court Registry:

In the Supreme Court of British Columbia

Claimant:

Respondent:

BILL OF COSTS

This is the bill of costs of:
[name(s)]

PART A – SCALE OF DIFFICULTY	
<i>[Check the correct box(es).]</i>	
The scale of difficulty of the family law case	
<input type="checkbox"/> was determined by the court to be <ul style="list-style-type: none"> <input type="checkbox"/> less than ordinary difficulty <input type="checkbox"/> ordinary difficulty <input type="checkbox"/> more than ordinary difficulty 	
<input type="checkbox"/> was not determined by the court and is therefore ordinary difficulty.	

PART B – TARIFF ITEMS			
Item	Description	Basis of calculation	Amount
1	Correspondence, conferences, instructions, investigations or negotiations and preparation, filing and service of pleadings and petitions and responses to petitions	Scale of difficulty – from Part A of this bill of costs:	
		Less than ordinary difficulty <i>[claim \$1,000]</i>	
		Ordinary difficulty <i>[claim \$3,000]</i>	
		More than ordinary difficulty <i>[claim \$5,000]</i>	
2	Process for discovery and inspection of documents	Scale of difficulty – from Part A of this bill of costs:	
		Less than ordinary difficulty <i>[claim \$750]</i>	
		Ordinary difficulty <i>[claim \$2,000]</i>	
		More than ordinary difficulty <i>[claim \$5,000]</i>	
3	Preparation for and attendance at	Number of days attendance at examinations	

	each examination for discovery	for discovery:(x \$1,000)	
4	Preparation for and attendance at each contested application	Number of 1/2 days attendance at contested application:(x \$1,000)	
5	Preparation for and attendance at each judicial case conference or settlement conference	Number of 1/2 days attendance at judicial case conferences and settlement conferences:(x \$1,000)	
6	Preparation for and attendance at each uncontested application of trial management conference	Number of uncontested applications and trial management conferences:(x \$500)	
7	Preparation for and attendance at trial of family law case or of an issue in a family law case	Number of days attendance at trial for each day of trial up to and including the 5th day of trial:(x \$2,000)	
		Number of days attendance at trial for each day of trial after the 5th day of trial:(x \$3,000)	
8	Preparation for and attendance at each examination in aid of execution and subpoena to debtor		\$250
9	All process relating to execution on or enforcement of an order – other than applications to court		\$250
TOTAL			

PART C – OTHER COSTS AWARDED THE PARTY PRESENTING THE BILL		
Description of costs awarded	Date of order by which award of costs was made	Costs allowed
TOTAL OTHER COSTS		

PART D – TOTAL COSTS	
TOTAL COSTS ALLOWED:	
TOTAL from Part B + TOTAL OTHER COSTS from Part C =	
Applicable taxes =	
TOTAL COSTS AND TAX	

PART E – DISBURSEMENTS				
Description	Claimed	Allowed	Applicable taxes	Total

TOTAL DISBURSEMENTS AND TAX					

TOTAL COSTS AND DISBURSEMENTS:	
TOTAL COSTS AND TAX from Part D +	
TOTAL DISBURSEMENTS AND TAX from Part E =	

Date:

.....
Signature of assessing officer

No.
.....Registry

In the Supreme Court of British Columbia

Between

Plaintiff/Petitioner/Solicitor

and

Defendant/Respondent/Client

APPOINTMENT

I appoint:

Time:

Date:

Place:

as the time and place for the: *[Check the correct box(es) and complete any required information.]*

assessment of the bill of costs of
[party(ies)]

review of the bill of
[name of lawyer or law firm]

examination of the agreement between
[lawyer]

and
[client]

settlement of the terms of the order of
[Mr. Justice, Madam Justice or Associate Judge]

made
[dd/mmm/yyyy]

passing of accounts of
[executor, administrator, receiver or other]

reference under the *Court Order Enforcement Act*

- reference ordered by
[Mr. Justice, Madam Justice or Associate Judge]
- assessment of sheriff's fee
- other

Attached to this Appointment the bill(s) of costs lawyer's bill(s) sheriff's bill(s)
[is/are]

agreement(s) order(s) that the subject of this Appointment.
[is/are]

Date:
Associate Judge, Registrar or Special Referee

To:
[name]

TAKE NOTICE of the above appointment.

The person seeking appointment believes the matter for which this appointment was sought:

[Check all of the following boxes that are correct and complete the required information.]

