

# User Guide Online Court - BAR

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THIS DOCUMENT IS UNCONTROLLED WHEN PRINTED.

## **About**

This Guide has been developed for all users of the Online Court:

- Barristers
- Solicitors and their delegates
- People who are representing themselves if you have started a case or are defending a
  case in court and you don't have a lawyer, and you would like to have the case dealt with
  online instead of going to court in person. People who represent themselves are called
  'self-represented litigants'.
- People, not legally represented, who represent organisations you may be known as an Authorised Officer.

The Online Court cannot be used for all types of cases. See Who can use the Online Court in this guide for more information.

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Note that screens and processes documented in this guide are accurate at the time of publishing. However, due to regular changes and updates that occur to the NSW Online Court, processes set out in this guide may look different to those on the site.

#### What is the NSW Online Court?

Online Court is a digital service provided by the NSW Justice Department. It allows legal practitioners, litigants & decision makers to manage cases without needing to enter the courtroom. Once a case is in the list you can proceed with your case online, just as you would in court.

# Who manages Online Court cases?

A decision maker (a registrar, magistrate or judge) from the court will manage the cases in the Online Court. When the decision maker deals with requests in the Online Court they will usually adjourn the case and vacate the 'in-person listing'. This means that the parties will not need to physically attend on the date they would have had to go to court.

The decision maker can also deal with requests immediately; so many waiting periods (for example, the 28 day listing timeframe for defence call-overs) won't apply for Online Court matters.

Due to business rules, 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.

#### Who can use the Online Court

Barristers, solicitors and their delegates and self-represented litigants can use the Online Court if their case is 'eligible' for the Online Court.

## Local Court cases are eligible for the Online Court if:

- ✓ A defence is lodged in one of these Local Court listings:
  - General Division defence call-over

  - Small claims hearing

- Pre-trial review
- Pre-trial review (motor vehicle)
- ✓ The case is listed for an in-person appearance at one of these Local Court locations:

0	Albion Park	0	Cooma	0	Macksville	0	Queanbeyan
0	Albury	0	Dubbo	0	Maclean	0	Raymond Terrace
0	Armidale	0	Fairfield	0	Maitland	0	Sutherland
0	Ballina	0	Forster	0	Manly	0	Sydney Civil
0	Bankstown	0	Grafton	0	Moss Vale	0	Tamworth
0	Bathurst	0	Griffith	0	Mudgee	0	Taree
0	Bega	0	Gosford	0	Newcastle	0	Toronto
0	Belmont	0	Goulburn	0	Newtown	0	Tweed Heads
0	Blacktown	0	Hornsby	0	Nowra	0	Wagga Wagga
0	Broken Hill	0	Katoomba	0	Orange	0	Waverley
0	Burwood	0	Kempsey	0	Parramatta	0	Windsor
0	Byron Bay	0	Kiama	0	Penrith	0	Wollongong
0	Campbelltown	0	Lismore	0	Picton	0	Woy Woy
0	Cessnock	0	Lithgow	0	Port Kembla	0	Wyong
0	Coffs Harbour	0	Liverpool	0	Port Macquarie	0	<b>Young</b>

(Please note: yellow highlighted locations are new to Online Court)

#### ✓ If either:

- The case is listed in the General Division, and both parties are legally represented, and their lawyer is registered for the NSW Online Registry; OR
- The case is listed in the Small Claims Division, and both parties (legally represented or self-represented individuals) are registered for the NSW Online Registry

# District Court cases are eligible for the Online Court if:

- ✓ the case is listed in the General List Sydney Civil
- ✓ both parties are legally represented, and their lawyer is registered for the NSW Online Registry.

## Supreme Court cases will be managed on the Online Court if they are listed in the:

- ✓ Corporations Registrars List
- ✓ Equity General List before the Equity Registrar
- ✓ Possessions List (Common Law) before the Possession List Registrar

# Land and Environment Court case are eligible for the Online Court:

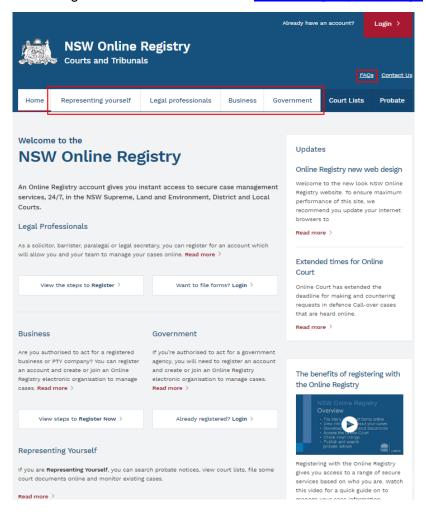
- ✓ in all Land and Environment Court lists
- ✓ if at least one of the parties (representative of or party) is registered for the NSW Online Registry

# Register

To register go to the <u>NSW Online Registry website</u> and select the tab that best describes you—Representing yourself, Legal professional, Business or Government.

From these pages you can view the steps to Register and Register an account.

You can get more information on the Online Registry help page.



# Log in

When you have registered, login and click the **Online Court** tab to find your eligible Online Court cases.



## **Dashboard**

When you have logged into the Online Court you will see a dashboard.

The dashboard has two tabs:

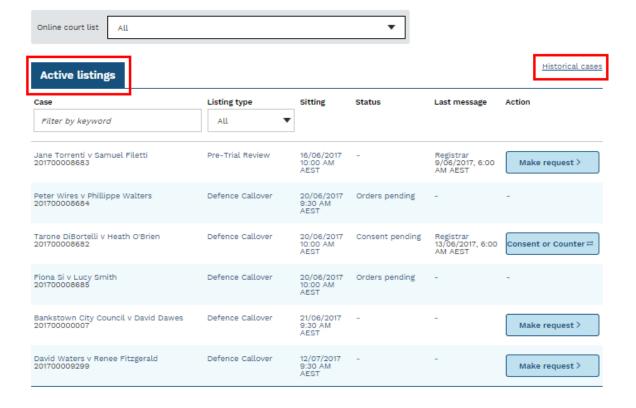
- Active listings
- Historical cases

# **Active Listings**

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

This screen will show the:

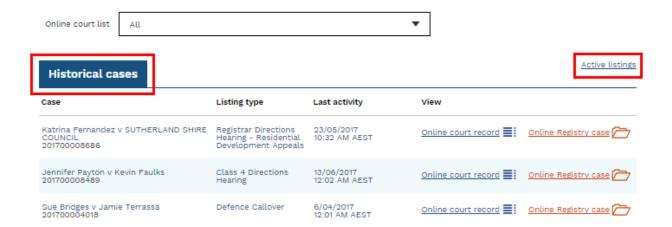
- name of the case and the case number
- current in-person Listing type for example a pre-trial review, defence callover or other type of listing.
- current date and time for the in-person *Sitting* this is the date the case is next listed for an in-person appearance.
- Status of the case for example, waiting for consent from the other party or an order from the registrar
- name of the party who most recently sent a message through the Online Registry
- Action that can be taken on the case
  - Make request
  - Consent or counter a request



## **Historical cases**

This tab shows the cases that have had orders made and have been finalised in the Online Court. From here you 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 show case information.
- Online Registry case—if you click on this link it will open a new tab and show the case information in the NSW Online Registry.



# Make a request and Consent to or Counter a Request

You can take these actions on a case in the Online Court:

- Make request—ask the court to do something.
- Consent or counter a request—when the other party has made a request, you let the court know if you agree or disagree with their request.

## To make a request

The type of requests you can make depend on which court the case is in (Local, District, Supreme Court or Land and Environment Court). This is explained in this Guide.

When you make a request you can also ask the court to make other orders.

If you are representing yourself and you are unsure about what request to make you can contact LawAccess NSW for legal help on **1300 888 529**.

You can attach documents to any request or message. The other parties and the court will be able to view the attached documents.

If you need to formally file documents you should do so on the Online Registry Website and not the Online Court.

The other parties will be automatically notified by email when:

- · you make a request, and
- the decision maker makes an order.

The decision maker may terminate (end) a request at any time and decide the case should be dealt with at an in-person listing. If an Online Court request is terminated this may not prevent a practitioner or their delegate from lodging a new request.

## To consent or counter a request

When you submit a request in the Online Court it will automatically be sent to the opposing parties. They can then:

- consent to the request, or
- if they wish to propose a different request or orders counter the request.

An automatic email will be sent to the opposing party each time a consent or counter request is submitted.

Requests that are waiting for a response or have been countered will have a 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 deal with.

Parties should try to communicate with each other and agree about the orders that they will ask for before they submit a request in the Online Court. The opposing party will then be in a position to quickly deal with the request by consenting to it.

The parties should include any terms they agree to as orders they ask for in the online request.

