***FORM A 1.3 INFORMATION FOR LODGING PARTY***

***Application by Retaining Law Practice v Billing Law Practice***

**Form 1.3 is intended for applications under both *Legal Profession Uniform Law (NSW*)** (which applies if first instructions given on or after 1 July 2015) **and/or the *Legal Profession Act 2004* (**which applies if first instructions given before 1 July 2015).

**(***For corresponding applications under the Legal Profession Act 1987 Pt 11 as preserved by the Legal Profession Act 2004 Sch 9 cl 18, adapt this form appropriately).*

1. Please read the application carefully and complete it in full and attach necessary documents as requested in the application.
2. If first instructions before 1 July 2015 from client on whose behalf applicant is retaining, this application may need to **be lodged within** **60 days** of the bill being given with no extension possible (eg see s351 *Legal Profession Act 2004* for time) **OR**

If first instructions from client after 1 July 2015, Legal Profession Uniform Law may apply and application must be **lodged within 12 months** after (in summary) the bill was given or request for payment made or the legal costs paid if no bill given.

*Please confirm the applicable legal profession legislation and ensure that application is within time.*

1. **Three hard copies of the application** and attachments are required by the Costs Assessment Section. You should **keep an extra copy for your records** – we do not return stamped copies.
2. An **application fee** must be submitted being the greater of:
3. $100 or
4. 1% of the unpaid bill or
5. 1% of the total costs in dispute.
6. This **fee can be paid by** bank cheque or money order to Supreme Court of NSW or if attending in person only, by credit card.
7. The application is lodged by:
8. **attending Level 5, Supreme Court, Law Courts Building Queens Square, Sydney** (business hours 9am – 5pm) OR
9. posting to **Manager Costs Assessment, c/o Supreme Court of NSW, GPO Box 3, Sydney NSW 2001** or send to DX 829 Sydney.
10. Once application is received, the Manager Costs Assessment is required to send a copy of the application to the costs respondent with a notice requesting any response within 21 days after receipt of that notice. The application and any response will then be referred to a Costs Assessor for assessment. Parties will be advised of the details. A copy of any response will be forwarded to the applicant with the advice of the Costs Assessor details.