

# User Guide Online Court - BAR

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Note that screens and processes documented in this guide are accurate at the time of publishing; however, due to changes and updates occurring to the NSW Online Court, processes documented in this guide may appear different to those on the live site.

### What is the NSW Online Court?

Online Court is a new digital service being conducted by the NSW Justice Department, which enables legal practitioners and decision makers to manage and process orders without having to enter the courtroom. Once a matter is available in the relevant list, clients can proceed with their cases online, just as they would in court.

### Who can use the Online Court?

At present, the Online Court is available to:

- Local Court General Division Defence Call-overs listed at Sydney
  - Solicitors who are registered users of the Online Registry Website (and their delegates) only
- Supreme Court Corporations Registrar's Directions List
  - Solicitors who are registered users of the Online Registry Website (and their delegates) only
- Land and Environment Court lists
  - All parties, both represented and unrepresented can access the Online Court

In the near future, Online Court will be rolled out to other lists and locations, and may include additional request types.

In Supreme Court and Land and Environment Court matters, only one party is required to make the request online, so as long as that party is represented, the matter can proceed in the Online Court.

For Local Court matters to be eligible for the Online Court the plaintiff and at least one defendant must be represented. The represented defendant must also be in a status of 'Defended'. If there are additional defendants who are not represented, the matter can still proceed in the Online Court as long as the plaintiff and at least one defendant are represented.

#### Who manages Online Court matters?

The decision maker will review requests made through the Online Court and will make orders and finalise requests accordingly. When the decision maker deals with requests in the online court, it will (in most instances) result in an adjournment and vacation of the current in-person listing. This will mean that the parties will not be required to physically attend the vacated listing. The decision maker can also deal with requests as they occur; so many waiting periods (for example the 28 day listing timeframe for defence Call-overs) won't apply for Online Court matters (some listings, for example Supreme Court winding up matters, will not be available in the Online Court for 28 days from the date of listing due to business rules).

# Accessing the Online Court

### Register

To use the Online Court, solicitors must be registered for the NSW Online Registry. To register, go to the NSW Online Registry website and click Register. More information on the registration process is available on the Online Registry help page

https://onlineregistry.lawlink.nsw.gov.au



### Log in

Clients can access the Online Court from the home page of the NSW Online Registry website. Clients should use their existing NSW Online Registry username and password to login to the Online Court; if they do not have a user name as yet, they will need to register before they can access online services.

Alternatively, clients can access the Online Court from the following URL during the pilot period: <u>https://onlineregistry.lawlink.nsw.gov.au/content/online-court</u>



# Dashboard

When the client logs in to the Online Court their dashboard will display.

The dashboard contains two tabs:

- 1. Active listings
- 2. Historical cases

#### **Active Listings**

All cases that are eligible for the Online Court are displayed here.

This screen will display:

- The current in-person listing type
- The current date and time for the in-person sitting
- The status of the case (e.g. is it awaiting consent from the other party or awaiting an order from the registrar)
- The name of the party who most recently sent a message via the Online Registry
- The action that can be taken on the case
  - Opt-in (Local Court only)
  - o Make request
  - o Consent / counter a request

#### **Online Court**

Online court list All			•		
Active listings Historical cases					
Case Filter by keyword	Listing type	Sitting	Status	Last message	Action
In the matter of Distinct by Design 201600000081	Directions (Corporation List Registrar)	18/01/2016 9:00 AM AEDT	-	-	Make request >
Grahame Hendricks v Penny Chong 201600000074	Defence Callover	3/02/2016 9:30 AM AEDT		-	Opt in A
Jones Jennifer v Julian Gaston 201600000080	Defence Callover	10/02/2016 9:30 AM AEDT	-	Diana Hilliers 7/01/2016, 2:38 PM AEDT	Make request >
Jane Murphy v Guido DiChristo 201600000082	Defence Callover	10/02/2016 9:30 AM AEDT	Consent pending	-	-
Angela Agostini v Philippa Giannino 201600000083	Defence Callover	10/02/2016 9:30 AM AEDT	Consent pending	-	Consent or Counter ≓
Peta Mancini v Yousef Pekkanen 201600000084	Defence Callover	10/02/2016 9:30 AM AEDT	-	-	Opted in 🗸

### **Historical cases**

This tab displays cases where orders have been made and finalised via the Online Court.

Clients can view:

- The Online Court record for that case. This is a record of the Online Court transactions (requests, consents, counters, orders, messages) and does not display case information.
- The case information by clicking the Online Registry case link; note that this will open a new tab and display the case information screens in the NSW Online Registry.

**Online Court** 

Online court list All			•		
Active listings	Historical cases				
Case		Listing type	Last activity	View	
FIREROCK PTY LTD v R/ 201500002691	APID FORCE PTY LTD	Defence Callover	19/11/2015 1:40 PM AEDT		Online Registry case
FIREROCK PTY LTD v R/ 201500002594	APID FORCE PTY LTD	Defence Callover	11/11/2015 2:44 PM AEDT	Online court record	Online Registry case
FIREROCK PTY LTD v R/ 201500002593	APID FORCE PTY LTD	Defence Callover	21		Online Registry case

# Local Court Only - Opt-in to the Online Court

### **Opt-in**

To use the Online Court, legal practitioners must first tell the court they are prepared to take the matter online; this is done by 'opting in' to the Online Court. Solicitors (or their delegates) may opt in for any case they have in General Division Defence Call-over located in the John Madison Tower (Sydney). All cases that are listed in this division/location will automatically display in the Online Court.