# The types of request you can make

You can make the requests listed below in the Online Court:

For matters in the	Request type	Additional orders sought
General Division Call- over List	<ul> <li>Adjourn for further Call-over</li> <li>Adjourn for hearing</li> </ul>	<ul> <li>Leave to file Amended Statement of Claim</li> <li>Leave to file Defence to Amended Statement of Claim</li> <li>Leave to file Defence to Amended Statement of Claim and file Cross Claim</li> <li>Leave to file Cross Claim</li> <li>Leave to file Defence to Cross Claim</li> <li>Leave to file Amended Cross Claim</li> <li>Leave to file Amended Defence</li> <li>Leave to file Amended Defence and file Cross Claim</li> <li>Defendant/s request further and better particulars</li> <li>Plaintiff/s request further and better particulars</li> <li>Cross Defendant/s request further and better particulars</li> <li>Cross Claimant/s request further and better particulars</li> <li>Other (court use only)</li> </ul>

For matters in the	Request type	Additional orders sought
Pre-Trial Review and Pre-Trial Review (Motor Vehicle) List	<ul> <li>Adjourn for further Pre-trial review</li> <li>Adjourn for hearing</li> </ul>	<ul> <li>Leave to file Amended Statement of Claim</li> <li>Leave to file Defence to Amended Statement of Claim</li> <li>Leave to file Defence to Amended Statement of Claim and file Cross Claim</li> <li>Leave to file Cross Claim</li> <li>Leave to file Defence to Cross Claim</li> <li>Leave to file Amended Cross Claim</li> <li>Leave to file Amended Defence</li> <li>Leave to file Amended Defence and file Cross Claim</li> <li>Defendant/s request further and better particulars</li> <li>Plaintiff/s request further and better particulars</li> <li>Cross defendant/s request further and better particulars</li> <li>Cross claimant/s request further and better particulars</li> <li>Standard Single Expert Direction - cost of repairs</li> <li>Standard Single Expert Direction - preaccident value</li> <li>Leave for each party to rely on own expert evidence IF loss of use claim</li> <li>Leave for each party to rely on own expert evidence IF liability/accident reconstruction is in issue</li> <li>Leave from Registrar to issue Subpoena</li> <li>Non standard case management directions</li> <li>Direction for oral cross examination of witness</li> <li>Other</li> </ul>

For matters in the	Request type	Additional orders sought
Small Claims Hearing list	• Other	<ul> <li>Standard Single Expert Direction – cost of repairs</li> <li>Standard Single Expert Direction – preaccident value</li> <li>Leave for each party to rely on own expert evidence IF loss of use claim</li> <li>Leave for each party to rely on own expert evidence IF liability/accident reconstruction is in issue</li> <li>Leave from Registrar to issue Subpoena</li> <li>Non-standard case management directions</li> <li>Direction for oral cross examination of witness</li> <li>Other (court use only)</li> </ul>

# **Deadlines for requests**

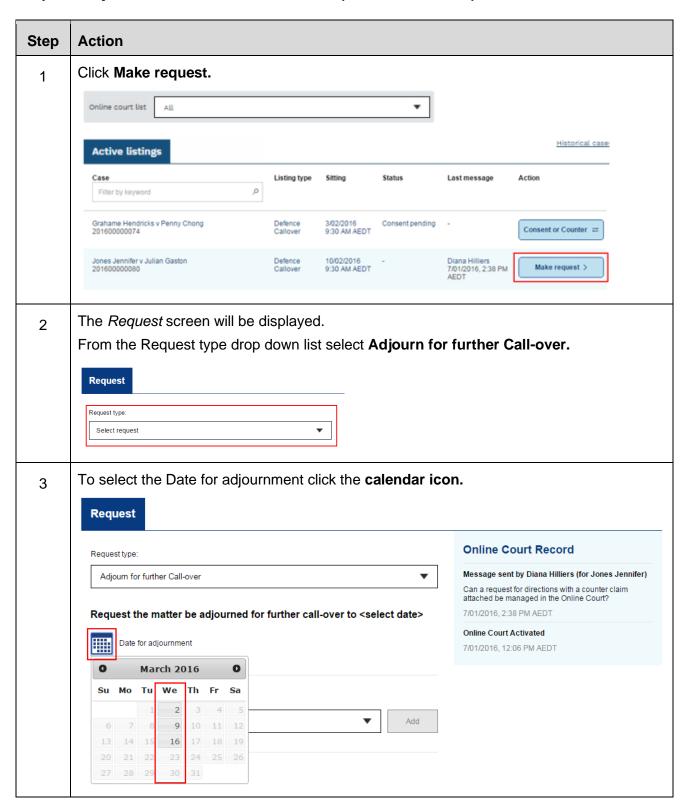
The deadline for submitting a request in the Online Court will be **12 noon** the day before the inperson listing. You won't be able to make a request after this time and the case will go ahead as an in-person listing.

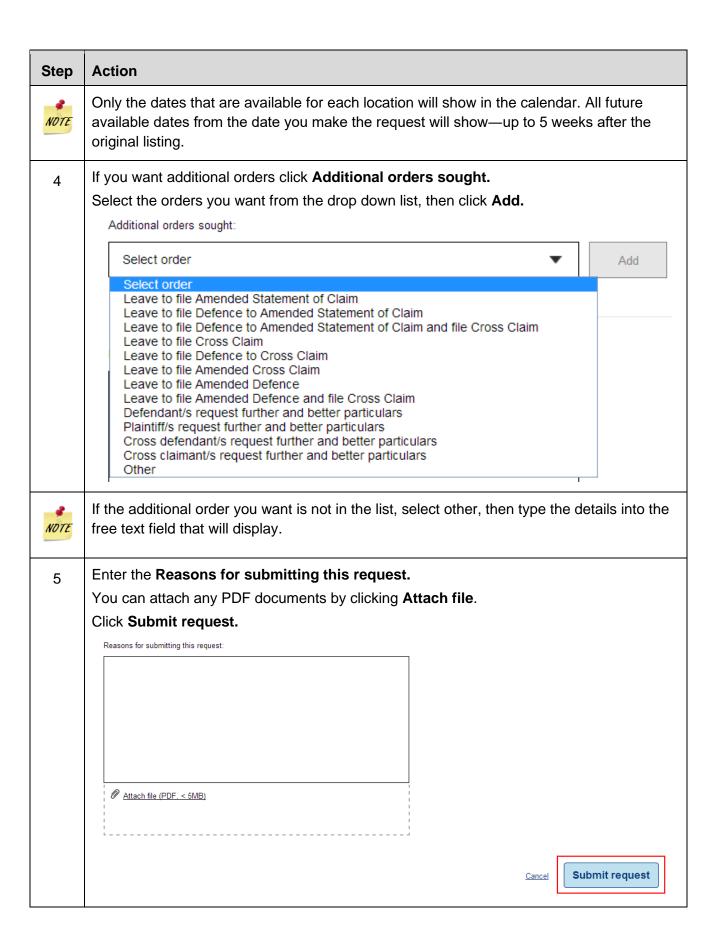
The deadline to consent to a request is **3pm** the day before the in-person listing.

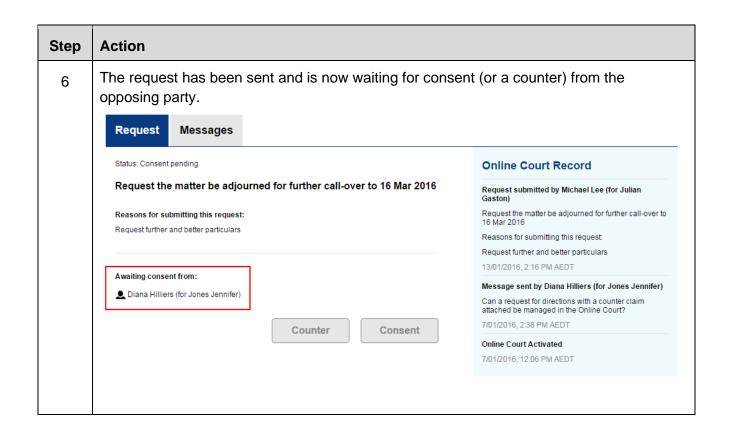
The registrar may terminate (end) an Online Court request at any time and list the case for an inperson court appearance before a registrar, or a directions hearing before a magistrate.

If an Online Court request is terminated this may not prevent a party from lodging a new request.

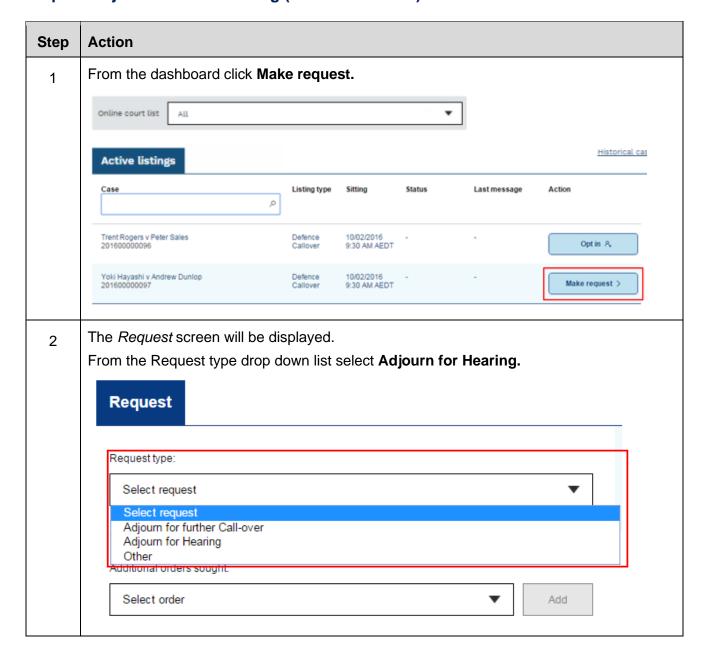
# Request adjournment for further Call-over (General Division)

