

Fact Sheet 8 – Costs Dispute Resolution

November 2022

The Office of the NSW Legal Services Commissioner (OLSC) may assist clients in resolving disputes with their lawyers over costs. The term ‘costs’ refers to the bill a consumer receives for legal services and covers fees charged by the lawyer and disbursements.

If there is a dispute over a lawyer’s bill the client can try and resolve it by:

- (i) negotiating directly with the lawyer;
- (ii) seeking the OLSC’s help to resolve the dispute; or
- (iii) applying for the costs to be formally assessed at the Supreme Court of New South Wales. [Further information can be found on the OLSC Fact Sheet **Costs Disputes**]

What is costs dispute resolution?

The officers of the OLSC assist parties in the process of trying to reach a resolution of any dispute over legal costs. The officers cannot give legal advice.

Why use our costs dispute resolution service?

- Costs dispute resolution is usually quicker than formal costs assessment;
- The OLSC does not charge a fee;
- If the client and lawyer reach agreement about costs, they may enter into a written enforceable settlement agreement.

How do I request costs dispute resolution at the OLSC?

- Fill in a complaint form. A complaint may be made by the person charged with, or liable to pay, a lawyer’s costs or anyone acting on their behalf.
- Provide a copy of the bill of costs and a list of the main objections and concerns in your complaint. [Send copies not originals]
- Send the above to the OLSC:

Office of the NSW Legal Services Commissioner
Level 9, 75 Castlereagh Street
SYDNEY NSW 2000
GPO BOX 4460
SYDNEY NSW 2001

What will happen during the costs dispute resolution process?

- Both parties will be contacted by telephone and/or by letter by an officer to discuss the dispute;
- The officer will ask for offers and suggestions for possible resolution from the parties.