

Legal Aid Rates and Fees

The legal aid rates and fees are used to reimburse lawyers and other providers for performing legal aid services in accordance with the steps for criminal law proceedings. The rates and fees are comprised of:

- hourly rates set according to the category of the forum – court or similar – for the proceedings, and the level of experience of the provider; and
- fees set for a specific service.

Fee Rates

The following hourly rates are applied in the determination of maximum grants and claiming for legal aid services performed in criminal law proceedings [Legal Services Act 2000 s6]

Proceedings Category (see below for full explanation of categories)	Level of Experience			
	Other (\$/hr)	Level 1 (\$/hr)	Level 2 (\$/hr)	Level 3 (\$/hr)
PC1 - DC/HC: non jury trials		103	108	119
PC2 - DC/HC: jury trials, sentence <10yrs		108	135	140
PC3 - DC/HC: jury trials, sentence >10yrs		130	140	151
PC4 - DC/HC: jury trials, life imprisonment		146	162	179
Court of Appeal/Supreme Court		146	162	179
Travel time		54	65	76
Qualified legal executives	92			
Non qualified legal executives/para-legals	81			
Law clerks	81			

For example a level 2 Provider's Guideline Hourly Rate is \$135 (incl. GST) in a PC2 matter

NB: All fee rates are GST inclusive.

The fee rates are effective from 1 July 2009.

Proceedings Categories

PC 1 Proceedings in a District Court or the High Court (other than a jury trial or the preliminary hearing of an offence).
Proceedings transferred to a Youth Court (other than the preliminary hearing of an offence).

PC 2 Jury trials in any court or before a District Court or High Court judge alone following an application under section 361B of the Crimes Act 1961 (including the preliminary hearing of the offence) where the most serious charge carries a maximum penalty of not more than 10 years' imprisonment.

Proceedings before, and appeals from, the New Zealand Parole Board.

- PC 3** Jury trials before any court or before a District Court or High Court judge alone following an application under section 361B of the Crimes Act 1961 (including the preliminary hearing of the offence) where the most serious charge carries a maximum penalty of more than 10 years' imprisonment (other than life imprisonment and other than where the person is convicted and a High Court judge indicates they are considering a sentence of preventive detention. The matter becomes a PC4 at that stage.)
- PC 4** Jury trials in any court (including the preliminary hearing of the offence) where any charge carries a maximum penalty of life imprisonment or where the aided person, is charged, is likely to face a sentence of preventive detention.

Level of Experience

- Level 1** A person with up to 4 complete years of litigation experience
- Level 2** A person with at least 4 and up to 9 complete years of litigation experience
- Level 3** A person with at least 9 complete years of litigation experience

Court of Appeal/Supreme Court

Proceedings in the Court of Appeal or the Supreme Court.

Second Counsel

These rates apply to remuneration of providers at their PC listing approval level acting in cases at the equivalent or lesser level cases.

Other Fee Rates

Other fee rates have been established by the Agency for the following specific services:

Services	Fixed Fee/Rate
LARP Review	\$220 per review * (including disbursements)

* Payment in excess of the fee, up to a maximum of 3 hours at the appropriate fee rate, will be considered in special circumstances - by application for amendment to grant.

NB: All other fee rates are GST inclusive.