- is is not of a time consuming or contentious nature
- will require approximately to complete
[time estimate]

Date:
Signature of
 person seeking appointment
 lawyer for person seeking appointment
.....
[type or print name]

Address and telephone number of person seeking appointment or lawyer for person seeking appointment:

Name:

Address:

.....

Telephone:

Court File No.:
Court Registry:

In the Supreme Court of British Columbia

Claimant:

Respondent:

APPOINTMENT

I appoint:

Time:

Date:

Place:

as the time and place for the: *[Check the correct box(es) and complete any required information.]*

- assessment of the bill of costs of
[party(ies)]
- assessment of the expenses of
[party(ies)]
- settlement of the terms of the order of
[Mr. Justice, Madam Justice or Associate Judge]
- made
[dd/mmm/yyyy]
- passing of accounts of
[executor, administrator, receiver or other]
- reference under the *Court Order Enforcement Act*
- reference ordered by
[Mr. Justice, Madam Justice or Associate Judge]
- assessment of sheriff's fee
- other

Attached to the Appointment the bill(s) of costs sheriff's bill(s) order(s) that
[is/are]

..... the subject of this Appointment.
[is/are]

Date: Associate Judge, Registrar or Special Referee

To:
[name]

TAKE NOTICE of the above appointment.

The person seeking appointment believes the matter for which this appointment was sought:

[Check all of the following boxes that are correct and complete the required information.]

- is is not of a time consuming or contentious nature
- will require approximately[time estimate]..... to complete

Date:
Signature of
 person seeking appointment
 lawyer for person seeking appointment
.....
[type or print name]

Address and telephone number of person seeking appointment or lawyer for person seeking appointment:

Name:

Address:

.....

Telephone:

In the Supreme Court of British Columbia

Between

Plaintiff/Petitioner

and

Defendant/Respondent

CERTIFICATE OF COSTS

I CERTIFY

- by consent of the parties
- following assessment

that on, the costs of have been allowed
[dd/mmm/yyyy] *[party(ies)]*

against in the amount of \$.....
[party(ies)].

Consented to:

[If this certificate is filed by consent, a signature line in the following form must be completed and signed by or for each consenting party.]

.....
Signature of

party lawyer for
[name of party(ies)]

.....
[type or print name]

.....
Signature of

party lawyer for
[name of party(ies)]

.....
[type or print name]

Date:

.....
Registrar

[This certificate may be set out in a separate document or may be endorsed on the bill of costs.]

Court File No.:
Court Registry:

In the Supreme Court of British Columbia

Claimant:

Respondent:

CERTIFICATE OF COSTS OR EXPENSES

I CERTIFY

by consent of the parties

following assessment

that on, the [costs/expenses] of have been allowed
[dd/mmm/yyyy] *[party(ies)]*

against in the amount of \$.....
[party(ies)]

Consented to:

[If this certificate is filed by consent, a signature line in the following form must be completed and signed by or for each consenting party.]

.....
Signature of
 party lawyer for
[name of party(ies)]

.....
[type or print name]

.....
Signature of
 party lawyer for
[name of party(ies)]

.....
[type or print name]

Date:
Registrar

[This certificate may be set out in a separate document or may be endorsed on the bill of costs.]

SUPREME COURT CIVIL RULES

Appendix B – Party and Party Costs

Interpretation

1. In this Appendix, “**process**” means the drawing, filing or service of a document and any amendment to it or particulars of it, but does not include an application made with respect to the process or any part of the process.

Scale of costs

2. (1) If a court has made an order for costs, it may fix the scale, from Scale A to Scale C in subsection (2), under which the costs will be assessed, and may order that one or more steps in the proceeding be assessed under a different scale from that fixed for other steps.

(2) In fixing the scale of costs, the court must have regard to the following principles:
 - a) Scale A is for matters of little or less than ordinary difficulty;
 - b) Scale B is for matters of ordinary difficulty;
 - c) Scale C is for matters of more than ordinary difficulty.
(3) In fixing the appropriate scale under which costs will be assessed, the court may take into account the following:
 - a) whether a difficult issue of law, fact or construction is involved;
 - b) whether an issue is of importance to a class or body of persons, or is of general interest;
 - c) whether the result of the proceeding effectively determines the rights and obligations as between the parties beyond the relief that was actually granted or denied.
(4) If, after December 31, 2006, a settlement is reached under which payment of assessed costs is agreed to or an order for costs is made, and if no scale is fixed or agreed to in that settlement or order, the costs must be assessed under Scale B, unless a party, on application, obtains an order of the court that the costs be assessed under another scale.