If the case has a party that is unrepresented, the matter will not display in the Online Court, and must be dealt with at the in-person Call-over. Only matters where all parties are legally represented will display on the Online Court.

Online court list All			•		
Active listings Historical cases					
Case Filter by keyword	Listing type	Sitting	Status	Last message	Action
Grahame Hendricks v Penny Chong 201600000074	Defence Callover	3/02/2016 9:30 AM AEDT	Consent pending	-	Consent or Counter $\rightleftharpoons$
Jones Jennifer v Julian Gaston 201600000080	Defence Callover	10/02/2016 9:30 AM AEDT	-	Diana Hilliers 7/01/2016, 2:38 PM AEDT	Make request >
Jane Murphy v Guido DiChristo 201600000082	Defence Callover	10/02/2016 9:30 AM AEDT	Consent pending	-	Consent or Counter $\Rightarrow$
Angela Agostini v Philippa Giannino 201600000083	Defence Callover	10/02/2016 9:30 AM AEDT	Consent pending	-	-
Peta Mancini v Yousef Pekkanen 201600000084	Defence Callover	10/02/2016 9:30 AM AEDT	-	-	Make request >
Trent Rogers v Peter Sales 201600000096	Defence Callover	10/02/2016 9:30 AM AEDT	-	-	Opt in A
Yoki Hayashi v Andrew Dunlop 201600000097	Defence Callover	10/02/2016 9:30 AM AEDT	-	-	Opted in 🗸

#### **Online Court**

# Opt-in

Step	Action					
1	Login to the Online Court and vie In the Action column, click <b>Opt in</b> Online Court	w the da n.	shboard.			
	Online court list			•		
	Active listings     Historical cases       Case     Filter by keyword     P	Listing type	Sitting	Status	Last message	Action
	Jane Murphy v Guido DiChristo 20160000082	Defence Callover	10/02/2016 9:30 AM AEDT	Consent pending	-	Consent or Counter $\Rightarrow$
	Angela Agostini v Philippa Giannino 201600000083	Defence Callover	10/02/2016 9:30 AM AEDT	Consent pending	Phone Hilling Transcript, 2000 pro AGOT	•
	Peta Mancini v Yousef Pekkanen 201600000084	Defence Callover	10/02/2016 9:30 AM AEDT	Conservation	-	Make request >
	Trent Rogers v Peter Sales 201600000096	Defence Callover	10/02/2016 9:30 AM AEDT		-	Opt in A,
2	If the opposing parties have not of Once all parties have opted in, the Online Court	opted in y ne Make r	et, the Op equest bu	ot-in button Itton will dis	will be grey splay in the	ed out. Actions column.
	Active listings Historical cases					
	Case	1 to the states				
	Filter by keyword	Listing type	Sitting	Status	Last message	Action
	Filter by keyword ,0 Jane Murphy v Guido DiChristo 201600000082	Defence Callover	Sitting 10/02/2016 9:30 AM AEDT	Status Consent pending	Last message	Action Consent or Counter =
	Filter by keyword ,0 Jane Murphy v Guido DiChristo 201600000082 Angela Agostini v Philippa Giannino 201600000083	Defence Callover Defence Callover	Sitting 10/02/2016 9:30 AM AEDT 10/02/2016 9:30 AM AEDT	Status Consent pending Consent pending	Last message	Action Consent or Counter = -
	Filter by keyword     P       Jane Murphy v Guido DiChristo     20160000082       Angela Agostini v Philippa Giannino     201600000083       Peta Mancini v Yousef Pekkanen     20160000084	Defence Callover Defence Callover Defence Callover	Sitting 10/02/2016 9:30 AM AEDT 10/02/2016 9:30 AM AEDT 10/02/2016	Status Consent pending Consent pending -	Last message	Action Consent or Counter ≓ - Make request >
	Filter by keyword     P       Jane Murphy v Guido DiChristo     20160000082       Angela Agostini v Philippa Giannino     20160000083       Peta Mancini v Yousef Pekkanen     20160000084       Trent Rogers v Peter Sales     20160000096	Defence Callover Defence Callover Defence Callover Defence Callover	Sitting           10/02/2016           9:30 AM AEDT           10/02/2016           9:30 AM AEDT           10/02/2016           9:30 AM AEDT           10/02/2016           9:30 AM AEDT	Status Consent pending Consent pending	Last message	Action Consent or Counter

# **Local Court Requests**

### **Requests overview**

When a defence is lodged in a General Division matter filed at the John Maddison Tower, Sydney it will be listed for in-person Call-over as per current practice and will require the physical in-person court appearance of Solicitors before the Registrar.

The solicitor (or delegate) for each party in the matter must opt-in to the case. Once opted in, parties have the option to make an on-line request. As part of that request, the solicitor (or delegate) may also request additional interlocutory orders. All online requests must be supported with reasons for the request. Opposing parties will be notified by email when a request is made.

When the Registrar deals with requests in the online court, it will (in most instances) result in an adjournment and vacation of the currently listed in-person Call-over. This will mean that the parties will not be required to physically attend the vacated Call-over.