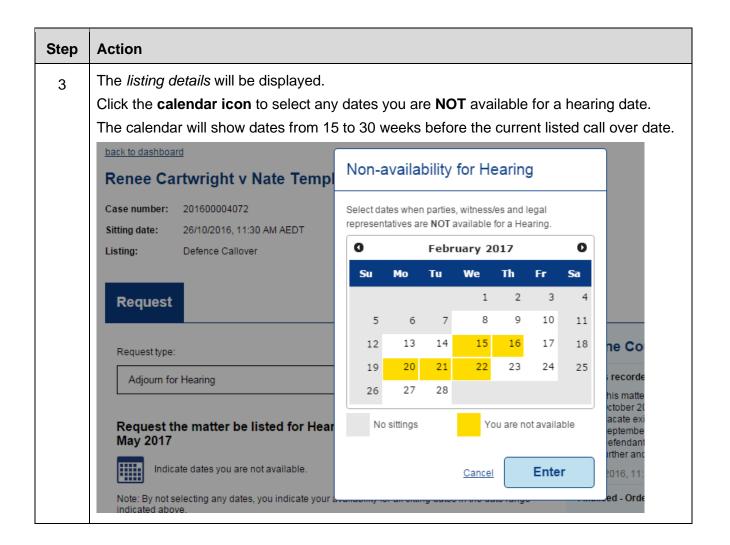


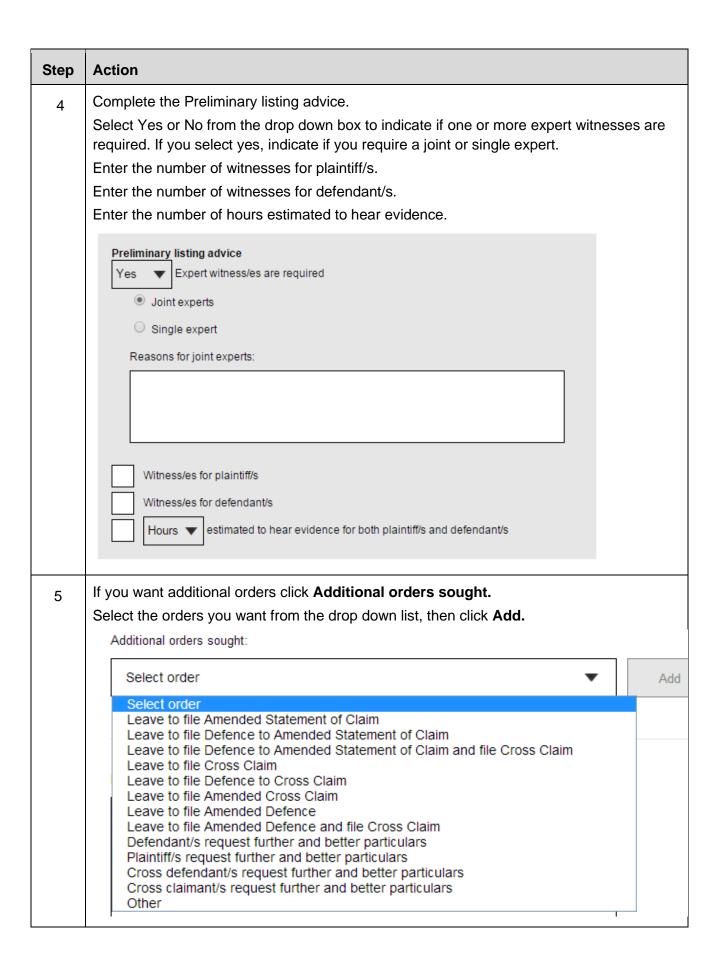


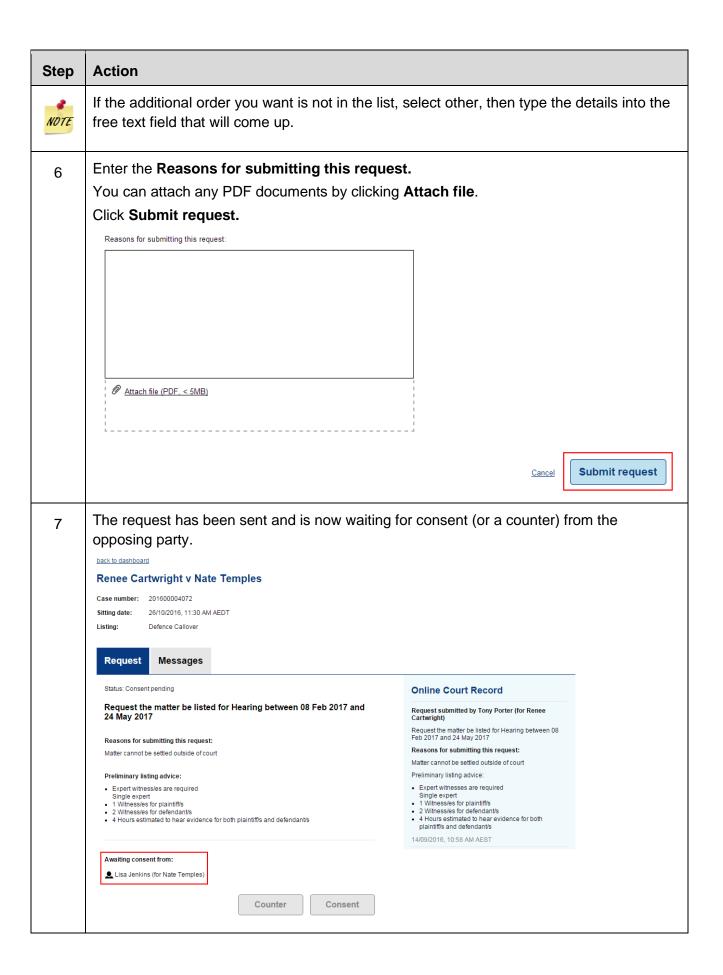


# Request adjournment for Hearing (General Division)

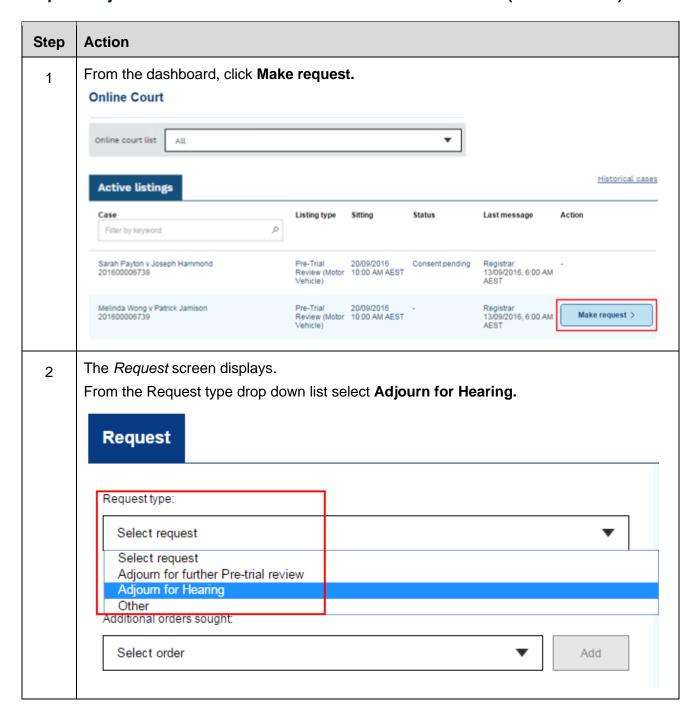


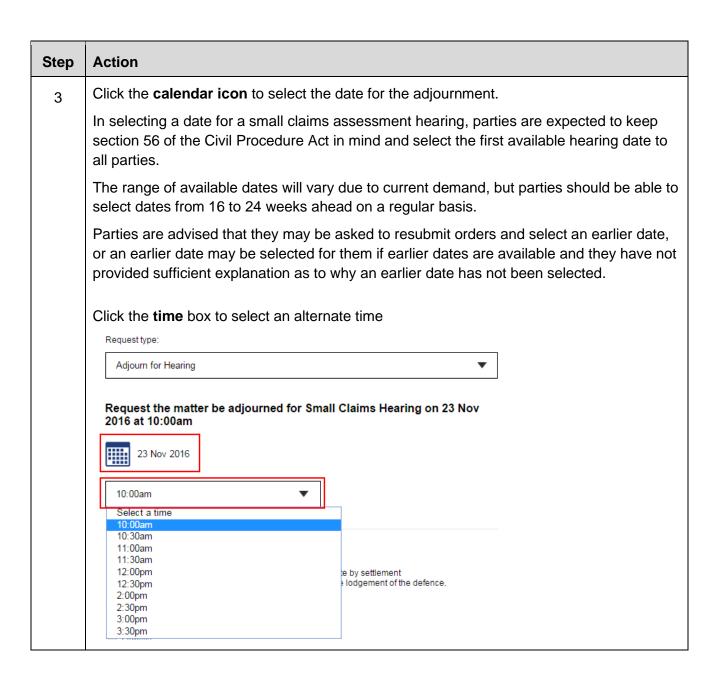




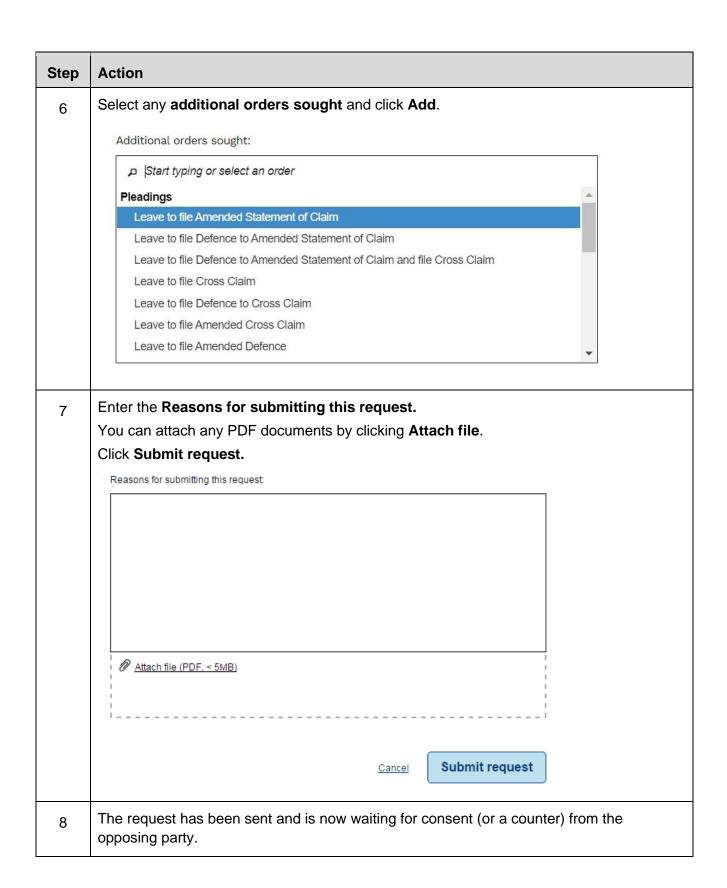


# Request adjournment for Pre-Trial Review and Pre-Trial Review (Motor Vehicle)



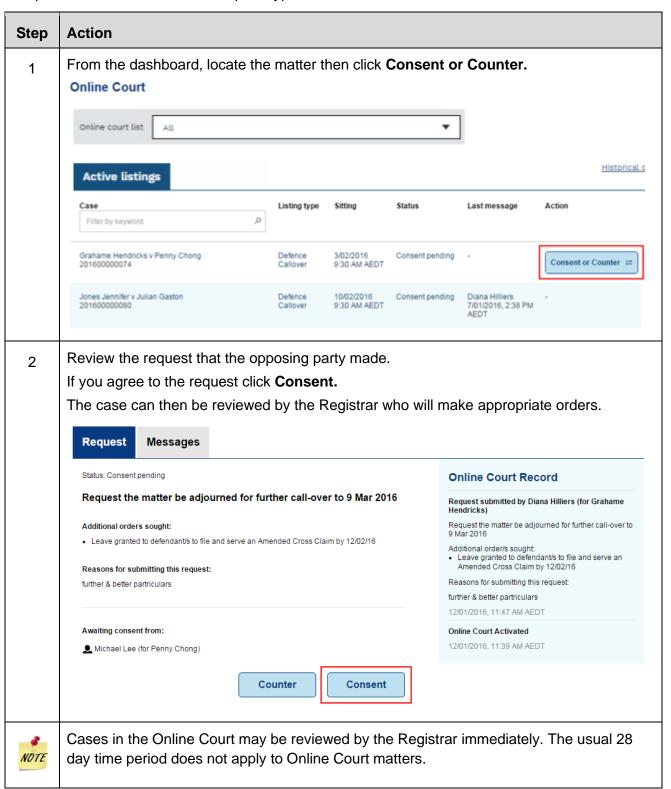


Step	Action
4	Click the checkbox to confirm that the parties have had settlement discussions. If this has not happened the case cannot continue in the Online Court.
	Select the issues in the dispute (select all that apply).
	Settlement discussions:
	All genuine attempts have been made to settle this dispute by settlement discussions/negotiation which have taken place since the lodgement of the defence.
	Please indicate (multi-select) issues in dispute:
	<ul> <li>Ownership</li> <li>Liability</li> <li>Agency</li> <li>✓ Quantum</li> <li>Have proof of lost documents been supplied/received?</li> <li>Yes</li> <li>No</li> <li>Has an offer of settlement been made?</li> <li>Yes</li> <li>No</li> </ul>
	Demurrage
	Loss of use
5	Complete the pre-trial information by entering information in the Summary, Witnesses and Other material boxes.  Pre-trial informaton: Summary of case: (max. 300 characters)
	Documentary evidence intended to be relied upon- name of witness(s) and material relied upon:
	Witnesses: (name and capacity)
	Other material: (e.g. photographs, sketches, videos, CCTV)
NOTE	The opposing party or parties will need to enter their pre-trial information in their consent or counter



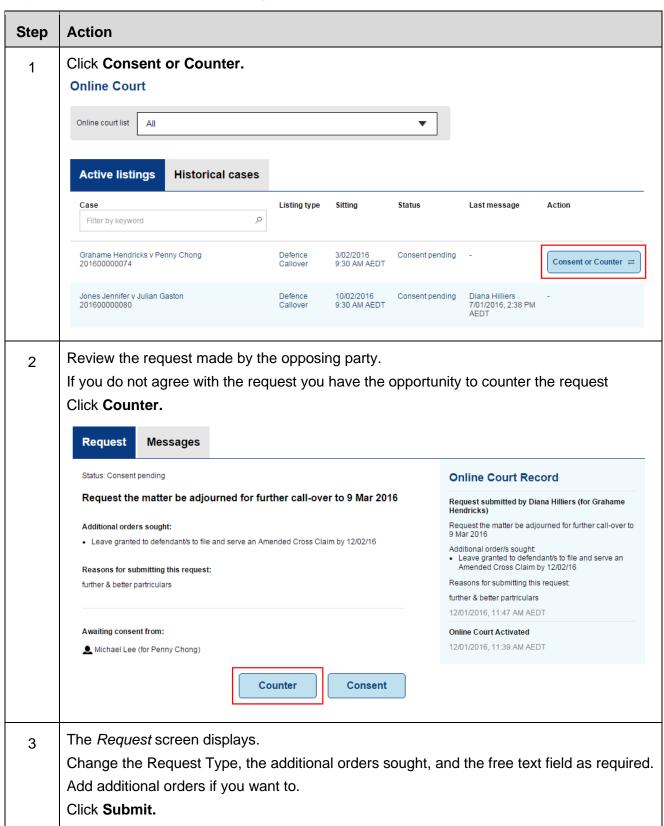
## Consent to a request - Adjourned for Call-over

The steps below show how to consent to a request to adjourn for call-over. The steps to consent to a request are the same for each request type.



## Counter a request - Adjourned for Call-over

The steps below show how to counter a request to adjourn for call-over. The steps to counter a request are the same for each request type.



Step	Action
4	The counter request has been submitted and the opposing party will be notified by email that you have made the counter request.
	The case will now have the status of 'Consent pending' and is waiting for the opposing party to either consent to your request or counter it.
NOTE	There is no limit to the number of times a request can be countered.  Online Court matters may be reviewed by the Registrar as soon as consent is given. This means time frames don't apply - for example, the 28 day time period for Defence Callovers does not apply to Online Court matters.

# The types of request you can make

The Online Court is an electronic service that may be used for the NSW District Court General List Sydney Civil.

Practitioners can make the requests listed below in the Online Court:

