



3C Consulting Group

Victorian Society for Computers and the Law

Practice & Procedures Focus Group

Sandra Potter – Chair



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Practice and Procedures Focus Group

- Sub-group within VSCL
- Focus on technology assisted legal practice and practice support
- Members representative of a large cross-section of legal practitioners and legal support staff
- Courts also represented
- Established the Electronic Protocols for the Supreme Court of Victoria (used as a standard model by the AJA and other jurisdictions)



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Taxation of Costs - Review

- Recent decisions (costs not allowed)
- Existing scale out of step with regard to new and emerging procedures
- No clear directions for the Taxing Master
- No verified benchmark costs
- Clients in the dark – what constitutes a reasonable charge for electronic preparation etc?



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Sub Committee/Working Group

- Cross section of relevant stakeholders
 - Sandra Potter, Co-Chair
 - Phil Farrelly Co-Chair(then Ringtail)
 - Mia Johnson – Law Institute
 - Beth Patterson – AAR
 - Michele Mahoney – Mallesons
 - Emma Forbes - BDW
 - Liz Harris – Cost Consultant
 - Rob Allen – Supreme Court
 - Marcia Hausler – Cost Consultant
 - Anne Wallace - AIJA



Establish Standard Tasks

- A new [task list](#) was generated focused on electronic preparation
- Committee members provided the input to devise initial list
- Task list circulated to the VSCL membership and other experts for feedback
- Committee then rationalised the list into task types



Standard Task Types

TASK TYPE	DESCRIPTION
1	Already allowed for in existing schedule (Victoria)
2	Aggregated per document rate to be calculated to cover all related tasks
3	Aggregated per page rate re scanning tasks
4	Aggregated time rate to cover related tasks
5	New publishing rate required for CD or Web based publishing of data (per CD or equivalent)
6	Allowed generally if outsourced - but agreed benchmark rate is required for the provision of in-house services



Cost Benchmarking

- Survey of VSCL members plus bureau services nationally + interested persons
- Indicative costs collected for each task type
- Committee then reviewed cost information to establish “reasonable costs”
- A costing model was then developed to allow the recreation of cost data

Proposed Scale Items

Scale Item	Description	Charge
22(c)	Copy to compact disk – for the first compact disk for each copy of compact disk thereafter	\$300 \$15
27(a)	Preparation of hard copy documents, database creation, numbering and objective coding - per document	\$10.00
27(b)	Scanning of paper records and conversion of electronic files into human readable page formats suitable for storage and use within an electronic case management system - per page	\$1.00
27(c)	Management of case information, including agreement of protocols, database design and administration, project management, quality assurance and system management - per document	\$7.00
27(d)	Processing of electronic files including extraction, automated indexing, automated record attachment of attachments, automated numbering and de-duplication of data - per item based on input count	\$0.15



Next Steps

- Proposed new scale fees are before the Rules Committee at the Supreme Court having been endorsed by the Chief Justice
- Victorian Taxing Master would like more flexibility and authority to alter scale charges especially photocopy rates
- Education and promotion
- Interest has been recorded from other jurisdictions both in Australia and overseas



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Thank you