Clients can make the following requests via the Online Court:

- Adjourn for further Call-over
- Adjourn for hearing
- Adjourn for expert evidence directions
- Other

Clients can then request the following additional orders sought:

- Leave to file Amended Statement of Claim
- Leave to file Defence to Amended Statement of Claim
- Leave to file Defence to Amended Statement of Claim and file Cross Claim
- Leave to file Cross Claim
- Leave to file Defence to Cross Claim
- Leave to file Amended Cross Claim
- Leave to file Amended Defence
- Leave to file Amended Defence and file Cross Claim
- Defendant/s request further and better particulars
- Plaintiff/s request further and better particulars
- Cross Defendant/s request further and better particulars
- Cross Claimant/s request further and better particulars
- Other

### **Request deadlines**

The deadline for submitting a request in the Online Court will be **12 noon on Tuesday** (the day prior to the Wednesday in-person Call-over listing). It will not be possible to make a request after this time and the matter will proceed to in-person Call-over as per its original listing.

The deadline to consent a request is **3pm on Tuesday**.

An Online Court request may be terminated at any time by the registrar and the proceedings listed for resolution at an in-person court appearance before a registrar or a directions hearing before a magistrate. The termination of an Online Court request will not prevent the lodgement of a new request by practitioners or their delegates.

Documents can be attached as part of a request or attached to a message. Any attached documents will be viewable by the opposing party and the registrar. Where solicitors (or their delegates) require documents to be formally filed, they should do so via the Online Registry Website and not via the Online Court.

Step	Action					
NOTE	All parties must opt-in before a r	equest c	an be mao	de in the Oi	nline Court.	
1	Click Make request.					
	Online Court					
	Online court list All			•		
	Active listings Historical cases					
	Case	Listing type	Sitting	Status	Last message	Action
	Grahame Hendricks v Penny Chong 201600000074	Defence Callover	3/02/2016 9:30 AM AEDT	Consent pending	-	Consent or Counter ≓
	Jones Jennifer v Julian Gaston 201600000080	Defence Callover	10/02/2016 9:30 AM AEDT	-	Diana Hilliers 7/01/2016, 2:38 PM AEDT	Make request >

### Request adjournment for further Call-over

Step	Action	
2	The <i>Request</i> screen displays. From the Request type drop down list, select <b>Adjourn for</b> Request Request Select request	r further Call-over.
3	To select the Date for adjournment, click the <b>calendar ic</b>	on.
	Request type: Adjourn for further Call-over Request the matter be adjourned for further call-over to <select date=""> Date for adjournment Date for adjournment V We Th Fr Sa C V V V V Th Fr Sa C V V V V V V V V V V V V V V V V V V V</select>	Online Court Record Message sent by Diana Hilliers (for Jones Jennifer) Can a request for directions with a counter claim attached be managed in the Online Court? 7/01/2016, 2:38 PM AEDT Online Court Activated 7/01/2016, 12:06 PM AEDT
NOTE	Only the dates available for Call-overs in Sydney will disp Wednesdays). All future Wednesdays from the date the re including 5 weeks following the original listing.	lay in the calendar (i.e. equest is being made will display,

Step	Action	
4	If you require additional order(s), click <b>Additional orders sought</b> . Select the orders required from the drop down list, then click <b>Add</b> . Additional orders sought:	
	Select order  Select order	Add
	Leave to file Amended Statement of Claim Leave to file Defence to Amended Statement of Claim Leave to file Defence to Amended Statement of Claim and file Cross Claim Leave to file Cross Claim Leave to file Defence to Cross Claim Leave to file Amended Cross Claim Leave to file Amended Defence Leave to file Amended Defence Leave to file Amended Defence and file Cross Claim Defendant/s request further and better particulars Plaintiff/s request further and better particulars Cross defendant/s request further and better particulars Cross claimant/s request further and better particulars	
NOTE	If the additional order you require is not specified in the list, select other, then details into the free text field that will display.	type the
5	Enter the Reasons for submitting this request. If required, attach applicable PDF documents by clicking Attach file. Click Submit request. Reasons for submitting this request:	
	Cancel	mit request

Step	Action	
6	The request has been sent and is now awaiting consent party.	t (or a counter) from the opposing
	Request Messages	
	Status: Consent pending	Online Court Record
	Request the matter be adjourned for further call-over to 16 Mar 2016	Request submitted by Michael Lee (for Julian Gaston)
	Reasons for submitting this request:	Request the matter be adjourned for further call-over to 16 Mar 2016
	Request further and better particulars	Reasons for submitting this request:
		Request further and better particulars
	Availing consort from:	13/01/2016, 2:16 PM AEDT
		Message sent by Diana Hilliers (for Jones Jennifer)
	Diana Hilliers (for Jones Jennifer)	Can a request for directions with a counter claim attached be managed in the Online Court?
	Counter Consent	7/01/2016, 2:38 PM AEDT
		Online Court Activated
		7/01/2016, 12:06 PM AEDT