- Adjourn for Pre-Trial Conference
- Adjourn for Directions (Case Managed List)
- Adjourn for Status Conference
- · Adjourn to the Note Settled List
- List for Hearing
- Refer to Inactive List
- Other

You can include additional orders in the request. You can select from a list of pre-defined orders.

## Pleadings

- Leave to file Amended Statement of Claim
- Leave to file Amended Defence
- Leave to file Cross Claim
- Leave to file Defence to Cross Claim
- Leave to file Amended Cross Claim
- Leave to file Amended Defence and file Cross Claim
- Leave to file Defence to Amended Statement of Claim
- Leave to file Defence to Amended Statement of Claim and file Cross Claim
- File draft amended pleadings
- o Plaintiff/s request for filing of defence and any cross claim
- Provide consent to draft amended pleadings

#### Particulars

- o Defendant to requests further and better particulars
- Plaintiff to request further and better particulars
- o Cross defendant to request further and better particulars
- Cross claimant to request further and better particulars
- Plaintiff to respond to request further and better particulars
- o Defendant to respond to request further and better particulars
- Cross defendant to respond to request further and better particulars
- Cross claimant to respond to request further and better particulars
- Plaintiff to respond to letter
- Defendant to respond to letter

- Alternative Dispute Resolution
- Participate in Informal Settlement Conference
- Attend court assisted mediation
- Attend external mediation

# Liberty

- Liberty to restore
- Liberty to apply

#### Evidence

- Plaintiff to serve affidavit evidence
- Plaintiff to serve expert liability evidence
- Plaintiff to serve expert quantum/damages evidence
- o Plaintiff to serve expert liability and quantum/damages evidence
- o Plaintiff to serve affidavit, expert liability and expert quantum/damages evidence
- o Defendant to serve affidavit evidence
- Defendant to serve expert liability evidence
- o Defendant to serve expert quantum/damages evidence
- Defendant to serve expert liability and quantum/damages evidence

## Discovery

- o Plaintiff to provide categories
- Plaintiff to object to categories
- Defendant to provide categories
- Defendant to object to categories
- List of documents to be exchanged
- Inspection of documents

## Settled

- Note matter is settled
- Vacate listing if Consent Order, Consent Judgment or Discontinuance is filed prior

#### Serve Affidavit

- Plaintiff to serve affidavits
- Defendant to serve affidavits

## Other

o Other

## **Deadlines for requests**

The deadline for submitting a request in the Online Court for District Court matters will be **2pm three days before the in-person listing**. You won't be able to make a request after this time and the matter will proceed to the in-person appearance.

