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L A W Y E E R S

Court and Tribunal Fee Waiver Manual  
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COURT AND TRIBUNAL FEE WAIVER MANUAL

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*This manual is current to September 2005. Each entry for a court or tribunal details how this manual can be checked or updated. PILCH will continue to update the manual on a regular basis and re-distribute it electronically. Check the PILCH website for details - <http://www.piac.asn.au/legal/pilchhelp.html>*

# foreword

The Public Interest Law Clearing House (PILCH) is an assessment and referral service for legal matters that are in the public interest and in which legal assistance is sought on a *pro bono* (free or reduced fee) basis. PILCH assesses requests for legal assistance against its eligibility criteria and refers eligible requests to its members, who provide *pro bono* legal assistance. PILCH membership includes private law firms, barristers and chambers of barristers, accounting firms, corporate law departments, the Law Society of NSW, the NSW Bar Association and the Public Interest Advocacy Centre.

While receiving free legal assistance is of great benefit, people seeking legal assistance in matters involving court hearings are usually required to pay court or tribunal fees. These fees are often, in themselves, a barrier to accessing the judicial system. Part of PILCH's commitment to access to justice involves acknowledgment of the barriers in accessing the judicial system and an attempt to reduce those barriers.

Often, clients referred by PILCH are eligible to have court and tribunal fees waived or exempted. Many fees can be waived or exempted if the applicant is being represented *pro bono* or if hardship would be suffered. This Manual has been compiled to assist lawyers and self-represented litigants in requesting a fee waiver or exemption. The Manual outlines the circumstances in which fees may be waived or exempted. The procedures to be followed to satisfy the relevant regulations of each court and tribunal are also detailed. The Manual covers courts and tribunals in the New South Wales and Commonwealth jurisdictions.

In preparing this Manual, PILCH had the benefit of being able to refer to the work done in Victoria by PILCH Vic on its fee waiver manual for Victorian courts.

PILCH acknowledges the generous support of Minter Ellison, which has produced the Manual, both in electronic and hard copy format. PILCH is also pleased to, through preparing and publishing this Manual, enhance the resources of the National Pro Bono Resource Centre. PILCH also thanks Sarah Winter for her enormous contribution through research and compiling the Manual, work which she undertook as a paralegal with PILCH and has been able to finalise in her position as a paralegal with Minter Ellison. Our thanks also to previous secondees in PILCH for their contributions to this Manual.

**Robin Banks**

Director, Public Interest Law Clearing House Inc (NSW)