

IN THE SUPREME COURT OF VICTORIA
COMMON LAW DIVISION
JUDICIAL REVIEW AND APPEALS LIST

S ECI 202XX 00000

BETWEEN:

[XXX] Appellant

- and -

[XXX] Respondent

ORDER

JUDICIAL OFFICER: Judicial Registrar [*Court use only*]

DATE MADE: [*Court use only*]

ORIGINATING PROCESS: Notice of Appeal pursuant to s 109 of the *Magistrates' Court Act 1989* filed on [Click or tap to enter a date..](#)

HOW OBTAINED: Application by summons for directions [and for leave to appeal out of time] pursuant to r 58.10(1) of the *Supreme Court (General Civil Procedure) Rules 2025* ("the *Rules*") filed on [Click or tap to enter a date..](#)

ATTENDANCE: No appearance by any party or practitioner.

OTHER MATTERS:

- A. The purpose of paragraph 11 of this order is to provide the Court with a single combined list and folder of authorities in electronic form. In accordance with Practice Note SC Gen 3, authorities are to be from authorised reports where available and in RTF or searchable PDF format. Subject to any contrary direction by the trial judge, authorities themselves are not to be filed or served in hard copy.
- B. On [Click or tap to enter a date..](#), the appellant filed an affidavit under r 58.09 of the *Rules* together with the exhibits to that affidavit.
- C. [Where made by consent:] The order is made "on the papers" pursuant to r 59.07 of the *Rules*. The Court was satisfied that the parties who are to be bound consent to the terms of this order and all relevant correspondence has been placed on the Court file.
- D. This order is signed by the Judicial Registrar pursuant to r 60.02(1)(b) of the *Rules*.

THE COURT ORDERS [BY CONSENT] THAT:

Hearing

1. The appellant file and serve a Notice of Trial in Form 48B on or before [Click or tap to enter a date..](#) The [appellant's application for leave to appeal and, if leave is granted, the] appeal be listed for hearing on [Click or tap to enter a date.](#) on an estimate of one day's duration.
2. Each party is to file a Callover form, in the form available on the Court's website, by no later than 4:00pm on [Click or tap to select the Tuesday week before hearing date..](#)

Affidavits

3. *[If transcript not already exhibited to affidavit filed pursuant to r 58.09 of the Rules]* The appellant file and serve a subsequent affidavit exhibiting the transcript of any relevant hearing of the Magistrates' Court of Victoria, or which exhibits evidence that the transcript has been ordered from an authorised transcript provider, on or before [Click or tap to enter a date..](#)
4. The appellant file and serve any further affidavit upon which he/she/it/they intends to rely on or before [Click or tap to enter a date..](#)
5. *[If applicable]* The requirements of r 58.10(4) of the *Rules* be dispensed with.
6. The respondent file and serve any [further] affidavit upon which he/she/it/they intends to rely on or before [Click or tap to enter a date..](#)
7. Original exhibits to all affidavits filed are to be made available to the Court at the hearing.

Submissions and lists of authorities

8. The appellant:
 - (a) file and serve a written outline of submissions; and
 - (b) serve a list of authorities,on or before [Click or tap to enter a date..](#)
9. The respondent:
 - (a) file and serve a written outline of submissions in response; and
 - (b) serve a list of all authorities not also relied upon by the appellant together with electronic copies of any such authorities,on or before [Click or tap to enter a date..](#)
10. The appellant:
 - (a) file and serve a written outline of submissions in reply; and
 - (b) serve any additions to the list of authorities,

on or before [Click or tap to enter a date.](#)

11. The appellant file and serve a combined list of authorities in RTF or searchable PDF form on or before [Click or tap to enter a date.](#) Each citation in the combined list is to be hyperlinked to an individual file containing the text of the authority. The combined list of authorities is to be filed by email containing a link to the authorities, to judicialreview@supcourt.vic.gov.au.

Court book

12. The parties must confer and seek to agree upon an e-court book index.
13. By [Click or tap to enter a date.](#), the appellant serve on the respondent a draft e-court book index identifying all documents, in chronological order, on which he/she/it/they intends to rely.
14. By [Click or tap to enter a date.](#), the respondent serve on the appellant a supplementary draft e-court book index identifying any additional documents, in chronological order, on which he/she/it/they intends to rely.
15. By [Click or tap to enter a date.](#), the appellant file and serve the e-court book with the index as settled by the parties. The e-court book is to be filed by email containing a link to the e-court book, to judicialreview@supcourt.vic.gov.au.
16. The e-court book should:
 - (a) be a single fully text-searchable PDF document;
 - (b) commence with an index identifying the date, description and starting page number of each individual document, including where possible hyperlinks;
 - (c) include stamped page numbers that correspond with the display page numbers of the PDF, which, in the case of supplementary e-books, commence by immediately following on after the ending number of the previous pdf; and
 - (d) be bookmarked with the short-form name of each individual document.

Directions

17. The proceeding be listed for further directions on [Click or tap to enter a date.](#)

Costs and liberty to apply

18. Costs be reserved.
19. The parties have liberty to apply.