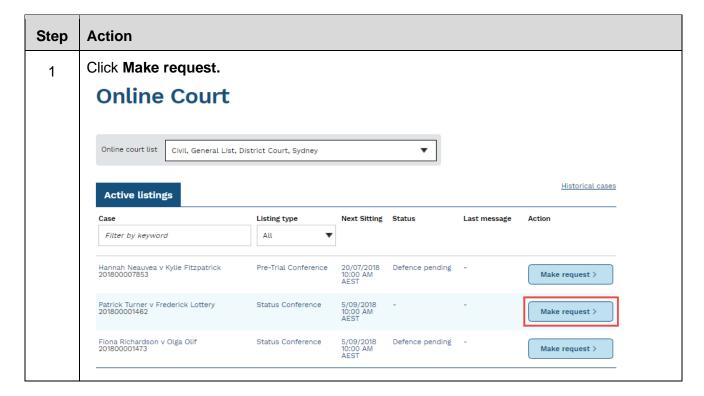
The deadline to consent a request is 6pm three days before the in-person listing.

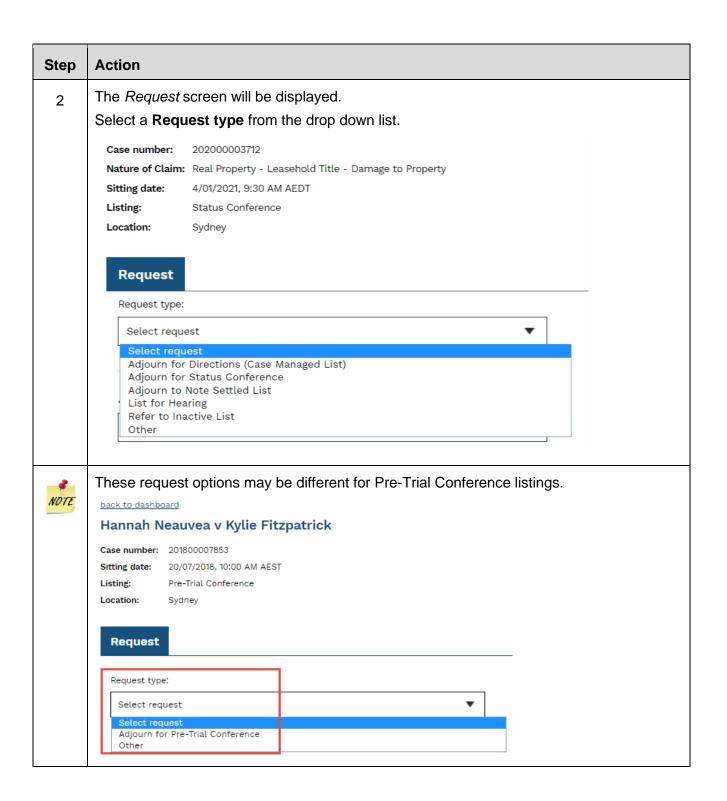
The registrar can terminate an Online Court request at any time and list the proceedings for resolution at an in-person court appearance before a registrar.

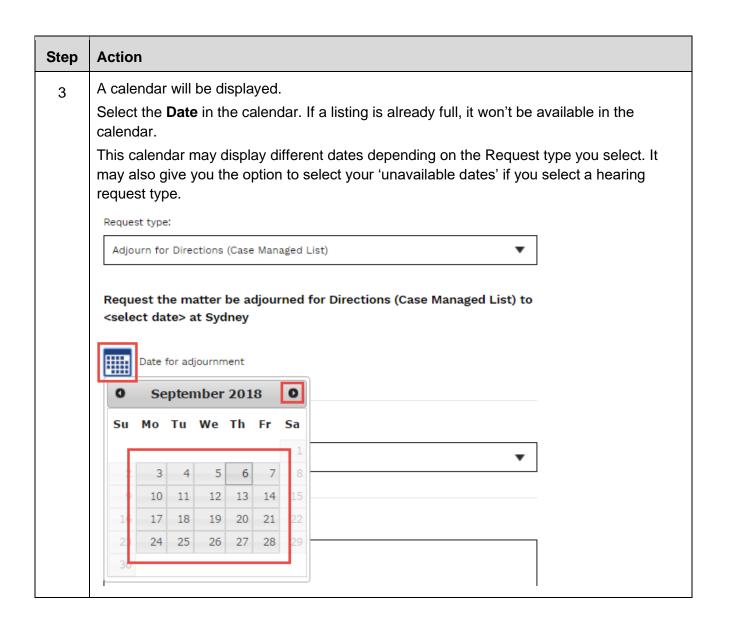
The termination of an Online Court request may not prevent practitioners or their delegates from lodging a new request.

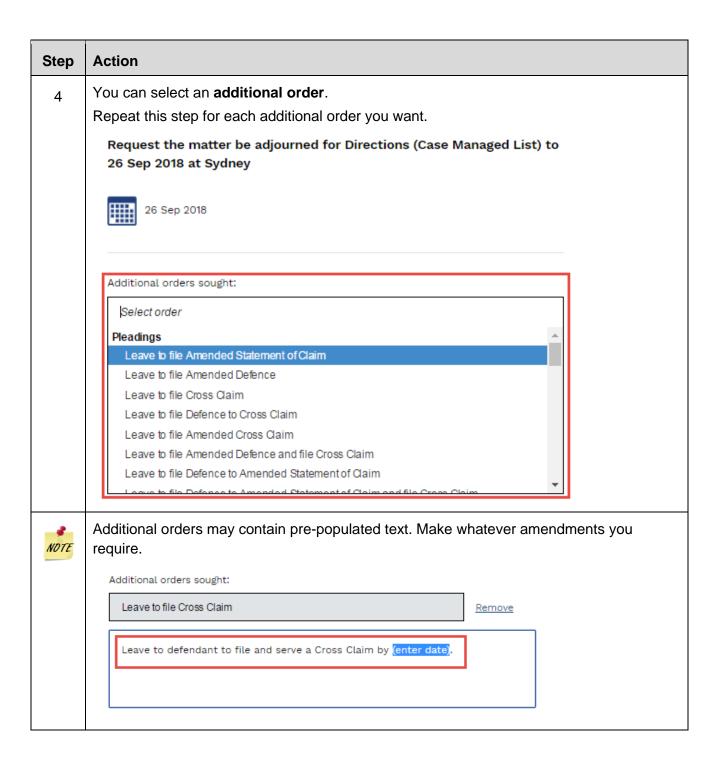
You can attach documents as part of a request or to a message. The opposing party and the registrar will be able to see any documents you attach. If you (or your delegates) want to formally file documents you should do so on the Online Registry website and not in the Online Court.

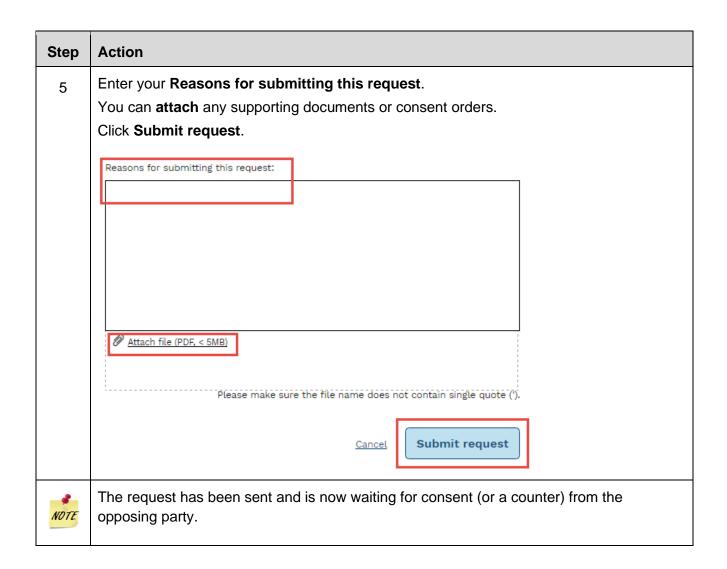
# Request adjournment for Directions (General List)



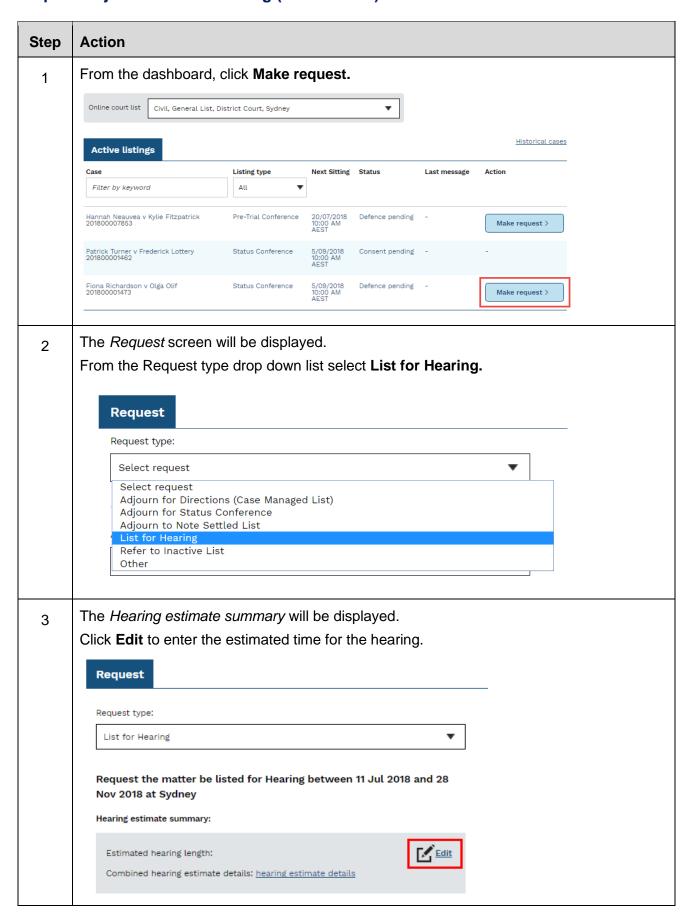








# Request adjournment for Hearing (General List)



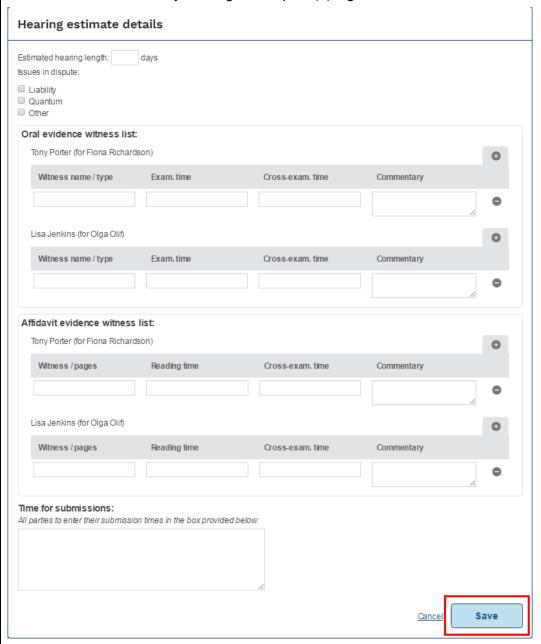
#### Step | Action

The *Hearing estimate details* pop up will be displayed.