# Request adjournment for Expert Evidence Directions

Step	Action					
NOTE	All parties must opt-in before a	request o	an be ma	ide in the C	online Court.	
1	Click Make request.					
	Online Court					
	Online court list All			•		
	Active listings Historical cases					
	Case	Listing type	Sitting	Status	Last message	Action
	Grahame Hendricks v Penny Chong 201600000074	Defence Callover	3/02/2016 9:30 AM AEDT	Consent pending	-	Consent or Counter
	Jones Jennifer v Julian Gaston 201600000080	Defence Callover	10/02/2016 9:30 AM AEDT	Consent pending	Diana Hilliers 7/01/2016, 2:38 PM AEDT	-
	Jane Murphy v Guido DiChristo 201600000082	Defence Callover	10/02/2016 9:30 AM AEDT	Consent pending	-	Consent or Counter ≓
	Angela Agostini v Philippa Giannino 201600000083	Defence Callover	10/02/2016 9:30 AM AEDT	Consent pending	-	-
	Peta Mancini v Yousef Pekkanen 201600000084	Defence Callover	10/02/2016 9:30 AM AEDT			Make request >

Step	Action							
2	The <i>Request</i> screen displays. From the Request type drop down list, select <b>Adjourn for expert evidence Directions</b> . <u>back to dashboard</u> <b>John Parker v Judy Gates</b>							
	Case number:       201500025921         Sitting date:       7/10/2015, 9:00 AM         Listing:       Call-over							
	Request         Request type:         Select request         Select request         Adjourn for further Call-over         Adjourn for expert evidence Directions         Adjourn for Hearing         Other							
3	To select the Date for adjournment, click the calendar icon.          Request         Adjourn for expert evidence Directions         Request the matter be adjourned for expert evidence Directions to <select date="">         Image: Date for adjournment</select>							
NOTE	Only the dates available for Sydney will display in the calendar.							

Step	Action	
4	If you require additional order(s), click <b>Additional orders sought</b> . Select the orders required from the drop down list, then click <b>Add</b> . Additional orders sought:	
	Select order  Select order  Leave to file Amended Statement of Claim Leave to file Defense to Amended Statement of Claim	Add
	Leave to file Defence to Amended Statement of Claim Leave to file Defence to Amended Statement of Claim and file Cross Claim Leave to file Cross Claim Leave to file Amended Cross Claim Leave to file Amended Defence Leave to file Amended Defence and file Cross Claim Defendant/s request further and better particulars Plaintiff/s request further and better particulars Cross defendant/s request further and better particulars Cross claimant/s request further and better particulars	
NOTE	If the additional order you require is not specified in the list, select other, then type details into the free text field that will display.	pe the
5	Enter the Reasons for submitting this request. If required, attach applicable PDF documents by clicking Attach file. Click Submit request. Reasons for submitting this request:	
	Cancel	request

Step	Action					
6	The request has been sent and is now awaiting consent (or a counter) from the opposing party.					
	Request Messages					
	Status: Consent pending	Online Court Record				
	Request the matter be adjourned for expert evidence Directions to 8 Mar 2016 Reasons for submitting this request: Further and better particulars not provided so expert is required	Request submitted by Michael Lee (for Peta Mancini) Request the matter be adjourned for expert evidence Directions to 8 Mar 2016 Reasons for submitting this request: Further and better particulars not provided so expert is required				
	Awaiting consent from: Diana Hilliers (for Yousef Pekkanen) Counter Consent	13/01/2016, 2:22 PM AEDT Online Court Activated 12/01/2016, 9:56 AM AEDT				

# Request adjournment for Hearing

Step	Action					
NOTE	All parties must opt-in before a	request	can be ma	ade in the	e Online Cour	t.
1	From the dashboard – Defence Online Court Online court list	Call-ove	er tab, clic	k Make r	equest.	
	Case p	Listing type	Sitting	Status	Last message	Action
	Trent Rogers v Peter Sales 201600000096	Defence Callover	10/02/2016 9:30 AM AEDT	-		Opt in R
	Yoki Hayashi v Andrew Dunlop 201600000097	Defence Callover	10/02/2016 9:30 AM AEDT	2	-	Make request >
2	The <i>Request</i> screen displays. From the Request type drop do <b>Request</b>	own list, s	select <b>Adj</b>	ourn for	Hearing.	
	Request type: Select request Select request Adjourn for further Call-over Adjourn for expert evidence Dire Adjourn for Hearing Other	ections			•	
	Select order				•	Add

Step	Action
3	The <i>listing details</i> display. Click the <b>calendar icon</b> to select any dates you are <b>NOT</b> available for a hearing date. The calendar will display dates from 15 to 30 weeks in advance of the current listed call over date
	back to dashboard Noki Hayashi y Andrew Dunlon My unavailabile dates
	Case number:       201600000097         Sitting date:       10/02/2016, 9:30 AM AEDT
	Listing: Defence Callover O June 2016 O
	Su Mo Tu We Th Fr Sa
	Request         5         6         7         8         9         10         11
	Request type: 12 13 14 15 16 17 18 ne Court Ro
	Adjourn for Hearing 19 20 21 22 23 24 25 Court Activated
	26 27 28 29 30 2016, 1:56 PM AE
	Request the matter be listed for Hear No sittings You are not available Jul 2016.
	Indicate dates you are not available. Cancel
	Note: By not selecting any dates, you indicate your avaluation, for an orang dates in the date range indicated above.
4	Complete the Preliminary listing advice. Tick the box to confirm there are no expert witnesses required. Enter the number of witnesses for plaintiff/s. Enter the number of witnesses for defendant/s. Enter the number of hours estimated to hear evidence.
	Preliminary listing advice         I confirm no expert witnesses are required         witnesses for plaintiff/s         witnesses for defendant/s         Hours       estimated to hear evidence for both plaintiff/s and defendant/s

