



Supreme Court of Victoria

Practice Note SC GEN 19

RedCrest and RedCrest-Probate Electronic Case Management Systems

1. INTRODUCTION

- 1.1 The Chief Justice has authorised the issue of the following Practice Note.
- 1.2 This Practice Note replaces Practice Note SC CC 5.
- 1.3 The purpose of this Practice Note is to make provision for certain aspects of the conduct of proceedings initiated on RedCrest and RedCrest-Probate, the Court's electronic filing systems.
- 1.4 This Practice Note is to be read in conjunction with Order 28A of the *Supreme Court (General Civil Procedure) Rules 2015*, Order 1A of the *Supreme Court (Criminal Procedure) Rules 2017*, Order 1A of the *Supreme Court (Administration and Probate) Rules 2014* and the eFiling User Guide.
- 1.5 All enquiries in relation to RedCrest may be directed to the Registry responsible for managing the relevant matter. All enquiries in relation to RedCrest-Probate may be directed to the Probate Office. Please refer to the Supreme Court website for contact details.

2. COMMENCEMENT

- 2.1 This Practice Note was reissued on 1 July 2020, replaces the earlier version issued on 30 September 2019, and applies to all documents filed in RedCrest in accordance with Order 28A of the *Supreme Court (General Civil Procedure) Rules 2015* and Order 1A of the *Supreme Court (Criminal Procedure) Rules 2017*, and all documents filed in RedCrest-Probate in accordance with Order 1A of the *Supreme Court (Administration and Probate) Rules 2014*.

3. DEFINITIONS

- 3.1 In this Practice Note:
eFiling User Guide means the RedCrest eFiling User Guide (available for download from the RedCrest Homepage at www.redcrest.com.au).
Registry means the applicable registry of the Supreme Court of Victoria responsible for managing the relevant matter.
Chapter I Rules means the *Supreme Court (General Civil Procedure) Rules 2015*.

Chapter III Rules means the *Supreme Court (Administration and Probate) Rules 2014*.

Chapter VI Rules means the *Supreme Court (Criminal Procedure) Rules 2017*.

Probate Office means the office of the Registrar of Probates.

RedCrest means the electronic filing system in operation in the Court from time to time.

RedCrest-Probate means the electronic filing system in operation in the Court from time to time in relation to administration and probate to which the Chapter III Rules applies.

4. COMMERCIAL IN CONFIDENCE AND SENSITIVE MATERIAL

- 4.1 Practitioners or parties who intend to file material on RedCrest that is Commercial-in-Confidence or otherwise sensitive, and which is **not intended to be made available to other parties** or made available only on a restricted basis, may require an order of the Court in advance of filing.¹
- 4.2 Practitioners or parties who intend to file material on RedCrest-Probate that is Commercial-in-Confidence or otherwise sensitive, and which is **not intended to be made available to other parties** or made available only on a restricted basis, may require a direction of the Registrar of Probates or an order of the Court in advance of filing.²
- 4.3 It is critical that a practitioner or party who anticipates filing material of this nature contacts the Registry, Probate Office or the Associate to the Judge managing the case **before** filing to ensure that appropriate arrangements are in place for the treatment of that material.

5. FILING A DOCUMENT IN ERROR

- 5.1 If a document or part of a document is filed in RedCrest or RedCrest-Probate in error, on notification made to the Court, a Judge, Associate Judge or Judicial Registrar may direct that the Prothonotary or Registrar of Probates remove that document or part of the document from the Court record including RedCrest or RedCrest-Probate.

6. IMPEDIMENTS TO FILING ON REDCREST

- 6.1 The Prothonotary, Judicial Registrar-Criminal Division and Registrar of the Court of Appeal direct³ that in the event that access to RedCrest for the purpose of filing a document in a proceeding is impeded due to:
- 6.1.1 an unplanned outage to RedCrest and/or its payment gateway; or
- 6.1.2 RedCrest and/or its payment gateway being unavailable due to an incident beyond the control of the Court,

¹ See Chapter I Rules rr 28A.03(3), (4) and 28A.06; Chapter VI Rules rr 1A.03(3), (4) and 1A.05.

² See Chapter III Rules rr 1A.03(2) and 1.10.

³ Pursuant to the following as applicable: Chapter I Rules r 28A.03(3), (4); Chapter VI Rules r 1A.03(3), (4).

the document may be submitted for filing by:

6.1.3 emailing it to redcrest@supcourt.vic.gov.au; and

6.1.4 briefly describing the impediment and stating the relevant time that the impediment occurred.

7. IMPEDIMENTS TO FILING ON REDCREST-PROBATE

7.1 If the filing of an application for a Grant of Representation is impeded due to:

7.1.1 an unplanned outage to RedCrest-Probate and/or its payment gateway;
or

7.1.2 RedCrest-Probate and/or its payment gateway being unavailable due to an incident beyond the control of the Court,

the application cannot be submitted for filing unless further direction is given by the Registrar of Probates on the Supreme Court website.

7.2 The Registrar of Probates directs⁴ that in the event that access to RedCrest-Probate, for the purpose of filing a document in a proceeding already before the Court⁵ is impeded for the reasons mentioned in paragraphs 7.1.1 or 7.1.2, the document may be submitted for filing by:

7.2.1 emailing it to redcrest-probate@supcourt.vic.gov.au; and

7.2.2 briefly describing the impediment and stating the relevant time that the impediment occurred.

AMENDMENT HISTORY

25 June 2020: This Practice Note was reissued on 1 July 2020, replacing the version issued on 30 September 2019.

12 September 2019: This Practice Note was reissued on 30 September 2019, replacing the version issued on 29 June 2018.

29 June 2018: This Practice Note was issued on 29 June 2018 and replaced former Practice Note SC CC 5.

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25 June 2020

⁴ Pursuant to Chapter III Rules r 1A.03(2).

⁵ For example, pursuant to Orders 8, 10, 11 or 12 of the Chapter III Rules.