



**NOTICE TO THE PROFESSION**

**INTERLOCUTORY APPLICATIONS IN THE  
PERSONAL INJURIES AND DUST DISEASES LISTS**

With the introduction of the Dust Diseases List Practice Note No. 2 of 2015 and Personal Injuries Practice Note No. 3 of 2015, interlocutory applications will be heard at 11:30am on Fridays in Court 4, 436 Lonsdale St Melbourne.

To assist the Court with listing interlocutory applications timely and efficiently, please note the following:

**1. Registry Applications Coordinator**

1.1 It is desirable to have a single point of contact to assist practitioners with the listing process. This is the role of the Registry Applications Coordinator.

1.2 The Registry Applications Coordinator is located in the Principal Registry and is the point of contact for all enquiries in relation to applications in the Personal Injuries and Dust Diseases Lists.

1.3 It may still on occasion be necessary to contact the Associate to the Associate Judge sitting on a particular day.

1.4 The Registry staff contact details for applications in the Personal Injuries and Dust Diseases Lists are:

**Phone:** 9603 9345

**Email:** [Attention: Registry Applications Coordinator  
personal.injuries@supremecourt.vic.gov.au](mailto:personal.injuries@supremecourt.vic.gov.au) or  
[dust.diseases@supremecourt.vic.gov.au](mailto:dust.diseases@supremecourt.vic.gov.au)

## **2. Interlocutory Applications – Personal Injuries & Dust Diseases Lists Process and Information Form**

2.1 Dates and times for application listings may be organised over the phone with the Registry Applications Coordinator or at the Registry. If you have received a date from the Registry Applications Coordinator on the phone, you will receive an email confirming the availability of that date. Following this, you are required to file your application and supporting material with the Registry between the hours of 9.30 am and 4.00 pm together with a copy of that email. Alternatively, you may e-file the above documents via CITEC.

2.2 When filing an application, practitioners are to provide the information on the form annexed to this notice. The completed form should accompany the summons and affidavit in support (with exhibits). The form will be placed on the court record and a copy is to be served on all parties. The information should be accurate as it will be used for listing and preparing matters to be heard by an Associate Judge.

2.3 The information to be provided includes:

2.3.1 *Directions hearing date* – Any upcoming directions hearing dates.

2.3.2 *Trial date* – If the matter is listed for trial, the application will be listed before the trial date

2.3.3 *Urgency* - The party filing the application must explain the reason it considers the application to be urgent and requires a return date of fewer than five days from filing.

2.3.4 *Hearing estimate* - If possible, this should be by agreement between parties. The Registry Applications Coordinator should be notified as soon as practicable in the event of a revised estimate. Where the hearing is likely to exceed two hours in length, you should contact the Registry Applications Coordinator before proceeding to file the application.

2.3.5 *Summary of proceeding* - Provide a short summary of the nature of the proceeding in which the application is brought.

2.3.6 *Summary of application* - Provide a short summary of the application before the court. For example, application for summary judgment, security for costs, substituted service, strike out pleadings, set aside judgment, etc.

2.3.7 *Whether the application is contested/unopposed/ex parte/by consent* - If the matter is by consent, signed minutes should be provided to the Court no later than 4:00pm on the day before the hearing date. An editable version should also be sent either in rich text or Word

(editable) format to [orders@supremecourt.vic.gov.au](mailto:orders@supremecourt.vic.gov.au) and to the Associate to the Associate Judge hearing the matter, as soon as practicable before the hearing.

2.4 Please note that the date you receive from the Registry Applications Coordinator is available for 48 hours from the email advising it is available. It is confirmed when your application and supporting material is filed with the Registry. There is no guarantee of the availability of this date if you do not file the application within this time. Please contact the Registry Applications Coordinator if you are unable to file within this time to ensure the date is still available.

2.5 The practitioner for the applicant must notify the Court immediately upon becoming aware that the hearing is no longer required, the application is no longer contested or has become a consent matter, or if the hearing estimate has otherwise been revised.

2.6 In cases where there is good reason to have the order authenticated directly and immediately by the Associate Judge (as opposed to by the Prothonotary), a draft of the order, either in rich text or Word (editable) format, should be sent for authentication to the Associate to the Associate Judge.

### **3. Special Fixtures**

3.1 Where an application exceeding two hours is to be listed (known as a special fixture), the application may be listed in Court 4 as a Directions Hearing if the Court requires further information. An Associate Judge will hear the Directions Hearing within about one to two weeks of the application being filed with the Registry. This is to allow the Associate Judge to ascertain the elements of the application, its expected duration, and to establish a timetable for filing additional material. At this time, the Associate Judge hearing the application will endeavour to provide a future date to the parties.

### **4. Outline of Submissions**

4.1 If a party proposes to provide a written Outline of Submissions, that should be filed at least the day before the application is listed to be heard. The outline should not exceed five pages in length. Parties should file the outline with the Registry (if two or more days before the hearing) or email it directly to the Associate to the Associate Judge (if the day before the hearing).

## **5. Exhibits**

5.1 Exhibits to affidavits should be filed and emailed to the relevant Associate well in advance of the hearing date. Where exhibits are voluminous, it is permissible to file copies of extracts from the exhibits. Registry will ensure exhibits are on the court file prior to it going to the Associate Judge for hearing.

# Interlocutory Applications – Personal Injuries List & Dust Diseases List Information Form



This form must be completed and submitted before filing your application, by emailing this form to the appropriate email [personal.injuries@supremecourt.vic.gov.au](mailto:personal.injuries@supremecourt.vic.gov.au) or [dust.diseases@supremecourt.vic.gov.au](mailto:dust.diseases@supremecourt.vic.gov.au). You will be advised by return email of an available hearing date and then you may file your application.

Hearing Return Date before the Associate Justice (Court Use Only)	
Proceeding number(if any):	
Is the proceeding listed for a Directions Hearing?	Yes <input type="checkbox"/> No <input type="checkbox"/> Date(s):
Is the proceeding listed for Trial?	Yes <input type="checkbox"/> No <input type="checkbox"/> Date(s):
Preferred hearing date/s (if any):	Date(s):
Is your application urgent? If so, reason?	Yes <input type="checkbox"/> No <input type="checkbox"/> Reason:
<b>Application estimate:</b> The solicitor for the applicant must notify the Court immediately upon becoming aware that the hearing is no longer required or if the hearing estimate has been revised in any way, by email or contacting the Coordinator on 9603 9345.	
<b>Summary of proceeding:</b> Provide a short summary of the nature of proceeding in which the application is brought.	
<b>Who is bringing the application?</b> Party type and name of party.	
<b>Summary of application:</b> Provide a short summary of the application before the Court. Please include reasons for urgency if the requested return date is within five (5) working days of filing the application.	
<b>Affidavit(s) relied upon:</b>	
<b>Rule or legislative provision under which the application is brought:</b>	
<b>Whether the matter Opposed / Unopposed / Ex-Parte?</b>	
<b>Firm name:</b>	
<b>Practitioner with conduct:</b>	
<b>Direct telephone number:</b>	
<b>Email address:</b>	
<b>Date and signature:</b>	Date: _____ Signature: _____