



Supreme Court of Victoria

Practice Note SC Gen 26

Practice Note for Self-Represented Litigants

1. INTRODUCTION

- 1.1 The Chief Justice has authorised the issue of this Practice Note.
- 1.2 The purpose of this Practice Note is to provide information to self-represented litigants involved in civil proceedings in the Court. Representing yourself in a legal proceeding can be difficult and stressful. This Practice Note tells you what will be required of you if you continue to represent yourself and where you can find legal help and information.

2. COMMENCEMENT AND APPLICATION

- 2.1 This Practice Note was issued and commences on 14 September 2026.
- 2.2 This Practice Note applies to all self-represented litigants in civil proceedings in the Trial Division, the Court of Appeal and the Costs Court.

3. DEFINITIONS

- 3.1 In this Practice Note:

Self-represented litigant means a person who is not represented by a lawyer in a court proceeding and acts for themselves.

Judicial officer means a Judge, an Associate Judge, or a Judicial Registrar of the Court.

Court's website means www.supremecourt.vic.gov.au.

RedCrest means the Court's electronic filing system and includes the RedCrest-Probate system used for probate matters.

4. REPRESENTING YOURSELF

- 4.1 Being a party in a case in the Supreme Court is a serious matter. Most parties in the Supreme Court use a lawyer because the law and court procedure can be complex and unfamiliar.

- 4.2 Companies must be represented by a lawyer unless the Court gives a non-lawyer permission to represent a company. This permission is given only in limited circumstances.
- 4.3 Before deciding to start or defend a proceeding without a lawyer, you should consider the following important information.
- 4.4 Running your case will take time. You will need to understand the Court's procedures and the law relevant to your case. You will need to prepare documents in the required format and comply with the time limits in the Court Rules and in Court orders. You will need to use the Court's RedCrest electronic filing system.
- 4.5 The Court resolves legal disputes. You must not use the Court for personal disputes that do not involve legal rights. The Court can only make legal decisions based on proper evidence and can only make orders it has the power to make.
- 4.6 You must only bring or defend a claim or appeal if you can support your case with facts and law. You must have evidence to prove the facts in your case and law that supports your case. You will not win your case if you bring or defend a claim that is not supported by facts and law.
- 4.7 You must be able to explain your claim or defence clearly in writing and when speaking in Court. You should not include facts and law that are not part of the dispute. Too much information will not help your case. You should not repeat yourself.
- 4.8 You must be able to tell the Court what orders you seek and use the Court's template forms for draft orders.

5. COSTS AND FEES

- 5.1 If you start a proceeding, you must pay Court fees including:
- a commencement fee – this is a fee to start a proceeding
 - interlocutory application fees – this is a fee to make any application in your proceeding, for example, to stay an order
 - a setting down fee – this is a fee to secure the date for your final hearing
 - hearing fees – this is a fee for each day or part day of your final hearing.
- If you are defending a proceeding, you may also have to pay some Court fees, including interlocutory application fees.
- 5.2 Children and prisoners do not have to pay Court fees. You will not have to pay Court fees if you have legal aid for the proceeding, or if you are legally represented by a community legal centre or under an approved pro bono scheme. The Court may also grant you a fee waiver if you can show that paying Court fees will cause you financial hardship.
- 5.3 There are other costs of being a party to a proceeding that are not covered by a fee waiver and that you will have to pay yourself. These include the costs of transcript and interpreters, and any order to pay another party's costs.

- 5.4 If you start a proceeding, you will have to order and pay for transcript for all final hearings and some other hearings too. Transcript of Court hearings is produced by private companies who charge fees. Practice Note SC GN 7 – Transcript in Civil Proceedings contains important information about when and how to get transcript. Only approved transcript providers may record court proceedings. Parties and other people attending court are not allowed to make audio or video recordings without a judicial officer’s permission.
- 5.5 If you need an interpreter in a civil proceeding, you must arrange and pay for the interpreter yourself.
- 5.6 If you start a proceeding and then give up, you will usually have to pay the other side’s legal costs of the proceeding.
- 5.7 If you lose your case, the Court will usually order you to pay the other side’s legal costs. These costs can be very substantial. You may become bankrupt if you cannot pay costs that you have been ordered to pay.
- 5.8 Legal costs are assessed on the basis of the time spent by lawyers working on the case. Legal costs can be ordered on a standard or an indemnity basis. Standard costs are assessed according to the Scale of Costs in Appendix A to the *Supreme Court (General Civil Procedure) Rules 2025*. Indemnity costs are even more, usually all of a person’s legal costs.

