

## **ADDITIONAL INFORMATION PUBLISHED BY THE REGISTRAR AND PRINCIPAL REGISTRAR UNDER THE UNIFORM CIVIL RULES 2020**

In accordance with the Uniform Civil Rules 2020, the Registrar of the Supreme Court, the Registrar of the District Court, and the Principal Registrar of the Magistrates Court publish the following:

### **1. Registry opening hours – Rule 13.9(1)**

#### *Supreme and District Courts civil registry*

- (1) The Registry is open for business from 9.30 am to 4.30 pm each day except on Saturdays, Sundays, Public Holidays and the Christmas vacation, which comprises the calendar days between Christmas Day and New Year's Day.
- (2) If it is sought to file or lodge a document or arrange for an urgent hearing when the Registry is not open for business, the party is to phone the after-hours business number of the Registry (0477 329 748). The number will provide the current contact details of the rostered-on call officer. If that officer is satisfied about the urgency of the request, he or she will arrange for the opening of the Registry and/or for a special hearing.
- (3) Other than with the prior permission of the Judge, no lawyer or party is to contact a Judge to seek an urgent hearing.
- (4) Unless the Rules or these Supplementary Rules otherwise provide or the Court otherwise directs, a party to an action may inspect or obtain copies of documents held on the Court file for that action by an informal request to the Registry.
- (5) When the permission of the Court is required by a member of the public to inspect or obtain a copy of a court record, permission may be sought by letter or email to the Registrar without notice to any party or person interested.
- (6) The Registrar may, from time to time, amend the opening hours of the Registry.

#### *Magistrates Court*

- (1) In accordance with Practice Direction 2 of 2017, a Registry of the Court must be open between the hours of 9 am and 5 pm on any business day, not being a public holiday, except where exceptional circumstances exist and the approval of the Principal Registrar, Magistrates Court, has been given.
- (2) The Principal Registrar may, from time to time, amend the opening hours of Magistrates Court Registries.

### **2. Attire – Rule 15.7**

#### *Barrister's attire – Supreme and District Courts*

- (1) The dress of a barrister appearing in court is to be black court coat or bar jacket, white jabot and gown (silk for Queen's Counsel and Senior Counsel and stuff for junior counsel), dark trousers for men and dark skirt or trousers for women. As an alternative to the jabot, white bands may be worn with white shirt and winged collar.
- (2) Barrister's attire is not required for directions hearings or for any other matter not heard in open court.

- (3) A barrister's attire is at all times to be in a clean and neat condition.
- (4) Wigs will be worn in only when the Court is hearing criminal proceedings. Wigs will not be worn in civil proceedings or on ceremonial occasions.

#### *Magistrates Court*

- (1) Parties and all other visitors to a courtroom are not required to wear a suit but should be neat and smart. It is inappropriate to wear singlets, thongs, hats or sunglasses in the courtroom.
- (2) Legal Practitioners appearing in a court proceeding shall adopt a standard of dress which respects the importance of the exercise of judicial power to the parties and the community. In particular:
  - (a) men shall wear formal trousers, shirt, jacket and tie;
  - (b) women shall wear a style of clothing which is generally worn by women in conducting governmental, professional and commercial work of substantial importance (eg corporate wear).

### **3. Email and Telephone communications – Rule 16.1**

#### *Telephone Communication*

Communication with the Court via telephone is to be via 8204 2444.

#### *Form and content of emails and attachments*

- (1) Related emails sent on behalf of parties to the Court are to be—
  - (a) relevant to the topic or discussion thread in relation to which they are sent;
  - (b) brief and to the point; and
  - (c) timely.
- (2) All documents intended to be used and not already filed with the Court are to be attached to the transmitting email. Documents are to be sent and received using Simple Mail Transfer Protocol (SMTP).
- (3) Any document transmitted to the Court is to utilise size 10 Arial font (or equivalent) as a minimum, and be in searchable Portable Document Format (PDF).

#### *Mode of use of email facility*

- (1) An email transmitted by a lawyer is to identify the name of the individual lawyer sending it and, when applicable, the separate email address of the lawyer.
- (2) An email and attached documents purporting to be sent by a lawyer will be deemed to—
  - (a) have been sent by the lawyer;
  - (b) be the responsibility of the lawyer; and
  - (c) have been authorised for transmission by the party on whose behalf they have been sent.
- (3) A lawyer transmitting a copy of a document not already filed with the Court will be deemed to accept personal responsibility for payment of any court filing or other fee attaching to the matter being dealt with electronically.

