

## Important notes

This form is designed to assist TAC Plaintiffs/Debtors or their representatives in making submissions to the TAC for consideration of Costs Orders in accordance with the *TAC Cost Recovery Guidelines (2023)*.

Upon receipt, the TAC will review the Detailed Summary and respond within 28 days with a completed *FORM B – Legal Costs Recovery Resolution*.

## How to submit

Please email the completed form, and any relevant associated documents, to [recoveries@tac.vic.gov.au](mailto:recoveries@tac.vic.gov.au) no later than 28 days after the expiry of any applicable appeal period.

## Overview of Costs Order

Plaintiff/Debtor name

Date of Costs Order

Person completing this form

Date form completed

TAC claim number

Matter type (VCAT, Originating Motion, Common Law, Appeal)

Relationship to Plaintiff/Debtor (Self, Solicitor, Other)

## Detailed Summary

1. Were any offers made by either party in the proceeding? If so, when, what, and by whom.

2. To what extent, if any, does the Judge's reasoning indicate the consequences of an injury or injuries were related to the transport accident?

3. To what extent, if any, does the Judge indicate the proceeding had merit?

- In the case of an Originating Motion, does the Judge's reasoning indicate the consequences of an injury or injuries merely or narrowly fell short of being considered "Serious"?
- In the case of Common Law damages, does the Judge's reasoning indicate negligence/liability was established against one or more TAC parties and/or that the Plaintiff falls above the statutory thresholds?

4. What, if any, relevant comments are made in the judgement around the Plaintiff's/Debtor's credibility/honesty?

5. What, if any, relevant comments are made in the judgement around the Plaintiff's/Debtor's reliability/recall?

6. What is the Plaintiff/Debtor's financial capacity to meet all, some or none of the Costs Order?

7. To what extent, if any, does the Plaintiff's/Debtor's age, physical or mental health or other special infirmity impact their ability to satisfy all or some of the Costs Order?

8. Would the consequences of seeking recovery of all or some of the Costs Order be considered unduly harsh or oppressive? If so, please explain why.

9. Any other factors the TAC should take into account when resolving whether or not to waive some or all of the ordered legal costs.