Step	Action	
5	If you require additional order(s), click <b>Additional orders sought.</b> Select the orders required from the drop down list, then click <b>Add.</b> Additional orders sought:	
	Select order 🔹	Add
	Select order Leave to file Amended Statement of Claim Leave to file Defence to Amended Statement of Claim and file Cross Claim Leave to file Defence to Amended Statement of Claim and file Cross Claim Leave to file Cross Claim Leave to file Defence to Cross Claim Leave to file Amended Cross Claim Leave to file Amended Defence Leave to file Amended Defence and file Cross Claim Defendant/s request further and better particulars Plaintiff/s request further and better particulars Cross defendant/s request further and better particulars Cross claimant/s request further and better particulars Cross claimant/s request further and better particulars	
NOTE	If the additional order you require is not specified in the list, select other, then type the details into the free text field that will display.	ne
6	Enter the Reasons for submitting this request. If required, attach applicable PDF documents by clicking Attach file. Click Submit request. Reasons for submitting this request:	
	Cancel Submit req	uest

Step	Action			
7	The request has been sent and is now awaiting consent (or a counter) from the opposing party.			
	Yoki Hayashi v Andrew Dunlop			
	Case number:         201600000097           Sitting date:         10/02/2016, 9:30 AM AEDT           Listing:         Defence Callover			
	Request Messages			
	Status: Consent pending	Online Court Record		
	Request the matter be listed for Hearing between 04 May 2016 and 13 Jul 2016.			
	Reasons for submitting this request:	Request the matter be listed for Hearing between 04 May 2016 and 13 Jul 2016.		
	Matter cannot be settled outside of court	Reasons for submitting this request:		
	Draliminary liating advices	Matter cannot be settled outside of court		
	<ul> <li>No expert witness/es are required</li> <li>2 Witness/es for plaintiff/s</li> <li>2 Witness/es for defendant/s</li> <li>3 Hours estimated to hear evidence for both plaintiff/s and defendant/s</li> </ul>	No expert witnesses are required     2 Witness/es for plaintff/s     2 Witness/es for defendant/s     3 Hours estimated to hear evidence for both     plaintff/s and defendant/s		
		13/01/2016, 2:34 PM AEDT		
	Awaiting consent from:	Online Court Activated		
	▲ Diana Hilliers (for Andrew Dunlop)	13/01/2016, 1:56 PM AEDT		
	Counter Consent			

#### Consent or counter a request

Each request submitted in the Online Court will automatically be forwarded to the solicitors for the opposing party(s) who may consent to the request, or, if they wish to propose an alternative request or orders, may counter the initial request.

A counter request or consent to a request should be responded to **3pm Tuesday**. An automatic email will be forwarded to the opposing solicitor on the record each time a consent or counter request is submitted.

Requests which have not been responded to or have been countered will remain in a request status of 'Consent pending' until all parties have consented. When all parties have consented to a request the request status will change to 'Orders pending', and will be ready for the Registrar to process.

As far as practicable, all parties will have communicated between themselves and come to an agreed position as to the orders sought prior to submitting a request in the Online Court. The opposing party will then be in a position to quickly deal with the request by consenting to the request. Any terms agreed between the parties should be included as orders sought in the online request.

### Consent a request

Step	Action					
1	From the dashboard – Defence Call-over tab, click <b>Consent / Counter.</b> Online Court					
	Online court list All			•		
	Active listings Historical cases					
	Case	Listing type	Sitting	Status	Last message	Action
	Filter by keyword					
	Grahame Hendricks v Penny Chong 201600000074 Jones Jennifer v Julian Gaston	Defence Callover	3/02/2016 9:30 AM AEDT 10/02/2016	Consent pending	- Diana Hilliers	Consent or Counter =
	2010000000	Canover	9.50 AM AED I		AEDT	

Step	Action				
2	Review the request made by the opposing party. If you agree to the request, click <b>Consent.</b> The matter can then be reviewed by the Registrar and appropriate orders made.				
	Status: Consent pending Request the matter be adjourned for further call-over to 9 Mar 2016 Additional orders sought: • Leave granted to defendant/s to file and serve an Amended Cross Claim by 12/02/16 Reasons for submitting this request: further & better partriculars Awaiting consent from: Michael Lee (for Penny Chong)	Online Court Record Request submitted by Diana Hilliers (for Grahame Hendricks) Request the matter be adjourned for further call-over to 9 Mar 2016 Additional order/s sought: • Leave granted to defendant/s to file and serve an Amended Cross Claim by 12/02/16 Reasons for submitting this request: further & better partriculars 12/01/2016, 11:47 AM AEDT Online Court Activated 12/01/2016, 11:39 AM AEDT			
NOTE	Counter Consent Note that Online Court matters may be reviewed by the F time period does not apply to Online Court matters.	Registrar immediately; the 28 day			