6. YOUR OBLIGATIONS AS A LITIGANT

- 6.1 All parties in civil proceedings in the Court have obligations under the *Civil Procedure Act 2010* (Vic). As a party to a civil proceeding, you **must**:
- act honestly at all times in the proceeding
 - not make any claims in the proceeding that do not have a proper factual or legal basis
 - avoid delays and expense by not taking unnecessary steps in the proceeding
 - cooperate with the other parties to the proceeding
 - not do things in the proceeding that mislead or deceive the other parties or the Court
 - try to resolve your dispute by reaching agreement with the other parties
 - try to narrow the issues in dispute
 - ensure that legal and other costs in a proceeding are reasonable and proportionate to the complexity or importance of the issues or amount in dispute
 - act promptly and minimise delay
 - disclose the existence of documents that are critical to the proceeding, even if those documents help another party’s case
 - not use information or documents you get from another person in the proceeding except in that proceeding.
- 6.2 There can be consequences for not complying with these obligations. For example, the Court may order you to pay the legal costs of another party or may even dismiss your claim or defence.

- 6.3 You must obey Court orders. There can be serious consequences for not obeying Court orders, for example the Court may dismiss your claim or defence.
- 6.4 You must act respectfully and honestly in all dealings with the Court and the other parties, including in documents, emails, phone calls and in Court. You must not shout, swear, threaten or be rude. If you communicate with the Court in a disrespectful, aggressive, abusive or threatening way, Court staff may end the communication or not respond to it. Abusive or threatening behaviour may be reported to police.
- 6.5 You must not send multiple emails to the Court about the same thing or demand a response within a specific timeframe. Court staff will respond to your query as soon as they can.
- 6.6 While you are a party to a proceeding, you must:
- only contact the Court when necessary and when your contact relates directly to your case
 - copy all emails and letters to the other parties or, if the other parties are legally represented, their lawyers
 - inform the Court and the other parties if your contact details change, by filing a notice of change of address for service
 - check your email regularly and respond promptly to emails from the Court.
- 6.7 You must not try to argue your case or present your evidence in emails. The time and place to present your case is during Court hearings or in documents filed in your proceeding using the RedCrest electronic filing system.
- 6.8 Court documents such as affidavits and submissions cannot be filed by email. You must use the Court's RedCrest electronic filing system to file documents or to look at orders made in your proceeding. You can find instructions on how to set up a RedCrest account on the [Court's website](#). The RedCrest Electronic Filing User Guide, available on the [Court's website](#), contains information and instructions about how to use RedCrest.
- 6.9 If you need more time to prepare a document that you have been ordered to file, you should first ask the other parties if they will agree to a later filing date. You should do this before contacting the Court to ask for an extension of time.
- 6.10 You must attend all Court hearings at the right place and time. If you do not attend a hearing at the right place and time the Court may dismiss your claim or defence. You can check the location for a Court hearing on the Daily List on the [Court's website](#).
- 6.11 In all Court hearings you must:
- behave respectfully to everyone involved in the hearing
 - wait until it is your turn to speak
 - listen and not interrupt when others are speaking (make a note of things to respond to when it is your turn)

- address a Judge or Associate Judge as ‘Your Honour’ and a Judicial Registrar as ‘Judicial Registrar’
 - not record the hearing without permission from the judicial officer.
- 6.12 When you attend a Court hearing in a courtroom, you must:
- allow time to go through security screening at the entrance to the court building and find the courtroom where your matter will be heard
 - when the Court is ready to hear your matter, sit at the bar table towards the front of the courtroom
 - stand when the judicial officer enters and leaves the courtroom, and when it is your turn to speak (unless you are unable to stand).
- 6.13 If a Court hearing is to be conducted online, you must:
- be able to connect to the hearing from a suitable device with a stable internet connection
 - connect to the hearing from a quiet place where you will not be distracted or interrupted
 - turn on your camera
 - mute your microphone until it is your turn to speak.
- 6.14 At the end of a Court hearing, the judicial officer will either make a decision or reserve their decision to a later date. You must not file more evidence or submissions after the hearing without permission from the judicial officer.