(5) If, after it fixes the scale of costs applicable to a proceeding under subsection (1) or (4), the court finds that, as a result of unusual circumstances, an award of costs on that scale would be grossly inadequate or unjust, the court may order that the value for each unit allowed for that proceeding, or for any step in that proceeding, be 1.5 times the value that would otherwise apply to a unit in that scale under section 3(1).

(6) For the purposes of subsection (5) of this section, an award of costs is not grossly inadequate or unjust merely because there is a difference between the actual legal expenses of a party and the costs to which that party would be entitled under the scale of costs fixed under subsection (1) or (4).

(7) If costs may be assessed without order or agreement, the scale of costs must be fixed by the registrar on the assessment.

(8) If an offer to settle is made under rule 9-1, any costs payable on acceptance of that offer must be assessed under Scale B.

Value of units

3. (1) The value for each unit allowed on an assessment conducted after December 31, 2006 in relation to orders and settlements made after that date is as follows:

- a) Scale A - \$60;
- b) Scale B - \$100;
- c) Scale C - \$170.

(2) If maximum and minimum numbers of units are provided for in an Item in the Tariff, the registrar has the discretion to allow a number within that range of units.

(3) If the Tariff indicates a range of units for a Tariff Item, the registrar must have regard to the following principles:

- a) one unit is for matters on which little time should ordinarily have been spent;
- b) the maximum number of units is for matters on which a great deal of time should ordinarily have been spent.

Daily rates

4. (1) If, in a Tariff Item, a number of units is allowed for each day but the time spent during a day is not more than 2 1/2 hours, only 1/2 of the number of units is to be allowed for that day.

(2) If, in a Tariff Item, a number of units is allowed for each day but the time spent during a day is more than 5 hours, the number of units allowed for that day is to be increased by 1/2 of the number.

(3) If, in a Tariff Item, a number of units is allowed for preparation for an attendance but the time spent on the attendance is not more than 2 1/2 hours, only 1/2 of the number of units for preparation is to be allowed.

(4) If, in the Tariff, units may be allowed for preparation for an activity, the registrar may allow units for preparation for an activity that does not take place or is adjourned up to the maximum allowable for one day.

Uncontested foreclosure proceedings

5. In a proceeding under Rule 21-7, uncontested at the hearing on any issue except costs, the costs must be assessed under Scale A.

Default judgment and process for execution

6. (1) Schedule 1 applies to costs that may be assessed on a default judgment entered under Rule 3-8.
 - (2) The amount involved under subsection (1) is the amount for which the judgment is entered.
 - (3) If a writ of execution or garnishing order, or a process in Form 56, 58 or 59, is issued, the costs must be endorsed on the process and allowed in accordance with Schedule 2, instead of Item 42.
 - (4) The amount involved under subsection (3) is the amount payable, if any, that is endorsed on the process.
 - (5) In addition to the fees set out in Schedules 1 and 2, the costs of any application to the court relating to the judgment or to the process for execution may be ordered to be assessed under the Tariff.

Apportionment if proceedings tried together

7. If 2 or more proceedings have, by order, been tried at the same time or tied one after the other and no order has been made as to apportionment of costs, the registrar may
 - a) assess 2 or more bills as one bill,
 - b) allow an item once or more than once, or
 - c) apportion the costs of an item or of the whole bill between the proceedings.

Offer to settle bill of costs

8. A party to an assessment may serve on another party an offer to settle the amount of the bill of costs in Form 123 and, after the assessment has been completed, may produce the offer to the registrar, and the registrar must determine whether the offer should have been accepted and, if so, may disallow items of the Tariff that relate to the assessment to the party presenting the bill, and
 - a) Allow, by way of set-off, items of the Tariff that relate to the assessment to the party making the offer, or
 - b) Allow double the value of items of the Tariff that relate to the assessment to the party presenting the bill and making the offer.

Transitional – orders, settlements and costs before 2007

9. Appendix B of the Supreme Court Rules, B.C. Reg. 221/90, as it read on December 31, 2006, applies to
 - a) Orders for costs made before January 1, 2007,
 - b) Settlement reached before January 1, 2007 under which payment of assessed costs is agreed to,
 - c) Costs payable on acceptance of an offer to settle made under Rule 37, if that offer to settle was made before January 1, 2007, and
 - d) All assessments related to those orders, settlements and costs.

