

SCOTTISH COURT SERVICE

Court of Session Fees

In general, an initial fee is payable in the Court of Session for lodging an application however there are often additional fees which have to be paid for further steps in the procedure.

Fees are not charged

- To debtors in connection with proceedings under the Debtors (Scotland) Act 1987
- For motions/oppositions to motions, enrolled or made orally at the bar, where their purpose is only to start further steps of procedure, including:
 - (a) rule 19.1 (decrees in absence)
 - (b) rule 22.3(5)(a) (closing record)
 - (c) rule 36.13 (death, disability, retrial etc. of Lord Ordinary)
 - (d) rules 37.1(2)(b), 37.1(6) and 37.1(7) (applications for jury trial)
 - (e) rule 37.10 (application of verdicts)
 - (f) rule 38.17(1) (orders for hearing)
 - (g) rule 40.7(3) (procedure following transmission of appeal process)
 - (h) rule 40.11(1)(a) (early disposal of appeal) but only insofar as the motion relates to rule 40.7A (required application for early disposal of appeal against interlocutor other than final judgement)
 - (i) rule 40.15(1) (orders for hearing appeal)
 - (j) rule 41.15(1) (motions for hearing of appeals)
 - (k) rule 41.22(1) (motion for further procedure)

You may not have to pay fees if

You or your partner receive any of these benefits:

- Income support under the Social Security Contributions and Benefits Act 1992
- Guarantee credit under the State Pension Credit Act 2002
- Working tax credit that either includes child tax credit or a disability/severe disability element and the gross annual income taken into account for the calculation of the working tax credit is **£16, 642** or less.
- Income-related employment support allowance under the Welfare Reform Act 2007.

You receive any of these:

- An income based jobseeker's allowance (payable under the Jobseekers Act 1995)
- Civil legal aid within the meaning of section 13(2) of the Legal Aid (Scotland) Act 1986 in respect of the application to which the fee applies.
- Advice and assistance from a solicitor under the Legal Aid (Scotland) Act 1986 in relation to a simplified divorce or dissolution of a civil partnership application.
- Your solicitor is undertaking work as a matter of 'special urgency' in relation to the matter on the basis of any regulations made under section 36 of the Legal Aid (Scotland) Act 1986.

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Please use the following form if you are claiming exemption from payment of court fees

[Application for exemption from payment of court fee form](#)

The following table sets out the fees that apply from 1st April 2009 until 31st March 2010.

PART 1 - CENTRAL OFFICE OF THE COURT		£
A SIGNETING		
	Signeting of any writ or summons, if attendance is necessary outwith the normal office hours	100
B GENERAL DEPARTMENT		
B1	Appeal, summons, or other writ or step by which any cause or proceeding, other than a family action, is originated in either the Inner or Outer House (includes signeting in normal office hours)	175
B2	Defences, answers or other writ (including a joint minute) or step in process or enrolment or opposition to a motion in a pending process by which a party other than an originating party first makes an appearance in a course or proceeding other than a family action	175
B3	Writ by which a family action is originated (other than a simplified divorce or dissolution of a civil partnership application) (includes signeting within normal office hours and, if applicable, issue to the pursuer of an extract in terms of item G5(a), and to the defender, if appropriate, of a duplicate thereof)	135
B4	Simplified divorce or dissolution of a civil partnership application (inclusive of all procedure other than that specified in item B5)	100
B5	In relation to a simplified divorce or dissolution of a civil partnership application, citation of any persons under rule 16.1(1)(a)(i), (ii) or (iii), as applied by rule 49.76, of the Rules of Court, or intimation to any person or persons under rule 16.1(1)(a)(i), (ii) or (iii), as applied by rule 49.76, of those Rules, where such intimation is required	Messenger at Arms fee plus £10
B6	Defences, answers or other writ (including a joint minute) or step in process or enrolment of or opposition to a motion in a pending process by which a party other than an originating party first makes appearance in a family action	135
B7	Initial lodging of affidavits in a family action where proof by affidavit evidence has been allowed	60
B8	Special case Each party Maximum fee (per case)	90 355
B9	Application by minute or motion for variation of an order in a family action	30
B10	Answers or opposition to an application under item B9	30
B11	Letter of request to a foreign court	45