### Counter a request

Step	Action	
1	Click Consent / Counter. Online Court	
	Active listings     Historical cases       Case     Listing type     Sitting       Filter by keyword     P	Last message Action
	Grahame Hendricks v Penny Chong Defence 3/02/2016 Consent per 201600000074 Callover 9:30 AM AEDT	Consent or Counter =
	Jones Jennifer v Julian Gaston Defence 10/02/2016 Consent per 201600000080 Callover 9:30 AM AEDT	nding Diana Hilliers - 7/01/2016, 2:38 PM AEDT
2	Review the request made by the opposing party. If you do not agree with the request, you have the opportu Click Counter. Request Messages Status: Consent pending Request the matter be adjourned for further call-over to 9 Mar 2016 Additional orders sought: • Leave granted to defendant/s to file and serve an Amended Cross Claim by 12/02/16 Reasons for submitting this request: further & better partriculars Awaiting consent from: Michael Lee (for Penny Chong) Counter Consent	Anity to counter the request.
4	The <i>Request</i> screen displays. Complete the request fields as required. Click <b>Submit.</b>	
5	The counter request has been submitted and the opposing that the counter request has been made. The case will now display in the status of 'Consent pendin opposing party to either consent to your request or counter	g party will be notified by email ng' and is waiting for the er it.

Step	Action
NOTE	There is no limit to the amount of times a request can be countered. Online Court matters may be reviewed by the Registrar as soon as a consent is given; the 28 day time period does not apply to Online Court matters.

### Costs (no response to a request/counter request)

In the instance where a party opts-in to the Online Court, and then fails to respond to a request or counter request, resulting in all parties having to attend the in-person Call-over, the registrar may consider an application for costs. These costs may include those associated with attending the in-person Call-over and/or costs for preparing the Online Court request.

In determining the costs application the registrar may take into account:

- Any failure of a party to respond to a request (s 56(5) CPA)
- Whether the in-person court appearance could have been avoided if a party had responded to an Online Court request
- Whether there is a reasonable explanation for not responding are matters to be taken into account on the question of costs.

# **Supreme Court Requests**

#### **Requests overview**

The Online Court is an electronic service that may be used for the NSW Supreme Court Corporations Registrar's Directions List. This includes making online requests such as:

- Adjourn for further directions
- Ready to proceed
- Adjourn for hearing
- Refer to Judges List
- Other

### **Request deadlines**

The deadline for submitting a request in the Online Court will be **12 noon the day before the case is next listed for Directions.** It will not be possible to make a request after this time and the matter will proceed to the in-person listing.

An Online Court request may be terminated at any time by the registrar and the proceedings listed for resolution at an in-person listing. The termination of an Online Court request will not prevent the lodgement of a new request by practitioners or their delegates.

Documents can be attached as part of a request or attached to a message. Any attached documents will be viewable by the opposing party and the registrar. Where solicitors (or their delegates) require documents to be formally filed, they should do so via the Online Registry Website and not via the Online Court.

# Supreme Court Corporations Registrar's Directions List

Step	Action					
NOTE	For winding up matters, you ma the Online Court.	ay have t	o wait 28	days befo	re your mat	ter is available in
1	Click Make request. Online Court					
	Online court list Corporations List, Civil, Supreme (	Court, Sydney		•		
	Active listings Historical cases					
	Case Filter by keyword	Listing type	Sitting	Status	Last message	Action
	In the matter of Equity General 201600003837	Directions (Corporation List Registrar)	6/05/2016 9:00 AM AEST	-	-	Make request >
	In the matter of Glover Strategies 201600003838	Directions (Corporation List Registrar)	9/05/2016 9:00 AM AEST	-	•	Make request >
	In the matter of Holme Franks Partners 201600003643	Directions (Corporation List Registrar)	12/05/2016 9:00 AM AEST	-		Make request >
	In the matter of Professional Traders Pty Limited 201600004107	Directions (Corporation List Registrar)	12/05/2016 9:00 AM AEST	Not yet active	-	

Step	Action
2	The <i>Request</i> screen displays Select a <b>Request type</b> from the drop down list. In the matter of Glover Strategies
	Case number: 201600003838
	Sitting date: 9/05/2016, 9:00 AM AEST
	Listing: Directions (Corporation List Registrar)
	Request
	Request type:
	Select request <ul> <li>Select request</li> <li>Adjourn for Further Directions Ready to Proceed Adjourn for Hearing Refer to Judges List Other</li> <li>Other</li> </ul>
3	A calendar will display. Note that this calendar may display different dates depending on the Request type selected. It may also provide the option to select your 'unavailable dates' if a hearing request type was selected. Select the <b>Date for the adjournment</b> in the calendar. If a listing is already full, it will not be available in the calendar.
	Request the matter be listed for further Directions on <select date=""></select>
	O May 2016 O
	Su Mo Tu We Th Fr Sa
	1       2       3       4       5       6       7         8       9       10       11       12       13       14       Add
	19     16     17     18     19     20     21       22     23     24     25     26     27     28
	29 30 31

Step	Action					
4	If required, select an additional order, then click Add					
	Request the matter be listed for further Directions on 15 Jun 2016					
	15 Jun 2016					
	Additional orders sought:					
	Select order       Other					
5	Enter text into the free text field. Add any other additional orders. Enter your reason for making this request.					
	Other Remove					
	Cost reserved					
	Select order  Add					
	Reasons for submitting this request:					

Step	Action
6	If required, attach any supporting documents, or and consent orders. Select the Basis for your request. Click Submit request. Attach file (PDE, < 5MB) Basis for request Orders sought by consent Orders sought are opposed No active opponent in proceedings Orders sought are neither consented nor opposed Submit request
NOTE	Your request has been made. Depending on the basis of the request selected, your request will either be waiting orders by the registrar, or waiting on consent from the opposing parties. Parties will be notified by email when an order has been created

# Land and Environment Court Requests

#### **Requests overview**

The Online Court is an electronic service that may be used for the NSW Land and Environment Court lists. The NSW Online Court service replaces the previous eCourt service,

When the decision maker deals with requests in the online court, it will (in most instances) result in a vacation of the currently listed in-person sitting. This will mean that parties will not be required to physically attend the vacated listing.

