



New South Wales

Local Courts (Civil Claims) Rule (Case Management Powers) 1998

under the

Local Courts (Civil Claims) Act 1970

The Local Courts (Civil Claims) Rule Committee made the following rule of court under the *Local Courts (Civil Claims) Act 1970* on 13 May 1998.

W Shepherd

Acting Secretary to the Rule Committee

Explanatory note

The object of this Rule is to amend the *Local Court (Civil Claims) Rules 1988* to confer a power on a Local Court or the registrar to make orders for the just, efficient, effective and timely management of proceedings before the Court.

1998 No 448

Clause 1 Local Courts (Civil Claims) Rule (Case Management Powers) 1998

Local Courts (Civil Claims) Rule (Case Management Powers) 1998

1 Name of Rule

This Rule is the *Local Courts (Civil Claims) Rule (Case Management Powers) 1998*.

2 Amendment of Local Court (Civil Claims) Rules 1988

The *Local Court (Civil Claims) Rules 1988* are amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Rule.

Schedule 1 Amendment

(Clause 2)

Part 9, Division 3

Insert after Part 9, Division 2:

Division 3 Case management powers

9 Powers in relation to case management

- (1) The court or the registrar may make such orders as the court or registrar thinks fit for the just, efficient, effective or timely management of proceedings before the court.
- (2) Without limiting subrule (1), the court or registrar may make any one or more of the following orders:
 - (a) an order fixing a timetable for the taking of steps to prepare the matter for hearing.
 - (b) an order that a document may be filed with the court in electronic form.
 - (c) an order that there be an exchange of written statements of the intended evidence of each witness.
 - (d) an order as to how statements referred to in paragraph (c) can be used.
 - (e) an order for the preparation and filing of a statement of agreed facts and agreed issues.
 - (f) an order for the preparation and filing of an agreed list of exhibits that are page numbered and indexed (in appropriate order).
 - (g) an order for the preparation of written submissions on a question of law raised, and the filing of copies of authorities relied on.
- (3) An order made under this rule has effect despite anything to the contrary in any other provision of these rules.