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B12	Citation of each jury, to include outlays incurred in citing and countermanding (payable on receipt of instruments for issue of precept)	245
B13	Reclaiming motion (payable by party enrolling motion)	175
B14	Closed record - payable by each party on the lodging of the closed record or, where no closed record is lodged, when mode of enquiry is determined	85
B15	Allowing proof etc. - fee payable by each party on diet of proof, jury trial, procedure roll or summar roll hearing being allowed	45
B16	For the items in B17 to B25, except B22 and B23 where there is no fee for the first 30 minutes, the fee is payable by each party appearing at the hearing, for every 30 minutes or part thereof	
B17	Proof or Procedure Roll	45
B18	Summar Roll	95
B19	Jury Trial	45
B20	Outer House hearing (other than Proof or Procedure Roll, Jury Trial, Motion Roll hearing or hearings out of hours)	45
B21	Inner House hearing (other than Summar Roll, Single Bills hearing or hearings out of hours)	95
B22	Motion Roll hearing	45
B23	Single Bills hearing	95
B24	Outer House hearings out of hours	55
B25	Inner House hearings out of hours	120
B26	Enrolling a motion or making a motion orally at the bar and any party opposing any such motion (Payable by any party)	45
C	PETITION DEPARTMENT	
C1	Petition of whatever nature presented to Inner or Outer House other than a petition under item C3 or C4, whether in respect of the first or any subsequent step of process, and any application for registration or recognition of a judgment under the Civil Jurisdiction and Judgments Act 1982(a)	175
C2	Additional fee payable when a petition, in terms of item C1, is presented outwith normal office hours	100
C3	Petition to be admitted as a notary public, for each applicant	130
C4	Petition to be admitted as a solicitor, for each applicant	130
C5	Answers, objection or other writ (including a joint minute) or step in process or enrolment or opposition to a motion in a pending process by which a party, other than an originating party, first makes appearance in a proceeding at C1	175
C6	Caveat	45
C7	Fiat	45
C8	Registering official copies of orders of courts in England and Wales or Northern Ireland	15
C10	Reclaiming motion (payable by party enrolling motion)	175

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C11	Closed record (payable by each party on the lodging of the closed record or, when no closed record is lodged, when mode of enquiry is determined)	85
C12	Allowing proof etc. (payable by each party on diet of proof, procedure roll, summar roll or judicial review hearing being allowed)	45
C14	For the items in C15 to C23, except C20 and C21 where there is no fee for the first 30 minutes, the fee is payable by each party appearing at the hearing for every 30 minutes or part thereof	45
C15	Proof, Procedure Roll or other Hearing	45
C16	Summar Roll	95
C18	Outer House hearing	45
C19	Inner House hearing (other than Summar Roll, Single Bills hearing or hearings out of hours)	95
C20	Motion Roll hearing	45
C21	Single Bills hearing	95
C22	Outer House hearings out of hours	55
C23	Inner House hearings out of hours	120
C24	Enrolling a motion or making a motion orally at the bar; and any party opposing any such motion (payable by any party)	45
C25	Lodging of notice of appointment or intention to appoint an administrator out of court under the Insolvency Act 1986	175
D COURT FOR HEARING APPEALS RELATING TO THE REGISTRATION OF ELECTORS		
D1	Appeal (inclusive fee)	175
E ELECTION COURT		
E1	Parliamentary election petition	175
E2	Statement of matters	15
E3	Any other petition, application, answers or objections submitted to the court	45
E4	Certificate of judgement	45
F LANDS VALUATION APPEAL COURT		
F1	Appeal (inclusive fee)	175
F2	Answers (inclusive fee)	175
G EXTRACTS DEPARTMENT		
G1	Extract decree following upon a summons, petition or appeal, or after protestation of a note, and whether in absence or otherwise	50
G2	Extract of admission as a solicitor	40
G3	Extract of protestation	40
G4	Certificate under the Civil Jurisdiction and Judgments Act 1982	40
G5	Documentation evidencing divorce, nullity or dissolution of marriage or civil partnership	
	(a) Extract from Consistorial Register of Decrees of decree pronounced on or after 23.9.75 (if not issued at B3 or B4)	25
	(b) Certificate of divorce in decree pronounced prior to 23.9.75	25