#### **4. Publication of prescribed requirements – Rule 31.4**

##### *Prescribed Forms*

- (1) The forms contained in Schedule 7 of the Uniform Civil Rules 2020 are the prescribed forms and content of documents to be filed at court (Prescribed Forms).
- (2) If a proceeding is—
  - (a) a minor civil action in the Magistrates Court, a document filed in the proceeding must show “Minor Civil”; or
  - (b) in the Full Court of the Supreme Court, a document filed in the proceeding must show “Full Court”;in the court heading immediately below the name of the court and reference to the civil jurisdiction.
- (3) If a proceeding is allocated to a list under Chapter 23, a document filed in the proceeding (other than the initial originating process) must show the name of that list in the court heading immediately below the name of the court and reference to the civil jurisdiction and, if applicable, the name inserted in accordance with clause (2).
- (4) The Chief Judicial Officer may—
  - (a) modify or delete a prescribed form contained in Schedule 7; or
  - (b) prescribe the form and content of additional defined types of documents to be filed at court (prescribed forms).
- (5) When these Rules refer to a prescribed form, that form (as modified under clause (4) when applicable) must, subject to rule 31.5, be used for that purpose or in those circumstances.

##### *Form of documents for filing in the Court*

- (1) Unless the Uniform Civil Rules 2020 otherwise provide or the Registrar otherwise directs, a document prepared for filing or lodgement in the Court is to—
  - (a) be in the English language;
  - (b) be on A4 size white bond paper;
  - (c) be paginated;
  - (d) be typed or printed so as to be completely legible in no less than the size of size 10 Arial font except for quotations and footnotes which may be in size 8 Arial font (or equivalent);
  - (e) have margins of 1.27 centimetres to the left and 1.27 centimetres to the right;
  - (f) have one and a half spacing between lines (unless the document is to be settled by the Court, in which case double spacing is to be used);
  - (g) have double spacing between paragraphs;
  - (h) have figures and amounts of money expressed in numerals and not in words; and
  - (i) have any erasures or handwritten additions authenticated.
- (2) Unless the Court otherwise directs, a document prepared for filing in Court is to be typed or printed—
  - (a) on a single side of the page if it is an original affidavit or statutory declaration (including the exhibits to an affidavit or annexures to a statutory declaration); and
  - (b) otherwise, on both sides of the page.
- (3) Unless the Court otherwise directs, a document prepared for lodging in Court for use as a working copy by a Judge or Master is to be typed or printed—
  - (a) on a single side of the page for tender books (rule 154.3 of the Rules);

- (b) on a single side of the page for the working copy of the tender books (although the exhibit copy may, at the option of the party preparing the tender books, be copied on both sides of the page)
  - (c) on both sides of the page for appeal books for appellate proceedings (rule 217.4, rule 218.4 and rule 218.9 of the Rules).
- (4) Despite clause (1)(b), where a native document is larger than A4 (e.g. plans or Excel spreadsheets), the native document may be lodged physically at the Registry in its original size or in a size larger than A4.
  - (5) If the Registrar is satisfied that a self-represented litigant is unable to comply with any of the above requirements, the Registrar may accept a document for filing, provided that it is legible and able to be filed conveniently.
  - (6) When there is substantial non-compliance with these requirements, the Registrar may refuse to accept a document for filing.

### **5. Pre Judgment Interest – Rule 182.3**

- (1) The appropriate rate and period for the calculation of interest on pre-judgment monetary amounts is a matter for determination by the Court in each case.
- (2) As a guide only, and subject to any contrary statute, the Court may calculate such interest—
  - (a) at the rate of 5 per cent per annum in respect of a period from the commencement date onwards or if the Court thinks fit any earlier period; or
  - (b) at another rate prescribed by the Chief Judicial Officer from time to time in respect of a period from not earlier than the first anniversary of the commencement date onwards.
- (3) The Registrar will publish all prescribed adjustments to pre judgement interest on the CAA website.

### **6. Post Judgment Interest – Rule 185.1**

- (1) Subject to clause (2), interest on a judgment accrues on and after the commencement date of the Uniform Civil Rules 2020 at the rate of 6 per cent per annum.
- (2) The Chief Judicial Officer may from time to time prescribe another rate of interest in respect of a period from not earlier than the first anniversary of the commencement date onwards.
- (3) A payment made by a judgment debtor must be credited first against the judgment debt as defined in rule 201.1 excluding interest and, after that has been discharged, to any sum that has accrued on account of interest.
- (4) The Registrar will publish all prescribed adjustments to post judgement interest on the CAA website.