#### Enter:

- · the estimated length of the hearing
- at least one issue in dispute
- oral evidence witnesses for your party and other parties (if you know)
- affidavit evidence witness details for your party and other parties (if you know)
- the time your party needs for submissions

You can add extra rows by clicking on the plus (+) sign



# Step **Action** Hearings requested through the Online Court cannot be longer than 4 days. Any hearings NOTE that require 5 or more days must be made at an in-person sitting. Click the calendar to enter the dates you will not be available for hearing in the date range 4 that will be automatically calculated by the Online Court. Request the matter be listed for Hearing between 11 Jul 2018 and 28 Nov 2018 at Sydney Hearing estimate summary: Edit Estimated hearing length: Combined hearing estimate details: hearing estimate details Hearing unavailability dates: Indicate dates you are not available. Note: By not selecting any dates, you indicate your availability for all sitting dates in the date range indicated above.

#### Step Action

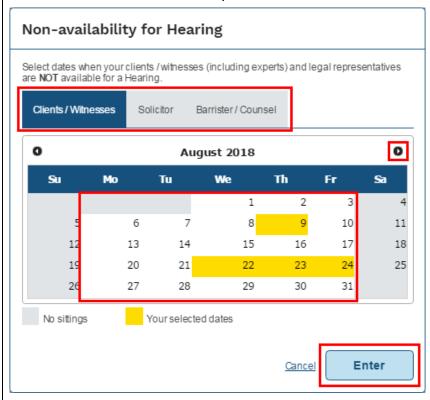
The *Non-availability for Hearing* calendar pop up will be displayed.

Select unavailable dates for your clients, witnesses, and legal practitioners in the hearing allocation period that will be automatically calculated by the Online Court. Only dates that are available in the hearing allocation period will be displayed in this calendar.

Click Enter to save unavailable dates.

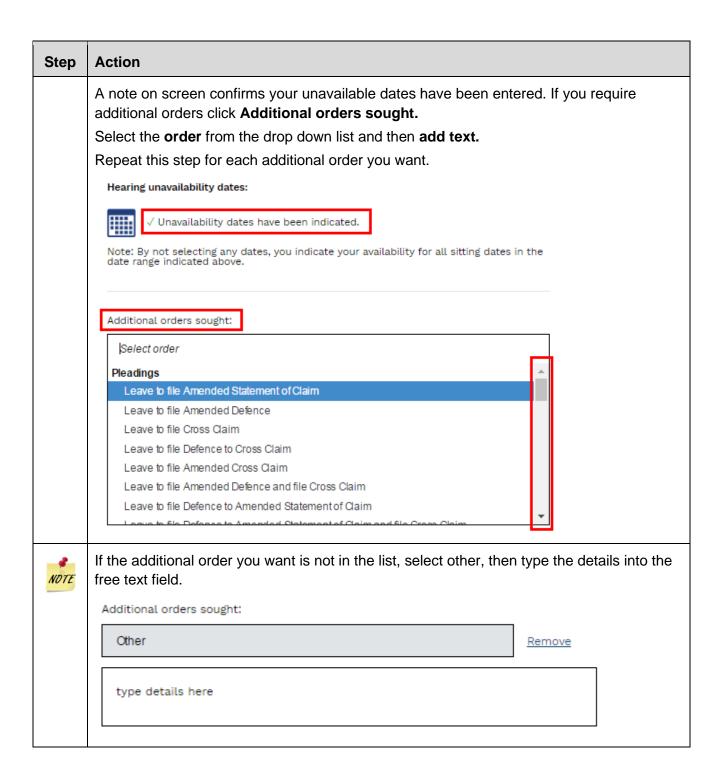
Only the registrar will be able to see the unavailable dates for all parties The registrar will allocate a hearing date when all parties are available.

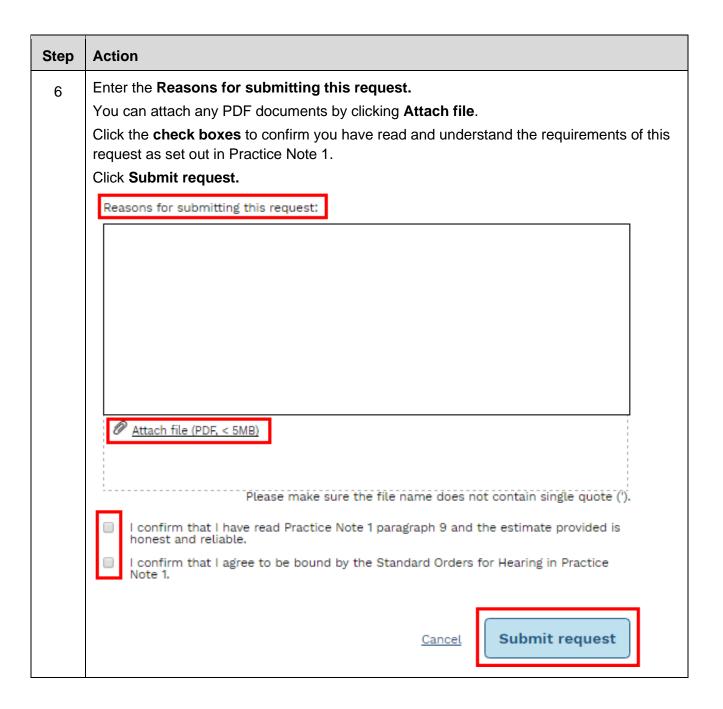
While they will try to avoid unavailable dates, sometimes a decision maker may need to set the date over an unavailable period.

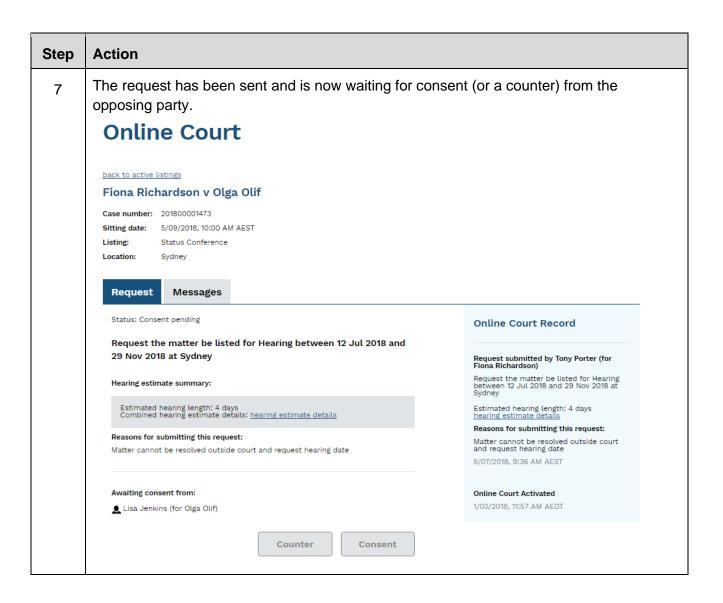




You can select multiple days at the same time by clicking and dragging the mouse over the required dates.







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#### Consent to or counter a request in the District Court

Each request that is submitted in the Online Court will automatically be sent to the solicitors for the opposing party or parties. The parties may:

- · consent to the request, or
- if they wish to propose an alternative request or orders—counter the request.

A counter request or consent to a request should be responded to by **6pm three days before the in-person listing**.

An automatic email will be sent to the opposing solicitor on the record each time a consent or counter request is submitted.

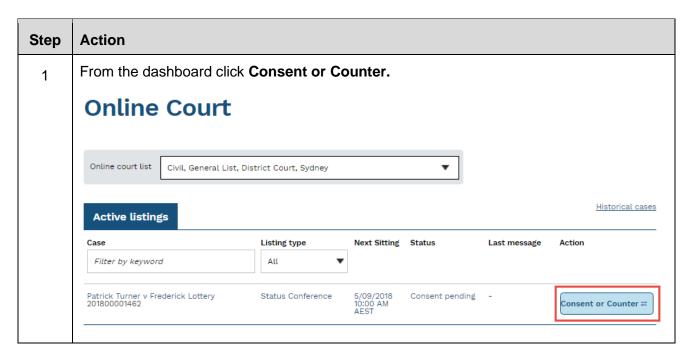
Requests that are waiting for a response or have been countered will have a status of 'Consent pending' until all parties have consented.

