

**SUPREME COURT OF THE AUSTRALIAN CAPITAL TERRITORY**

**PRACTICE DIRECTION NO 1 OF 2011**

**MASTER'S HEARING LIST**

**1. New listing arrangements**

Commencing from 4 July 2011, proceedings listed for hearing before the Master in any week will be listed for callover on the Monday of that week (or Tuesday when the Monday is a public holiday) at 10.00am. The list will then be conducted as a running list for that week, concluding on the Thursday. The Master will continue to devote Fridays to the Applications List.

At the callover each Monday (or Tuesday as the case may be) the Master will deal with settlements, short mentions and adjournments and then hear the matters in the same order in which they are listed, granting markings where practicable. Thus, where a matter is settled, the practitioners in the next or later matter in the list will be expected to commence that case.

Transitional arrangements. Until 26 March 2012 when matters are being listed for hearing at and from the date of this Practice Direction, all matters in each week's list will still be called over each Monday or Tuesday but the parties will not be required, without their consent, to commence the hearing at an earlier date than that currently fixed for hearing. The parties may, however, be invited to start their case early if the state of the lists permits.

**2. Expert Evidence**

In recent years, it has become the norm for expert medical witnesses to give oral evidence by telephone. The court encourages this practice in the interests of minimising inconvenience to witnesses and expense to parties.

**3. Estimates of hearing time**

Practitioners are responsible to the Court for ensuring as best they can the reasonable accuracy of the estimates of the likely length of hearings. The Court expects that estimates of the length of a hearing given in the Certificate of Readiness will be reviewed by counsel well before the trial and the Court informed as soon as possible if counsel forms the view that the estimate is inadequate.

It is unsatisfactory as well as undesirable for the Court to commence a hearing if there is no reasonable prospect of it concluding within the time allotted for it in the hearing week. Not infrequently, such matters must be adjourned part-heard for between six and twelve months.

Where counsel form the view that the hearing (including addresses) is likely to occupy more than four days, the Court should immediately be informed so that where possible a special fixture can be arranged or other measures put in place to prevent the lengthy adjournment of the matter.

**4. Settlements**

Where a matter which has been listed for hearing is settled, the solicitor for the plaintiff is responsible to the Court for informing the court as soon as settlement has been effected. Where the matter is settled less than seven days prior to the date of hearing, the solicitor for the plaintiff is required to notify the Master's Associate by email.

By Direction of the Judges.

ANNIE GLOVER  
Registrar  
ACT Supreme Court

31 May 2011