

S.I. 2012 No. 91

Community Legal Services Act

CAP. 112A

**COMMUNITY LEGAL SERVICES (TARIFF OF FEES) (AMENDMENT)
REGULATIONS, 2012**

The Commission, in exercise of the powers conferred on it by sections 5(b) and 38(1)(c) of the *Community Legal Services Act*, after consultation with the Bar Association and the Judicial Advisory Council and with the approval of the Minister makes the following Regulations:

1. These Regulations may be cited as the *Community Legal Services (Tariff of Fees) (Amendment) Regulations, 2012*.
2. *The Community Legal Services (Tariff of Fees) Regulations (S.I. 2000 No. 73) are amended by deleting the Schedule to those Regulations and substituting therefor the Schedule to these Regulations.*

SCHEDULE

(Regulation 2)

Tariff of Fees for Legal services

MATTERS UNDER PART I OF THE FIRST SCHEDULE TO THE ACT		<i>Fees</i>
<i>Class of Legal Services</i>		<i>\$</i>
A. Preliminary Inquiry		
1. Preliminary Inquiry		750
2. Where the preliminary inquiry lasts longer than one day, for each day after the first, an additional		100
3. The total shall not in any single case exceed		1 500
B. A Capital case at Assizes		
1. A Capital case at Assizes		
(a) for Queen's Counsel		6 000
(b) for Junior Counsel		4 500
2. Where the trial lasts longer than one day, an additional fee for each day after the first, up to a maximum of 5 days		500
3. Only one legal aid assignment shall be issued in each case		
C. An indictable case other than a capital case		
1. In the event of a trial		2 500
2. If the trial lasts longer than one day, an additional fee for each day after the first, up to a maximum of 5 days		500
3. In the event of guilty plea		1 500
D. On appeal from conviction		
1. For advice to the convicted person as to whether there is any ground for appeal		500
2. For drafting application for leave to appeal or notice of appeal and all necessary documents		250
3. Where a person convicted of a capital offence applies for leave to appeal		

MATTERS UNDER PART I OF THE FIRST SCHEDULE TO THE ACT Concl'd

<i>Class of Legal Services</i>	<i>Fees</i>
	\$
(a) for attendance in Court on the hearing of the appeal or the application	6 000
(b) where the hearing lasts more than one day, for each day after the first	600
4. Where a person convicted of an indictable offence other than a capital offence appeals or applies for leave to appeal	
(a) for attendance in Court for the conduct of the appeal or the application	3 500
(b) where the hearing lasts more than one day, for each day after the first	600
E. On Appeals from sentence only	1 000
F. Appeals to Caribbean Court of Justice and to local Privy Council	
1. For advising on and preparing an appeal by a convicted person to the Governor - General's Privy Council	500
2. On Appeal to the Caribbean Court of Justice	
(a) for advice to the convicted person as to whether there is any ground for appeal	500
(b) for drafting the application and all necessary documents where the convicted person appeals or applies for leave to appeal	500
G. Summary cases where the Person charged is a minor	
1. In the event of a guilty plea	550
2. In the event of a trial	650
3. In either event, if the trial lasts longer than one day, for each day after the first, an additional	100
4. The total shall not in any single case exceed	1 250

MATTERS UNDER PART II OF THE FIRST SCHEDULE TO THE ACT

<i>Class of Legal Services</i>	<i>Fees</i>
	\$
A. Magistrates' Court	
1. Paternity accepted	

MATTERS UNDER PART II OF THE FIRST SCHEDULE TO THE ACT Cont'd

<i>Class of Legal Services</i>	<i>Fees</i>
	\$
(a) Order made in terms of the application for maintenance	250
(b) Interim Order for maintenance and means report where the attorney-at-law attends court on more than 2 occasions	500-700
(c) Interim Order for maintenance and means report where the attorney-at-law attends court on more than 2 occasions and cross-examines probation officer and respondent	750
2. Paternity in Issue	
(a) Blood tests or DNA tests required but no trial	500
(b) Trial of Issues	1 000
3. Custody and Access	
(a) Application for access only	350
(b) Application for custody with a report from the Child Care Board or Welfare Department	750
4. Settlement	
(a) Pre-trial settlement with consent Order	250
(b) Settlement without application to court	250

B. High Court**Applications under the *Family Law Act*, Cap. 214**

1. Maintenance and Access	
(a) Application for maintenance or access with consent order	1 500
(b) Contested application for property settlement, maintenance or access or custody with order otherwise than by consent	2 000
2. Where the trial lasts longer than one day, for each day after the first, up to a maximum of 4 days	500

Applications under the *Minors Act*, Cap. 215 and *Status of Children (Reform) Act*, Cap. 220

1. Paternity admitted, order in terms of application	500
2. Paternity admitted, means enquiry and uncontested order	1 000
3. Paternity denied, medical test, trial on maintenance issues only	1 500
4. Paternity denied and trial on all issues	2 500

MATTERS UNDER PART II OF THE FIRST SCHEDULE TO THE ACT Concl'd

<i>Class of Legal Services</i>	<i>Fees</i>
	\$
5. Application for custody or access only	1 250
6. If trial lasts longer than one day, for each day after the first, up to a maximum of 4 days	500
7. Pre-trial settlement and consent order	750
C. Court of Appeal	
1. Minimum Fee	2 000
2. For Preparation of Brief	500
3. If the trial lasts longer than one day, for each day after the first, an additional	600
D. Matters Involving	
1. Applications under section 24 of the <i>Constitution</i> , Cap. 1966/1455, and for a Writ of <i>Habeas Corpus adsubjiciendum</i> . The total fee shall not exceed	6 000
2. Tenants and tenancies within the meaning of the <i>Security of tenure of Small Holdings Act</i> , Cap. 237, The <i>Tenancies Control Act</i> , Cap. 239, and the <i>Tenancies Freehold Purchase Act</i> , Cap. 239B. The total fee shall not in any single case exceed	750
E. Applications Under the <i>Domestic Violence (Protection Orders) Act</i>, Cap. 130A	
1. Brief fee and appearance at Court	600
2. If trial lasts longer than one day, for each day after the first up to a maximum of 4 days, an additional	100

The sums allowed to an attorney-at-law in connection with proceedings in any court shall, subject to any maximum amounts set out herein, be the full amount awarded of the costs whether on account of disbursements or of attorney-at-law costs.

Made by the Commission this 15th day of October, 2012.

PETER D.H. WILLIAMS

Chairman

Community Legal Services Commission

Approved by the Minister this 17th day of October, 2012.

ADRIEL D. BRATHWAITE

Attorney-General