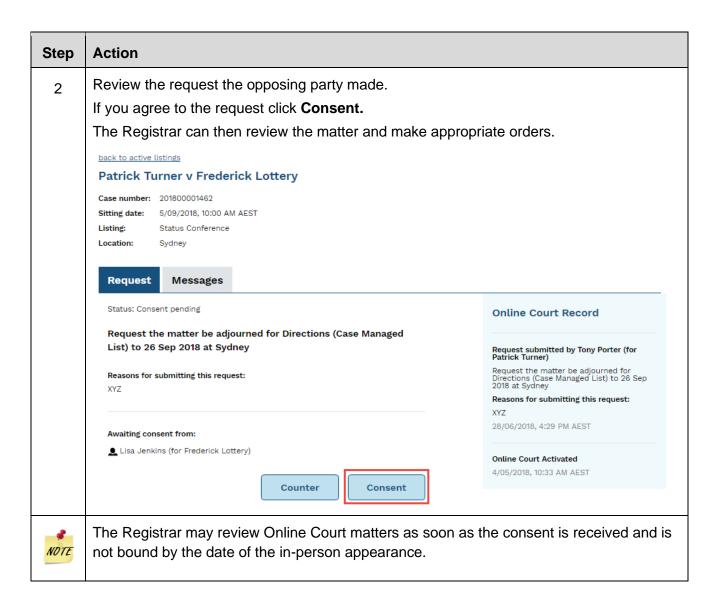
When all parties have consented to a request the request status will change to 'Orders pending' and will be ready for the registrar to deal with.

Parties should try to communicate with each other and agree about the orders that they will ask for before they submit a request in the Online Court. The opposing party will then be in a position to quickly deal with the request by consenting to it.

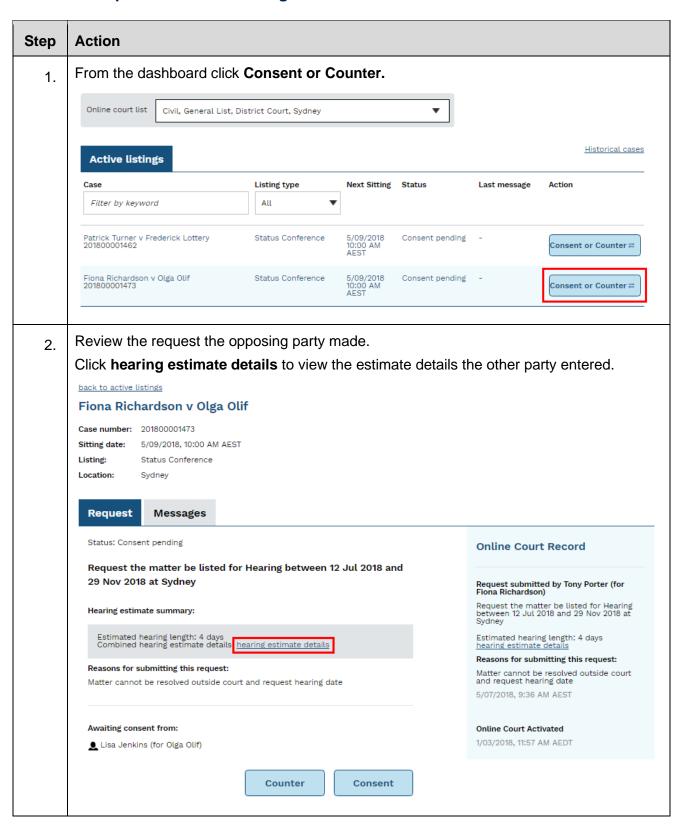
The parties should include any terms they agree to as orders they ask for in the online request.

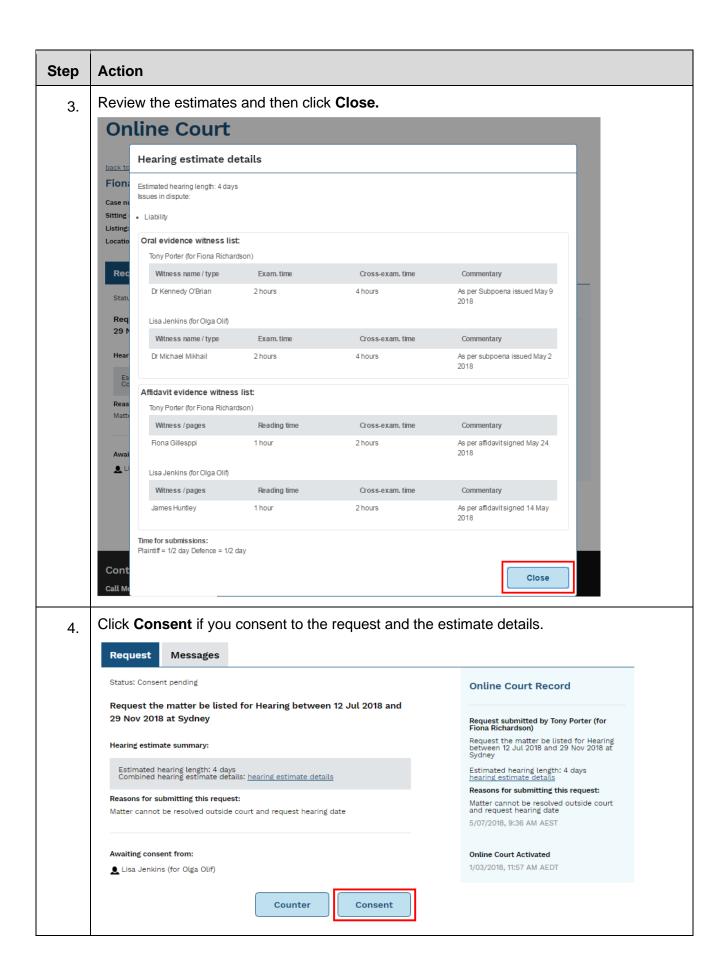
## **Consent to a request – Adjourn for Directions**

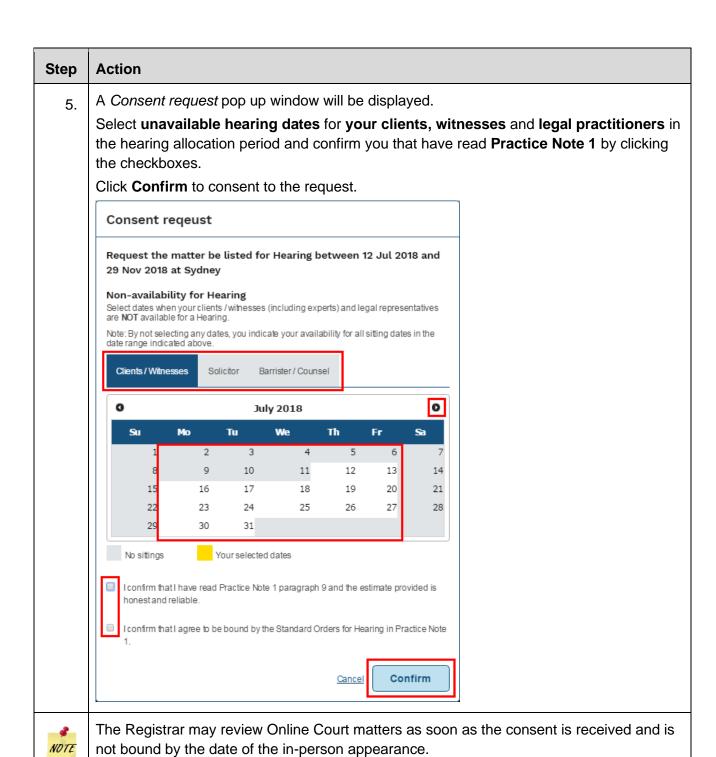




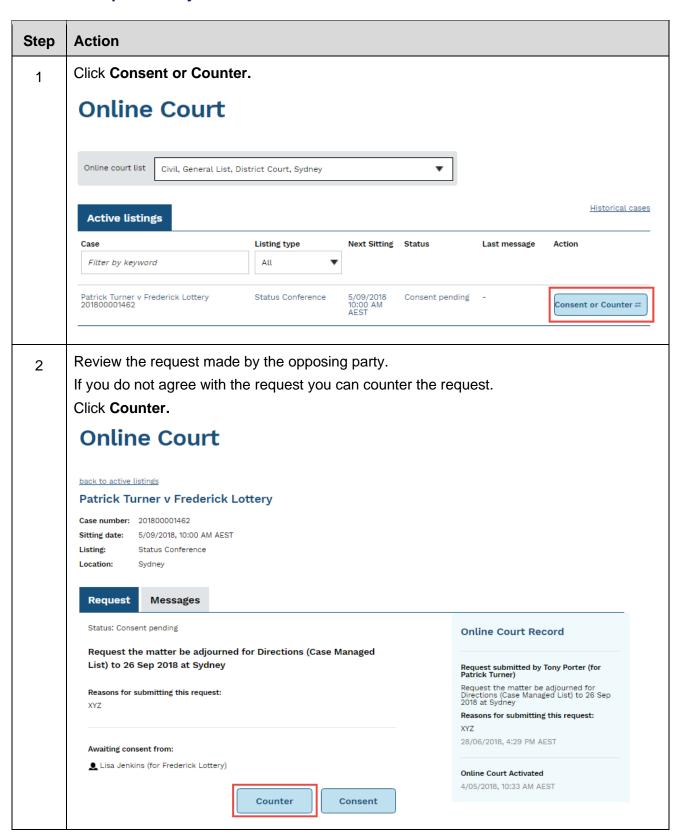
## Consent a request - List for Hearing







# **Counter a request – Adjourn for Directions**



Step	Action
3	The <i>Request</i> screen displays.  Change the Request Type, the additional orders sought, and the free text field to indicate what you want.  Add additional orders if you want to.  Click <b>Submit.</b>
4	The counter request has been submitted and the opposing party (the solicitor on the record only) will be notified by email that you have made the counter request.  The case will now show the status 'Consent pending' and is waiting for the opposing party to either consent to your request or counter it.
NOTE	There is no limit to the number of times a request can be countered.  The Registrar may review Online Court matters as soon as consent is given.