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	(c) Certified copy interlocutor in decree pronounced prior to 23.9.75	25
G6	Extract from the Register of Acts and Decrees - per sheet or part thereof	25
G7	Sealing and certifying any document for exhibition in a foreign jurisdiction or otherwise	25
G8	Acknowledgement of receipt of a notice under section 19(6) or 21(2) of the Conveyancing and Feudal Reform (Scotland) Act 1970(a)	40
PART II - THE OFFICE OF THE ACCOUNTANT OF COURT		
In Factories		
H1	Registering case and receiving and delivering up bond of caution (a) in Court of Session appointments (b) in Sheriff Court appointments	30 20
H2	Examining factor's inventory - 0.333% of the value of the estate as disclosed (a) minimum fee payable (b) maximum fee payable	20 590
H3	For auditing each account (a) basic fee (b) additional percentage fee on the factor's commission as fixed (or what would have been the factor's full commission if chargeable or fully allowed)	10 17.5%
H4	Reporting re discharge, special powers or on other special matters	105
H5	Report on scheme of division	105
H6	Certificate under seal	25
In Consignations		
H7	Lodging consignment	20
H8	Producing or delivering up consignment (a) basic fee (b) additional fee for every £100 or part thereof uplifted (c) maximum fee payable	20 1 60
In Liquidations		
H9	For uplifting bond of caution	5
I PART III - THE OFFICE OF THE AUDITOR OF THE COURT OF SESSION		
I1	Taxing accounts of expenses incurred in judicial proceedings (including proceedings in the High Court of Justiciary) remitted to the Auditor of the Court of Session for taxation (a) On lodging account for taxation (b) Taxing accounts for expenses etc (i) up to £400 (ii) for every additional £100 or part thereof (Note: fee to be determined on amount of account as submitted)	35 20 5

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I2	For assessing account remitted to the Auditor to determine whether an additional fee should be paid	230
I3	Cancellation of diet of taxation (a) where written notice of cancellation received by receiving party after 4.00 pm on the fourth working day prior to the diet of taxation (b) where written notice of cancellation received by receiving party after 4.00 pm on the working day before or the day of the diet of taxation *% based on fee that would have been payable (per item I1)	50%* 75%*
J	PART IV - COMMON TO ALL OFFICES	
J1	Certified copy of proceedings for appeal to the House of Lords	175
J2	Certifying of any other document (plus copying charges if necessary)	15
J3	Recording, extracting, engrossing or copying of all documents (exclusive of search fee) (a) copying of each document up to 10 pages (b) for each page or part thereof (in excess of 10 pages) (c) copy of each document copied to CD or in electronic form	5 0.50 5
J4	Searches - for any search of records or archives (a) Up to 30 minutes (b) For more than 30 minutes up to 2 hours (c) For each additional 30 minutes (in excess of 2 hours) (d) In addition, correspondence fee where applicable	15 35 10 10
J5	Captions (a) Marking caption when ordered (b) Warrant for caption when issued	10 10

Notes to Court of Session Fees

1. **Office of Court** is defined in rule 3.1(1) of the Rules of Court
2. **Rules of Court** are the Rules of the Court of Session 1994
3. For special cases, each person or set of persons who appear as one of the separate parties to the case shall be treated as a **party**. For non-special cases, a set of persons with the same interest, for whom one and the same paper is or has been lodged, shall be treated as a single party.
4. The fees in sections B26 and C24 of the table are payable in addition to the fees in sections B2, B6 and C5, but shall not be payable in addition to the fees in sections B9, B10, B13 and C10 of the table.