Clients can make the following requests via the Online Court:

- Aboriginal Land Claims List
- Case Management Conference
- Class 3 Directions Hearing
- Class 4 Directions Hearing
- Class 8 Directions Hearing
- Costs Hearing
- Hearing
- Land Valuation and Compensation List
- Mediation
- Notice to Produce List
- Online court Request required
- Other
- Registrar Directions Hearing
- Return of Subpoena
- S34 Conciliation Conference
- S34AA Conciliation and Hearing
- S41 Conciliation and Hearing
- Slip Rule Amendment
- Tree Directions Conference
- Variation to Timetable

Clients can then request the following additional orders sought:

- Individual expert report(s) by both parties
- Joint expert report(s)
- Applicant's individual expert report(s)
- Respondent's individual expert report(s)
- Applicant's Points of Claim (Class 4/8)

- Respondent's Points of Claim (Class 4/8)
- Applicant's affidavit evidence
- Respondent's affidavit evidence
- Provision of documents for conciliation conferences
- Applicant's Statement of Facts and Contentions
- Respondent's Statement of Facts and Contentions
- Respondent's Bundle of Documents and Conditions (Class 1)
- Respondent's List of Objectors (Class 1)
- Applicant's Conditions (Class 1)
- Applicant's written submissions
- Respondent's written submissions
- Liberty to restore
- Other

An Online Court request may be terminated at any time by the decision maker and the proceedings listed for resolution at an in-person listing. The termination of an Online Court request will not prevent the lodgement of a new request by practitioners or their delegates.

When there are multiple future listing dates on a case, the closest listing date will apply for the Online Court request. If a party wants to make a request on a later listing, they must wait for the first listing to pass the cut off time before making their request in the Online Court.

If a party needs to make an additional request before the initial request has been completed, they should do this through the Online Court Messages tab, and include attached supporting material where relevant.

Documents can be attached as part of a request or attached to a message. Any attached documents will be viewable by the opposing party and the registrar. Where solicitors (or their delegates) require documents to be formally filed, they should do so via the Online Registry Website and not via the Online Court.

### **Request deadlines**

The deadline for submitting a request in the Online Court will be **12 noon the day before the case** is next listed; this applies to both online court listings and in-person listings.

It will not be possible to make a request after this time and the matter will proceed to the in-person listing.

Step	Action					
1	Click Make request.					
	Rayne Thompson v Parramatta City Council 201600003015	Registrar Directions Hearing	7/06/2016 9:00 AM AEST	Consent pending	-	Consent or Counter ≓
	Pedro Cortez v Parramatta City Council 201600003016	Registrar Directions Hearing	7/06/2016 9:00 AM AEST	Orders pending	ā	()ā:
	Gregory James v Ryde City Council 201600003064	Registrar Directions Hearing	8/06/2016 9:00 AM AEST	-	- (	Make request >
	Jose Kolina v Julieanne Bradshaw 201600000377	Costs Hearing	21/06/2016 10:00 AM AEST	Consent pending	÷	Consent or Counter =
2	The Request screen displays. Select a Request type from the Request type: Select request Additional orders sought: Select order Reasons for submitting this request	he drop do	own list.	Add		
	I & <u>Attach file (PDF, &lt; 5MB)</u>					
	<ul> <li>No active opponent in proceedings</li> <li>Orders sought are neither consented nor opport</li> </ul>	sed				
		Cance	Submi	trequest		

Step	Action
NOTE	Request types include the following: Request type:
	Select request         Aboriginal Land Claims List         Case Management Conference         Class 3 Directions Hearing         Class 4 Directions Hearing         Class 8 Directions Hearing         Costs Hearing         Hearing         Land Valuation and Compensation List         Mediation         Mention         Notice to Produce List         Online court - Request required         Other         Registrar Directions Hearing         Ratum of Subpoena         s34 A Conciliation and Hearing         s41A Conciliation and Hearing         Slip rule amendment
3	Once a request type has been selected a calendar will display. This calendar will be different depending on the request type selected. If a listing is full, the date will not be available in the calendar. If a Hearing request type is selected, the calendar will require you to select 'unavailable dates'. Request Request Request type: Registrar Directions Hearing Request the matter be listed for Registrar Directions Hearing on <select date&gt; Date for adjournment</select 

