



Notice to the Profession

The Chief Justice has authorised the issue of the following notice.

Mortgage Recovery List in the Commercial Court

The purpose of this Notice is to provide updated guidance to practitioners and litigants when commencing mortgage default proceedings in the Commercial Court.

From 30 September 2019, a new Mortgage Recovery List is established. The Mortgage Recovery List shall be managed by Judicial Registrar Matthews.

A party initiating a mortgage default proceeding in the Commercial Court will be required to initiate that proceeding in the Mortgage Recovery List. Proceedings should be initiated in the List by endorsing the heading of the originating process “Mortgage Recovery List”. The heading of all subsequent documents filed in the proceeding should also be endorsed “Mortgage Recovery List”.

If at any time after the initiation of a proceeding it appears to the Court that it is appropriate to have the proceeding managed in the Mortgage Recovery List, the Court may transfer the proceeding into the List. Conversely, a proceeding initiated in the Mortgage Recovery List may be transferred out of the List if it appears to the Court that it is appropriate to have the proceeding managed in a different list.

Any queries in relation to urgent hearings should continue to be directed to commercialcourtturgents@supcourt.vic.gov.au or 03 8600 2002 (from 9 am to 5 pm on business days) or 0439 153 522 (outside of those hours).

Vivienne Macgillivray
Executive Associate to the Chief Justice
30 September 2019