

# ACC Fixed Fees Schedules

## ACC (interim grant only)

Proceedings under the Accident Compensation Act 2001

Pre-review Assessment		
Activity	Fees	Tasks
<b>Early Termination of Instructions</b>	<b>\$290</b>	For
Early termination of instructions		<ul style="list-style-type: none"> <li>Taking instructions, attending the client</li> <li>Preparation of application for legal aid</li> <li>Reporting to client</li> </ul>
<b>ACC Mediation</b>	<b>\$210</b>	For
ACC mediation(s) – preparation		<ul style="list-style-type: none"> <li>Preparing for mediation meeting with ACC</li> <li>Reporting to client</li> </ul>
ACC mediation(s) – hearing time	<b>\$67 per half hour</b>	For
		<ul style="list-style-type: none"> <li>Attending review mediation meeting with ACC</li> </ul>
<b>Instruction of specialists</b>	<b>\$140</b>	For
Preparing instructions to specialists <sup>1</sup>		<ul style="list-style-type: none"> <li>Preparing written instructions to a specialist</li> <li>Reporting to client</li> </ul>
<b>Pre-review Assessment</b>	<b>\$780</b>	For
Where the merits of the case cannot be discerned due to volume and/or complexity of the file.		<ul style="list-style-type: none"> <li>Taking instructions, attending the client</li> <li>Preparation of application for legal aid</li> <li>Identify reasons why prospects of success are not evident and what has to occur to assess prospects of success</li> <li>Identifying legal and factual issues</li> <li>Review relevant ACC files and medical reports</li> <li>Preparing opinion on legal aid merits tests (ss 7(1)(e), 10(3) and (4))</li> <li>Reporting to client</li> <li>Reporting to and invoicing Ministry of Justice</li> </ul>

<sup>1</sup> This is a repeatable activity and can be claimed per occurrence of this activity if more than one specialist needs to be instructed.

# ACC (full grant only)

## Proceedings under the Accident Compensation Act 2001

ACC Review		
Activity	Fees	Tasks
<b>Early Termination of Instructions</b> Early termination of instructions, where pre-review assessment is omitted	<b>\$290</b>	For <ul style="list-style-type: none"> <li>Taking instructions, attending the client</li> <li>Preparation of application for legal aid</li> <li>Reporting to client</li> </ul>
<b>ACC Mediation, where pre-review assessment is omitted</b> ACC mediation(s) – preparation	<b>\$210</b>	For <ul style="list-style-type: none"> <li>Preparing for mediation meeting with ACC</li> <li>Reporting to client</li> </ul>
ACC mediation(s) – hearing time	<b>\$67 per half hour</b>	For <ul style="list-style-type: none"> <li>Attending review mediation meeting with ACC</li> </ul>
<b>Instruction of specialists</b> Preparing instructions to specialists, where pre-review assessment is omitted <sup>1</sup>	<b>\$140</b>	For <ul style="list-style-type: none"> <li>Preparing written instructions to a specialist</li> <li>Reporting to client</li> </ul>
<b>ACC Review</b> Where pre-review assessment is omitted	<b>\$1,660</b>	For <ul style="list-style-type: none"> <li>Taking instructions, attending the client</li> <li>Preparation of application for legal aid</li> <li>Identify reasons why prospects of success are not evident and what has to occur to assess prospects of success</li> <li>Identifying legal and factual issues</li> <li>Review relevant ACC files and medical reports</li> <li>Preparing opinion on legal aid merits tests (ss 7(1)(e), 10(3) and (4))</li> <li>Applying for ACC review</li> <li>Preparation of review submissions</li> <li>Reporting to client</li> <li>Preparing amendment application (if applicable)</li> <li>Liaising with Ministry of Justice</li> <li>Reporting to and invoicing Ministry of Justice (include a copy of the reviewer's decision and specialist report if applicable)</li> </ul>
<b>ACC Review</b> Where the pre-review assessment has occurred	<b>\$880</b>	For <ul style="list-style-type: none"> <li>Taking instructions, attending the client</li> <li>Applying for ACC review</li> <li>Preparation of review submissions</li> <li>Reporting to client</li> <li>Preparing amendment application (if applicable)</li> <li>Liaising with Ministry of Justice</li> <li>Reporting to and invoicing Ministry of Justice (include a copy of reviewer's decision and specialist report if applicable)</li> </ul>
Hearing	<b>\$67 per half hour</b>	For <ul style="list-style-type: none"> <li>Attending review hearing</li> </ul>

<sup>1</sup> This is a repeatable activity and can be claimed per occurrence of this activity if more than one specialist needs to be instructed.

