



Policy: Delays in Reserved Judgments

Commencement

1. This policy commences on 10 May 2024 and replaces the policy published 2 November 2007.

Purpose of the policy

2. This policy outlines how the Court manages and investigates inquiries regarding delays in the delivery of reserved judgments in a proceedings in the Court.

Application

3. This policy applies to a party, legal representative of a party or interested person awaiting the delivery of a reserved judgment more than 3 months since judgment was reserved.

Definitions

4. In this policy:

Court means the Land and Environment Court of New South Wales.

Judge means a Judge of the Court.

Commissioner means a Commissioner or Acting Commissioner of the Court.

Registrar means a Registrar of the Court.

Making an inquiry

5. If a party, legal representative or interested person is concerned that a reserved judgment has been outstanding for a period in excess of the Court's standard of 3 months, a written inquiry can be directed to the Chief Judge.
6. The inquiry should include the following details:
 - 6.1 the name of the proceedings and the case number;



- 6.2 the role or interest of the person making the inquiry in the proceedings such as a party, legal representative, expert witness or interested person; and
- 6.3 the date upon which the Judge, Commissioner or Registrar reserved judgment.
7. Inquiries should be marked for the **Attention of the Chief Judge of the Land and Environment Court** and sent:
- By post: GPO Box 3565
SYDNEY NSW 2001
- By courier or hand delivery: Level 4
225 Macquarie Street
SYDNEY NSW 2000
- By email: lecourt@justice.nsw.gov.au
8. No inquiries will be processed by telephone.

The investigation process

9. The Chief Judge will discuss each inquiry with the Judge, Commissioner or Registrar involved in the reserved decision. The Chief Judge will not reveal the identity of the person making the inquiry to the Judge, Commissioner or Registrar concerned.
10. After investigation, the Chief Judge will respond in writing to the person making the inquiry with information provided by the Judge, Commissioner or Registrar on the likely timing for delivery of judgment.
11. The person may make a further inquiry if judgment is not delivered in accordance with the advised likely timing.

Issued by:

*The Honourable Justice Brian J Preston
Chief Judge – Land and Environment Court of NSW
Date: 10 May 2024*

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