7. WHAT THE COURT DOES AND CANNOT DO

- 7.1 The Court must facilitate the just, efficient, timely and cost-effective resolution of the real issues in dispute in a civil proceeding. The issues in dispute can be resolved by agreement between the parties or alternative dispute resolution, or they can be determined by the Court.
- 7.2 The Court is made up of judicial officers who are assisted by their associates. The staff of the Court’s registry also assist judicial officers.
- 7.3 Court staff may contact you to provide information about the time and location of upcoming Court hearings or to ask you to provide information or file documents using the Court’s RedCrest electronic filing system.
- 7.4 Court staff cannot:
- give you legal advice
 - help you decide whether to start or defend a proceeding
 - tell you what to include or how to write documents or present your evidence in a proceeding
 - run your case for you or tell you the best way to run your case
 - give you an advantage over another party in your proceeding
 - tell you what the Court will decide in your case
 - let you speak directly to the judicial officer, other than at a hearing
 - write about a case to one party without the other parties knowing
 - give you an explanation of a Court order or judgment

- tell you the time period or final date for filing an appeal.
- 7.5 The Court has Self-Represented Litigant Coordinators who can provide procedural information, including what forms to use and what fees you will need to pay.
- 7.6 The Self-Represented Litigant Coordinators cannot give you legal advice or be your advocate.
- 7.7 There is information on the [Court's website](#) about how to contact the Self-Represented Litigant Coordinators.

8. LEGAL HELP AND INFORMATION

- 8.1 The Court recommends that you get legal advice before you start a proceeding or take a step in defending one. You should get advice about whether or not you have a proper legal claim or defence.
- 8.2 You can use a lawyer for the whole or part of your proceeding. If you cannot afford a lawyer for the whole of your proceeding, you should consider getting a lawyer to help you write the documents that set out your claim or defence.
- 8.3 There are free and low-cost legal services that may be able to provide legal advice or help you draft documents. There is information about this on the [Court's website](#) and the Court's Self-Represented Litigant Coordinators can direct you to these services.
- 8.4 You will need to understand the Court's practice and procedure. There is information about procedural legislation and the Supreme Court's rules and practice notes on the Legal Resources page on the [Court's website](#).
- 8.5 You will need to understand the law that applies to your case. You can do this by reading the relevant legislation and judgments in cases similar to yours. You should make a note of cases that you want to rely on to argue your case. You may want to refer to these cases in your written submissions or if the Court asks you to provide a list of relevant cases.
- 8.6 You can use free online legal resources to find relevant legislation and cases, including:
- authorised government legislation websites such as [Victorian Legislation](#) (legislation.vic.gov.au) and [Commonwealth Legislation](#) (legislation.gov.au)
 - [AustLII](#) (austlii.edu.au)
 - [Jade](#) (jade.io).
- 8.7 Law Library Victoria provides litigants with access to self-service legal research resources, including tools to verify cases, legislation, and other legal information cited in AI-generated documents. These can be accessed online at lawlibrary.vic.gov.au, or by visiting the Supreme Court Library. Librarians do not provide research or legal advice services.
- 8.8 In general, it is not a good idea to search the internet for legal advice. A general internet search may give you answers based on the law of another State or

country, which is different to the law that applies to your case. Some websites may give you false information about the law.

- 8.9 Social media is not a reliable source of legal information and advice.
- 8.10 Relying on false information about the law from websites or social media will make it more likely that you will lose your case and be ordered to pay the other side's legal costs.
- 8.11 The Annexure lists some common arguments and submissions that are not real legal arguments, which courts have considered and rejected. Registry staff can reject a document submitted for filing if it relies on pseudo-legal arguments, including those referred to in the Annexure.
- 8.12 You should not use artificial intelligence (AI) programs for legal advice. AI programs can give you information and advice based on made up law and cases that do not exist. You must check all legal information and advice that you obtain using AI programs. You can get into serious trouble if you give the Court false information about the facts or law of your case, and it is not an excuse that you relied on an AI program.