## District Court Appeal

Activity	Fees	Tasks
<b>Early Termination of instructions</b> Early termination of instructions	<b>\$290</b>	For <ul style="list-style-type: none"> <li>Taking instructions, attending the client</li> <li>Preparation of application for legal aid</li> <li>Reporting to client</li> </ul>
<b>Instruction of specialists</b> Preparing instructions to specialists <sup>1</sup>	<b>\$140</b>	For <ul style="list-style-type: none"> <li>Preparing written instructions to a specialist</li> <li>Reporting to client</li> </ul>
<b>Judicial Meetings</b> Pre-Court Judicial Meeting(s) – preparation <sup>2</sup>	<b>\$140</b>	For <ul style="list-style-type: none"> <li>Preparing for a Judicial meeting</li> <li>Reporting to client</li> </ul>
Pre-Court Judicial Meeting(s) – Hearing time	<b>\$67 per half hour</b>	For <ul style="list-style-type: none"> <li>Attending a Judicial meeting</li> </ul>
<b>Re-preparation</b> Re-preparation prior to hearing <sup>3</sup>	<b>\$160</b>	For <ul style="list-style-type: none"> <li>Re-preparation for a hearing just prior to the date of hearing</li> </ul>
<b>District Court Appeal</b>  Where the listed provider <i>did not</i> represent the applicant at review	<b>\$1,580</b>	For <ul style="list-style-type: none"> <li>Taking instructions, attending the client</li> <li>Reviewing ACC files and other relevant material</li> <li>Preparing application for legal aid</li> <li>Identifying legal and factual issues</li> <li>Preparation and filing of appeal papers in the District Court</li> <li>Preparation of appeal submissions</li> <li>Reporting to client</li> <li>Reporting to and invoicing Ministry of Justice (include a copy of Court decision)</li> <li>Post-Court work such as facilitating the reinstatement of entitlements; assisting claimants to claim for interest; and facilitating deterioration assessments, if required</li> </ul>
<b>District Court Appeal</b>  Where the listed provider represented the applicant at review	<b>\$1,080</b>	For <ul style="list-style-type: none"> <li>Taking instructions, attending the client</li> <li>Identifying legal issues</li> <li>Preparing application for legal aid</li> <li>Preparation and filing of appeal papers in the District Court</li> <li>Preparation of appeal submissions</li> <li>Reporting to client</li> <li>Reporting to and invoicing Ministry of Justice (include a copy of District Court decision)</li> <li>Post-Court work such as facilitating the reinstatement of entitlements; assisting claimants to claim for interest; and facilitating deterioration assessments, if required</li> </ul>
Hearing	<b>\$67 per half hour</b>	For <ul style="list-style-type: none"> <li>Attending appeal hearing</li> </ul>

<sup>1</sup> This is a repeatable activity and can be claimed per occurrence of this activity if more than one specialist needs to be instructed. <sup>2</sup> This is a repeatable activity. <sup>3</sup> Repeatable if there is an adjournment.

# Granting Notes

## Interim grant for pre-review assessment

- This is an interim grant under s 16(1)(b) to enable the provider to undertake an initial attendance, review ACC file(s) and provide an opinion as to prospects of success.
- An interim grant will not be available in all cases as a matter of course. Providers are required to identify the reasons why prospects of success are not evident and what has to occur to assess these. For example, the matter may involve a range of complicated legal and/or medical issues, or the file may extend over several volumes.
- In the initial grant letter, providers will be advised that no further grant of aid can be assumed as consideration of the prospects of success will be required first.
- If there are no prospects of success aid will be ceased.

## Special disbursements are available for medical and other reports

When a provider requests for a report to be funded they must also provide:

- the name of the expert,
- a reason why this particular expert has been chosen, and
- the question(s) the expert is being asked to address.

If a second independent specialist opinion is being sought then providers need to advise:

- why this is required
- why they cannot ask their original expert for clarification of their opinion.

## Legal aid grant for District Court Appeal

### Listed provider *did not* represent the applicant at review

Where another provider represented the applicant, a request to transfer to the new provider must be submitted. Sufficient information must be provided about the purpose of the appeal and to satisfy the s 10(4)(e) merits test for appeals, for example a copy or a draft of submissions to the District Court or a summary of the points to be raised.

### Listed provider represented the applicant at review

Sufficient information must be provided about the purpose of the appeal and to satisfy the s 10(4)(e) merits test for appeals, for example a copy or a draft of submissions to the District Court or a summary of the points to be raised.

### Preparation of casebooks

The provider's time for researching the cases is covered by the fixed fee for the relevant activity. A pre-approved disbursement at the rate of \$75.00 per casebook is available