Transitional – orders, settlements and costs before [date]

10. Without limiting section 9, Appendix B of the Supreme court Rules, B.C. Reg. 221/90, as it read on June 30, 2010, applies to
- a) Orders for costs made after December 31, 2006 and before July 1, 2010,
 - b) Settlements reached after December 31, 2006 and before July 1, 2010 under which payment of assessed costs is agreed to,
 - c) Costs payable on acceptance of an offer to settle made under Rule 37 or 37B, if that offer to settle was made after December 31, 2006 and before July 1, 2010, and
 - d) All assessments related to those orders, settlements and costs.

Schedule 1

Item

1	If the amount involved is.	
	a) less than \$5,000	\$160
	b) \$5 000 or more, but less than \$15 000	240
	c) \$15 000 or more, but less than \$25 000	320
	d) \$25 000 or more, but less than \$35 000	400
	e) \$35 000 or more, but less than \$45 000	480
	f) \$45,000 or more, but less than \$55 000	560
	g) \$55 000 or more, but less than \$65 000	620
	h) More than \$65 000	680
2	If no amount is involved	\$320
3	And, in addition, disbursements.	

Schedule 2

Item

1	If the amount involved is.	
	a) less than \$5,000	\$30
	b) \$5 000 or more, but less than \$15 000	50
	c) \$15 000 or more, but less than \$25 000	75
	d) \$25 000 or more, but less than \$35 000	100
	e) \$35 000 or more, but less than \$45 000	125
	f) \$45,000 or more, but less than \$55 000	150
	g) \$55 000 or more, but less than \$65 000	170
	h) More than \$65 000	185
2	If no amount is involved	\$95
3	And, in addition, disbursements.	

Schedule 3

Item

- 1. If the application is unopposed
 - a) Scale A \$240
 - b) Scale B \$440
 - c) Scale C \$680
 And, in addition,
 - d) instead of disbursements \$120
 - e) if one or more taxes is payable in respect of legal services by the party entitled to costs, an additional amount to compensate for that tax, which additional amount must be determined by multiplying the amount of costs to which the party is entitled under this Item by the aggregate of the percentage rates of the taxes.

- 2. If the application is opposed and requires 1/2 day or less for the hearing
 - a) Scale A \$300
 - b) Scale B \$550
 - c) Scale C \$850
 And, in addition,
 - d) instead of disbursements \$120
 - e) if one or more taxes is payable in respect of legal services by the party entitled to costs, an additional amount to compensate for that tax, which additional amount must be determined by multiplying the amount of costs to which the party is entitled under the Item by the aggregate of the percentage rates of the taxes.

- 3. If the application is opposed and requires more than 1/2 day for the hearing
 - a) Scale A \$540
 - b) Scale B \$990
 - c) Scale C \$1 530
 And, in addition,
 - d) instead of disbursements \$120
 - e) if one or more taxes is payable in respect of legal services by the party entitled to costs, an additional amount to compensate for that tax, which additional amount must be determined by multiplying the amount of costs to which the party is entitled under the Item by the aggregate of the percentage rates of the taxes.

Tariff

Item	Description	Units	
	<i>Instructions and investigations</i>		
1	Correspondence, conferences, instructions, investigations or negotiations by a party until the	Minimum	1

	start of the proceeding, for which provision is not made elsewhere in this tariff	Maximum	10
2	Correspondence, conferences, instructions, investigations or negotiations by a party after the start of the proceeding to the completion of the trial or hearing, for which provision is not made elsewhere in this tariff	Minimum	1
		Maximum	30
3	Correspondence, conferences, instructions, investigations or negotiations by a party after the trial or hearing to enforce any final order obtained in that trial or hearing, for which provision is not made elsewhere in this tariff	Minimum	1
		Maximum	10
4	Instructions to an agent to appear at a trial, hearing, application, examination, reference, inquiry, assessment, or other analogous proceeding, if necessary or proper, and if held more than 40 km from the place where the instructing lawyer carries on business		1
5	Process for obtaining a consent case plan order	Minimum	1
		Maximum	10
<i>Court documents</i>			
6	All process, for which provision is not made elsewhere in this tariff, for commencing and prosecuting a proceeding	Minimum	1
		Maximum	10
7	All process, for which provision is not made elsewhere in this tariff, for defending a proceeding, and for commencing and prosecuting a counterclaim	Minimum	1
		Maximum	10
8	All process for which provision is not made elsewhere in this tariff for commencing and prosecuting or defending a third party proceeding	Minimum	1
		Maximum	10
9	Response to counterclaim and, if necessary, reply	Minimum	1
		Maximum	10
<i>Discovery</i>			
10	Process for obtaining discovery and inspection of documents		
	a) 1 to 999 documents	(a) Minimum Maximum	1 10
	b) 1000 to 5000 documents	(b) Minimum Maximum	10 20
	c) over 5000 documents	(c) Minimum Maximum	10 30
11	Process for giving discovery and inspection of documents		
	a) 1 to 999 documents	(a) Minimum Maximum	1 10
	b) 1000 to 5000 documents	(b) Minimum Maximum	10 20
	c) over 5000 documents	(c) Minimum Maximum	10 30