9. GETTING OTHER HELP

- 9.1 Legal words can be difficult to understand. [Legal Literate](http://legalliterate.org.au) (legalliterate.org.au) is a free website with plain English definitions of common legal terms. The website was created by the Judicial Council on Diversity and Inclusion. You can use Legal Literate to help you understand the meaning of legal words. There is also a glossary of legal terms on the [Court's website](#).
- 9.2 The Court has Practice Notes that apply in different types of proceeding. You should read the Practice Notes that apply to your type of proceeding to help you understand the Court's procedures and what the Court expects you to do. Practice Notes are available on the [Court's website](#).
- 9.3 The Court has guides on its [website](#) to help explain Court processes in civil proceedings. These guides contain practical information about each stage of a proceeding, including the forms, documents and fees that may be required.
- 9.4 The [Court Network](#) support service (courtnetwork.com.au) operates in the Supreme Court of Victoria. Court Network is a group of volunteers who give court users non-legal support throughout a proceeding. Information about other support services is available on the [Court's website](#).

ANNEXURE

This Annexure lists some common arguments and submissions that are not real legal arguments, which courts have considered and rejected. Registry staff can reject a document submitted for filing if it relies on pseudo-legal arguments, including those referred to in the table below.

Pseudo-law argument	The law
Strawman and living man duality <i>My physical or 'living person' is separate from the legal person or 'strawman' named in legal documents. The law does not apply to me as a living person.</i>	There is no distinction between a living person and their legal personality. All people are subject to the law, without exception. <i>Stefan v McLachlan</i> [2023] VSC 501, [23]–[29] <i>Nelson v Greenman</i> [2024] VSC 704, [53]–[56]
Laws are 'contracts' to which people may refuse consent <i>All law and government authority derives from contract. If I do not consent to the court's jurisdiction, the court has no authority over me.</i>	Law and government authority does not derive from contract. The Court's jurisdiction does not depend on consent. <i>Shaw v Attorney-General (WA)</i> [2004] WASC 144, [12] <i>Stefan v McLachlan</i> [2023] VSC 501, [26]
'Unilateral' agreements <i>I can create a binding contract with a person by serving them with a document. Silence is consent.</i>	Contracts cannot be formed through silence or inactivity. <i>Re Coles Supermarkets Australia Pty Ltd</i> [2022] VSC 438, [48]–[49] <i>Nelson v Greenman</i> [2024] VSC 704, [57]
Religious beliefs override legislation <i>My rights are conferred by God. I am not subject to the law if I think that it interferes with my religious beliefs.</i>	All persons are subject to the law regardless of religious belief. <i>Roberts v Harkness</i> [2018] VSCA 215, [67]

Invalidity of legislation from time of <i>Constitution Act 1975</i> <i>The Constitution Act 1975 was not validly enacted. Any legislation enacted after the Constitution Act is invalid.</i>	The <i>Constitution Act 1975</i> was validly enacted <i>Rutledge v State of Victoria</i> [2013] HCA 60 <i>Sill v City of Wodonga</i> [2018] VSCA 195
Ancient or imperial statutes override modern legislation <i>The relevant legislation is contrary to an ancient statute such as the Magna Carta or the Bill of Rights, so is invalid.</i>	Modern legislation overrides ancient statutes such as the Magna Carta and the Bill of Rights. Modern legislation can displace the operation of an ancient statute, and is not invalid if it is inconsistent with an ancient statute. <i>Chia Gee v Martin</i> [1905] HCA 70 <i>MacDonald v County Court of Victoria</i> [2013] VSC 109, [39]–[40] <i>Holt v The King</i> [2023] VSCA 163, [20]
Proof of judicial appointment <i>The judge has not proven to me that they are validly appointed.</i>	The judge does not need to prove to the parties that they are validly appointed. <i>Sill v Wodonga</i> [2018] VSCA 195
Promissory notes and bills of exchange <i>A debt can be paid by a promissory note or bill of exchange not redeemed at the time and place specified. Silence is acceptance.</i>	A debt cannot be paid by a promissory note or a bill of exchange that the creditor has not accepted. Not responding to the note or bill does not amount to acceptance. <i>Collis v Bank of Queensland Ltd</i> [2021] VSCA 17, [107] <i>May v HSBC Bank Australia Ltd</i> [2025] VSCA 311, [38], [40]–[41]