

# **ROYAL COURT OF JERSEY**

**RC17/11**

## **Summary Assessment of Costs**

1. This Practice Direction shall replace Practice Direction RC15/03 which is repealed on the date this Practice Direction comes into effect.
2. At any interlocutory hearing other than a summons for directions before the Judicial Greffier, including any delegate (the “Greffier”), which has lasted not more than one day, the Greffier, after making an award of costs of the application or matter to which the hearing related to any party, shall tax the costs so ordered by way of summary assessment unless the Judicial Greffier in all the circumstances considers it inappropriate to proceed by way of summary assessment.
3. Where the Greffier orders a taxation to proceed by way of summary assessment the parties and their legal representatives shall comply with the following paragraphs.
4. The party in whose favour a costs order has been made must prepare within 7 days, or such other period as the Greffier might order a statement of the costs intended to be claimed showing separately in the form of a schedule:-
  - a. The number of hours to be claimed;
  - b. The hourly rate to be claimed;
  - c. The grade of fee-earner;
  - d. The amount and nature of any disbursement to be claimed; and
  - e. Any claim for a Factor ‘B’ uplift;
5. The statement of costs should also summarise the principal tasks carried out by the fee earners involved in each task and the time spent on that task and be signed by the party or his legal representative.
6. The statement must be filed with the Greffier and a copy sent to any party against whom an order for payment of costs has been made.

7. The party against whom the costs order is made shall within 7 days or such other period as the Greffier may allow on receipt of the statement of costs provide any submissions, including any material it wishes to rely on in relation to the costs claimed.
8. On receipt of the responses received or in the absence of any response received in the time allowed the Greffier will then proceed to assess costs claimed summarily.
9. In taxing costs by way of summary assessment the Greffier will have regard to the provisions of Rule 12/4 (taxation on the standard basis) or Rule 12/5 (taxation on the indemnity basis) as the case may be. The Greffier may also have regard to any budget filed under Rule 6/26A.
10. Where an interlocutory application has been made and the parties agree an order by consent without a hearing, where one party is to pay another party's costs, the parties should agree a figure for costs to be inserted in the consent order. Alternatively, the consent order should specify if costs are to be in the cause or there is to be no order as to costs. If the parties cannot agree the costs position then they should arrange to appear before the Greffier for him to assess the costs but, unless good reason can be shown for the failure to deal with the costs, no costs will be allowed for that appearance.
11. At any stage following receipt of statements concerning costs to be summarily assessed, the Greffier may at any time require a full taxation of the costs claimed, where it is in the interests of justice for such a taxation to occur.

This practice direction shall come into force on 1<sup>st</sup> June 2017.