12	Process for serving interrogatories	Minimum Maximum	1 10
13	Process for answering interrogatories	Minimum Maximum	1 10
14	Process for serving notices to admit	Minimum Maximum	1 5
15	Process for making admission of facts	Minimum Maximum	1 10
16	Process for preparation of accounts, statement of property or financial information if required by enactment or by order of the court	Minimum Maximum	1 5
	<i>Expert Evidence and Witnesses</i>		
17	All process and correspondence associated with retaining and consulting all experts for the purposes of obtaining opinions for use in the proceeding	Minimum Maximum	1 10
18	All process and correspondence associated with contacting, interviewing and issuing subpoenas to all witnesses	Minimum Maximum	1 10
	<i>Examinations</i>		
19	Preparation for examination of a person coming under Item 20 for each day of attendance a) by party conducting examination b) by party being examined		4 3
20	Attendance on examination of a person for discovery, on affidavit, on a subpoena to debtor, or in aid of execution, or of a person before trial under Rule 7-5 or 7-8, or any other analogous proceeding, for each day a) by party conducting exam b) by party being examined		8 5
	<i>Applications, Hearings and Conferences</i>		
21	Preparation for an application or other matter referred to in Item 22, for each day of hearing if hearing begun a) if unopposed b) if opposed		2 3
22	Application, other than an application referred to in Item 23 or 27, for each day a) if unopposed b) if opposed		4 5
23	Application by requisition or by written submission	Minimum Maximum	1 5
24	Preparation for a hearing referred to in Item 25, for each day of hearing		3
25	Reference to, or inquiry, assessment, accounting or hearing before, or on appeal from, an associate judge, registrar or special referee, with or without witnesses and whether before or after judgment, for each day		6

26	Preparation for an application or other matter referred to in Item 27, for each day of hearing a) if unopposed b) if opposed		4 5
27	Hearing of proceeding, including petition, special case, proceeding on a point of law, stated case, interpleader or any other analogous proceeding, and applications for judgment under Rule 7-7(6), 9-6 or 9-7, for each day a) if unopposed b) if opposed		6 10
28	Preparation for a hearing referred to in Item 22(b), 25 or 27(b), which hearing was initially contested but for which no attendance was required as a result of an agreement reached as to the issues that would have been the subject of the hearing a) for a hearing referred to in Item 22(b) b) for hearing referred to in Item 25 c) for a hearing referred to in Item 27(b)		2 2 4
29	Preparation for attendance referred to in Item 30, for each day of attendance		2
30	Attendance before a registrar to settle an order or to assess costs, for each day		4
31	Preparation for attendance referred to in Item 32, for each day of attendance	Minimum Maximum	1 3
32	Attendance at a settlement conference, case planning conference or trial management conference	Minimum Maximum	1 5
	<i>Public Guardian and Trustee</i>		
33	All process for obtaining the comments and recommendations of the Public Guardian and Trustee	Minimum Maximum	1 10
	<i>Trial</i>		
34	Preparation for trial, if proceeding set down for each day of trial		5
35	Attendance at trial of proceeding or of an issue in a proceeding, for each day		10
36	Written argument	Minimum Maximum	1 10
37	Attendance at the court for trial or hearing if party is ready to proceed and when trial or hearing not started		3
38	Attendance to speak to trial or hearing list		1
	<i>Attendance at Registry</i>		
39	Process for payment into or out of court		1
40	Process for setting down proceeding for trial		1
41	Process relating to entry of an order or a certificate of costs when Item 30 or 44 does not apply		1
42	All process, for which provision is not made elsewhere in this tariff, relating to execution on or enforcement of an order, exclusive of any application		1

