

IN THE SUPREME COURT OF TONGA

Practice Direction 4/2003

Counsel's Costs

Recent bills of costs submitted by some counsel have been excessive. This is particularly common when costs are sought in a case where judgment in default of defence has been ordered so the bill is likely to be taxed as unopposed.

A trend has also developed whereby counsel simply state they are claiming costs on a solicitor/ own client basis without any order to that effect having been made. Counsel are reminded that costs are awarded on a party/party basis unless the court has ordered them to be taxed on any other basis and an attempt to claim them otherwise is improper.

In future the following maximum limits will be applied even in unopposed bills. If counsel wish to claim a longer time, they must supply affidavit evidence of why they consider a longer time was needed.

All chambers hearings	0.5 hr
Preparation of papers for application for judgment in default of defence	1.0 hr
Filing of documents	0.5 hr
Service of documents within and including the By-pass Road and Sunia Akaveka Road and including posting documents	0.5 hr
Service of documents outside that area	1.0 hr
Legal research will not be an allowable head of claim unless the law involved is novel or of unusual complexity	



NUKU'ALOFA: 13th August, 2003

CHIEF JUSTICE