



10 August 2009

Paul Maskell
Chair
Family Law Section of the New Zealand Law Society
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Tēnā koe Paul Maskell

LAWYER FOR CHILD REMUNERATION RATES

Thank you for your letter of 21 July 2009 regarding the Section's concerns about the inconsistent application of Courts Circular 09/01: Lawyer for Child Remuneration Rate – 'Superior Skills' Clarification.

To address these concerns I have provided Regional Managers with a copy of the comments from the Section's regional representatives and have now been assured that the issues raised have been addressed.

In particular, I have confirmed to all courts that:

- All cases containing 2 or more of the characteristics outlined in the circular as requiring 'superior skills' must be paid at the Level 3 rate.
- An assessment of the presence of the prescribed characteristics should be made at the time of the appointment.
- A rate of \$170 should be presumed when a Level 3 appointment is made.

My position on this matter is that the circular is very clear. If court staff fail to properly apply the circular in future then this is a matter that should be taken up with the local court manager in the first instance. Where this fails to remedy the issue I would ask that the issue is brought to the attention of the relevant regional manager.

The contact details for the regional managers are as follows:

Nichola McKinney
Northern Regional Manager
PO Box 92020
Auckland
(09) 916 9234

Sue Little
Central Regional Manager
Private Bag 3082
Hamilton
(07) 957 7942

Murray Smith
Southern Regional Manager
Box 4618
Christchurch
(03) 962 4000

Thank you again for bringing these issues to my attention. I hope this resolves the matter to your satisfaction.

Heoi anō, nā

A handwritten signature in black ink, appearing to read 'Tony Fisher', with a stylized, cursive script.

Tony Fisher
General Manager, District Courts