	to the court		
	<i>Miscellaneous</i>		
43	Conduct of sale if property sold by order of the court	Minimum Maximum	1 10
44	Negotiations, including mediation, and process for settlement, discontinuance, or dismissal by consent of any proceeding if settled, discontinued, or dismissed by consent as a result of the negotiations		5
45	Attendance at mediation, per day		5
46	Preparation for mediation, for each day of attendance		3
47	Preparation for a mediation if the mediation is not held due to a reason other than the party's refusal, failure or neglect to attend		3
48	Travel by a lawyer to attend at any trial, hearing, application, examination, reference, inquiry, assessment, or other analogous proceeding if held more than 40 km for the place where the lawyer carries on business, for each day on which the lawyer travels		2
	In addition, reasonable travelling and subsistence expenses are to be allowed as a disbursement		

SUPREME COURT FAMILY RULES

Appendix B – Costs

Scale of costs

1. (1) If a court has made an order for costs, it may determine if the family law case involves less than ordinary difficulty, ordinary difficulty or more than ordinary difficulty.

(2) If the difficulty involved in a family law case has not been determined under subsection (1), costs must be assessed under subsection (4) as if the family law case involved ordinary difficulty.

(3) Unless the court otherwise orders or the parties otherwise agree, if an offer to settle is made under Rule 11-1, any costs payable on acceptance of that offer must be assessed as if the family law case involved ordinary difficulty.

(4) After the difficulty involved in a family law case has been determined, a registrar must assess the costs in accordance with the Schedule.

Apportionment if proceedings tried together

2. If 2 or more family law cases have, by order, been tried at the same time or tied one after the other and no order has been made as to apportionment of costs, the registrar may
 - a) assess 2 or more bills as one bill,
 - b) allow an item once or more than once, or
 - c) apportion the costs of an item or of the whole bill between the family law cases.

Transitional – orders, settlements and costs before 2007

3. Appendix B of the Supreme Court Rules, B.C. Reg. 221/90, as it read on December 31, 2006, applies to
 - a) orders for costs made in a family law case before January 1, 2007,
 - b) settlements reached in a family law case before January 1, 2007 under which payment of assessed costs is agreed to,
 - c) costs payable on acceptance of an offer to settle made in a family law case under Rule 37, if that offer to settle was made before January 1, 2007 and
 - d) all assessments related to those orders, settlements and costs.

Transitional – orders, settlements and costs before 2010

4. Without limiting section 3, Appendix B of the Supreme Court Rules, B.C. Reg. 221/90, as it read on June 30, 2010, applies to
 - a) Orders for costs made in a family law case after December 31, 2006 and

- before July 1, 2010,
- b) Settlements reached in a family law case after December 31, 2006 and before July 1, 2010 under which payment of assessed costs is agreed to,
 - c) Costs payable on acceptance of an offer to settle made in a family law case under Rule 37 or 37B, if that offer to settle was made after December 31, 2006 and before July 1, 2010, and
 - d) All assessments related to those orders, settlements and costs.

Schedule

Item	Description	Costs (\$)	
1	Correspondence, conferences, instructions, investigations or negotiations and preparation, filing and service of notice of family claim, response to family claim counterclaim or response to counterclaim	If the family law case involves less than ordinary difficulty ordinary difficulty more than ordinary difficulty	1 000 3 000 5 000
2	Process for discovery and inspection of documents	If the family law case involves less than ordinary difficulty ordinary difficulty more than ordinary difficulty	750 2 000 5 000
3	Preparation for and attendance at each examination for discovery	1 000 for each day or part of a day of examination for discovery	
4	Preparation for and attendance at each contested application	1 000 for each half day of attendance	
5	Preparation for and attendance at each judicial case conference or settlement conference	1 000 for each half day of attendance	
6	Preparation for and attendance at each uncontested application or trial management conference	500	
7	Preparation for and attendance at trial of family law case or of an issue in a family law case	2 000 per day for each day or part of a day of trial up to 5 days, and 3 000 for each additional day or part of a day of trial	
8	Preparation for and attendance at each examination in aid of execution and subpoena to debtor	250	
9	All process not otherwise provided for relating to execution on or enforcement of an order	250	