Step	Action				
4	If required add additional order(s) from the drop down list.				
	Additional orders sought:				
	Select order Add				
	Individual expert report(s) by both parties Joint expert report(s) Applicant's individual expert report(s) Respondent's individual expert report(s) Applicant's Points of Claim (Class 4/8) Respondent's Points of Claim (Class 4/8) Applicant's affidavit evidence Respondent's affidavit evidence Provision of documents for conciliation conferences Applicant's Statement of Facts and Contentions Respondent's Statement of Facts and Contentions Respondent's Bundle of Documents and Conditions (Class 1) Respondent's List of Objectors (Class 1) Applicant's written submissions Respondent's written submissions				
	Other				
5	Enter your <b>Reasons for submitting this request</b> . If required, you can attach documents to the request by clicking <b>Attach file;</b> for example consent orders or supporting documents.				
	Reasons for submitting this request:				
	Attach file (PDF, < 5MB)				

Step	Action			
6	Select the <b>Basis for your request</b> . Note that some options will require opposing parties to consent or counter your request, and some will go straight to the decision maker to create an order. Click <b>Submit request</b> .			
	Basis for request         Orders sought         No active opponent in proceedings         Orders sought are neither consented nor opposed			
	Cancel Submit request			
7	Your request has now been submitted and is either waiting an order from the decision maker, or waiting on consent from opposing parties. The solicitor on the record will receive an email notification when that order has been created.			

When the decision maker deals with requests in the online court, it will (in most instances) result in an adjournment and vacation of the currently listed in-person listing. This will mean that the parties will not be required to physically attend the vacated listing. When the decision maker makes an order in the Online Court an automatic email will be forwarded to all solicitors on the record to notify them that an order has been made. Please note that delegates will not receive emails from the online court at this stage.

The deadline for submitting a request in the Online Court will be **12 noon Tuesday**. It will not be possible to make a request after this time and the matter will proceed to in-person Call-over as per its original listing. The deadline for submitting a consent or counter request will be **3pm Tuesday**. An automatic email will be forwarded to the opposing solicitor on the record each time a consent or counter request is submitted.

An Online Court request may be terminated at any time by the decision maker and the proceedings listed for resolution at an in-person court listing. The termination of an Online Court request will not prevent the lodgement of a fresh request by solicitors or their delegates.

At any time during the Online Court process, any party may send a message to the decision maker regarding any case management issues. In addition, the decision maker may also choose to send a message to the parties if it appears there are case management issues requiring resolution.

All messages will be visible to all parties in the Online Court Record.

Request Messages	
New message to presiding officer	
Enter message text	
Attach file (PDF, < 5MB)	
Note: Messages and attac	hments are visible to all parties
Clear	Send message
Request Messages	
ew message to presiding officer	Online Court Record
Enter message text	Message sent by Tony Porter (for Naomi Rydler) I have a clash in dates with another matter and need to request an additiona week for the adjournment. Please advise if we can adjourn the matter to the 16th December
Attach file (PDF. < 5MB)	13/10/2015, 9:44 AM Request submitted by Tony Porter (for Naomi Rydler) Request the matter be adjourned for further call-over to 9 Dec 2015
Note: Messages and attachments are visible to all parties <u>Clear</u> Send message	Reasons for submitting this request: awaiting further and better particulars 8/10/2015, 11:49 AM
Message sent by Tony Porter (for Naomi Rydler) I have a clash in dates with another matter and need to request an additional week for the adjournment. Please advise if we can adjourn the matter to the 16th December 13/10/2015, 9:44 AM	

All activity in the Online Court including requests, consents, counter requests and messages will be recorded in the Online Court Record and will be visible to all parties and the decision maker.

Any person may make a request to the decision maker for a printed copy of the Online Court Record. The printed copy of the Online Court Record may be provided, subject to any suppression order or other restrictions that might apply to the proceedings.

# History

# Online Court Record Orders recorded by Registrar John Brown Leave granted to plaintiff/s to file and serve an Amended Statement of Claim by 15-11-15 appearance-dodson.pdf 23/09/2015, 12:06 PM Finalised - Orders created 23/09/2015, 12:06 PM Orders recorded by Registrar John Brown This matter is listed for Defence Call-over on 21 October 2015 11:30 AM at Sydney Vacate existing Defence Call-over on 30 September 2015 9:00 AM Leave granted to defendant/s to file and serve a Cross Claim by 14-12-15 appearance-dodson.pdf Commentary: Granting the requested orders now .... 23/09/2015, 12:02 PM Finalised - Orders created 23/09/2015, 12:02 PM Consented by Lisa Jenkins (for Patricia Hammond) 8/09/2015, 8:57 AM Request submitted by Tony Porter (for Gary Raynor) Request the matter be adjourned for further call-over to 21 Oct 2015 Reasons for submitting this request: request F&B particulars 8/09/2015, 8:56 AM

# **Contact us**

### Help using Online Court services

Call: **1300 679 272** (Mon-Fri 8.30am-5pm) Email: <u>onlineregistry support@justice.nsw.gov.au</u>

#### Information about court processes

Please see the website of the relevant court:

- Local Court website
- District Court website
- Supreme Court website
- Land and Environment Court website

Also refer to the <u>Help Section of the Online Registry</u> for a summary of court or online processes. Online Registry Demonstrations are available on the <u>NSW Online Registry YouTube Channel</u>.

### Legal information and advice

Call: <u>LawAccess NSW</u> on **1300 888 529**.

#### Feedback about the Online Court website and our services

Email: <a href="mailto:onlineregistry\_support@agd.nsw.gov.au">onlineregistry\_support@agd.nsw.gov.au</a>