# Counter a request – List for Hearing

If you don't agree with the List for Hearing request or you wish to add or amend the hearing estimate details, you can counter the request.

Please note that if you counter a List for Hearing request with an alternative request type the hearing estimate details will be lost.

#### The types of request you can make

When a statement of claim, summons or originating process is lodged in one of the <u>eligible listings</u> in the Supreme Court, it will automatically become active in the Online Court and parties can make an online request. As part of that request you may also request additional orders.

You can make the following requests in the Online Court:

For matters in the	Request type available
Corporations Registrar's Directions List	<ul> <li>Adjourn for further directions</li> <li>Ready to proceed</li> <li>Adjourn for hearing</li> <li>Refer to Judges List</li> <li>Other</li> </ul>
Equity General List	<ul> <li>Adjourn for directions before Registrar</li> <li>Request Court Annexed Mediation</li> <li>Stand over for Callover before the Applications List Judge</li> <li>Other</li> </ul>
Possessions List	<ul> <li>Adjourn for directions before Registrar</li> <li>List before Judge for Directions</li> <li>List for Hearing</li> <li>Request Court Annexed Mediation</li> <li>Request Motion Hearing Date</li> <li>Other</li> </ul>

#### **Deadlines for requests**

The deadlines for submitting a request in the Online Court are listed below.

#### **Registrar's Directions List**

•	Requests	<b>12 noon</b> the <b>day before</b> the case is next listed for Directions.
•	Consent or Counters	4pm the day before the case is next listed for Directions

#### **Equity General List**

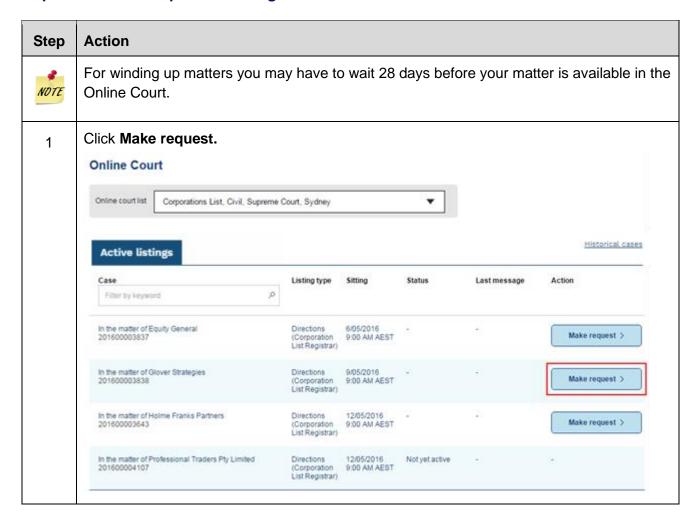
•	Requests	11am two days before the in-person sitting
•	Consent / Counters	2.30pm two days before the in-person sitting

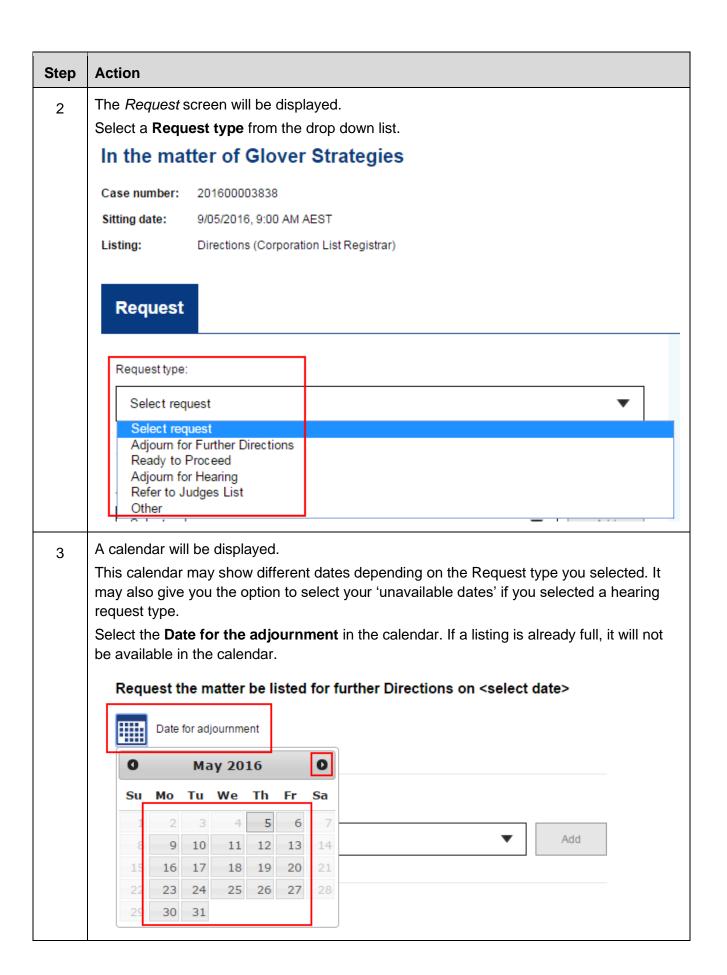
#### **Possessions List**

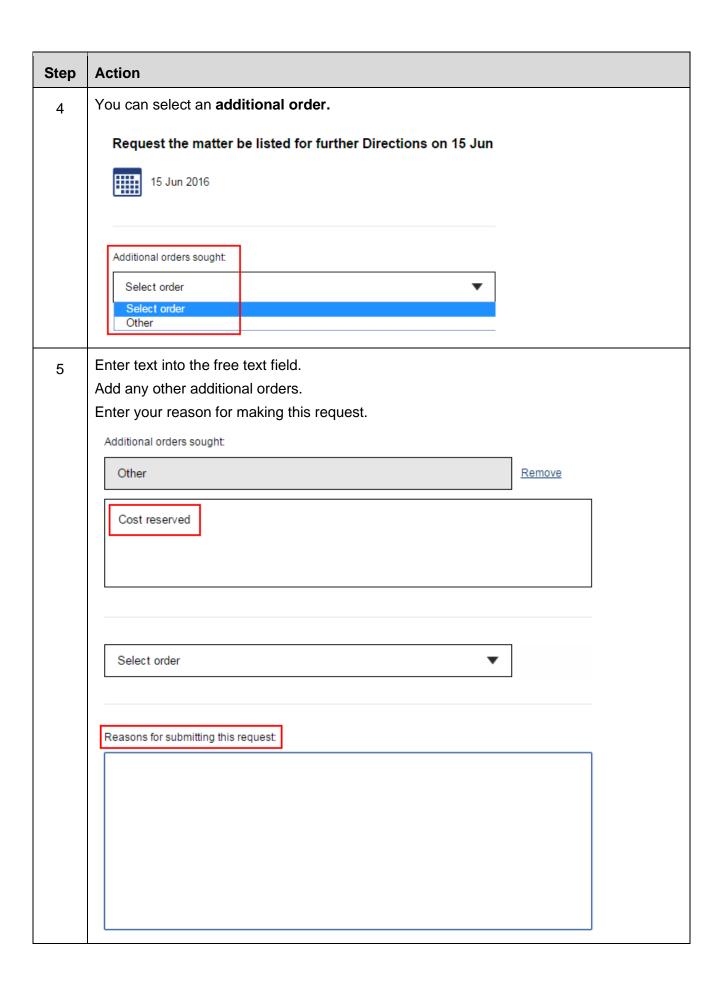
•	Requests	11am two days before the in-person sitting
•	Consent / Counters	2.30pm two days before the in-person sitting

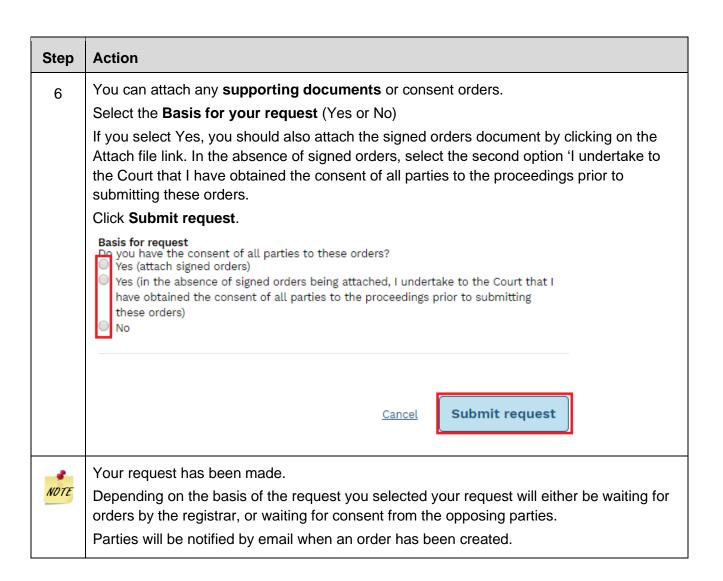
You won't be able to make a request after this time and the case may be dismissed.

# **Supreme Court Corporations Registrar's Directions List**

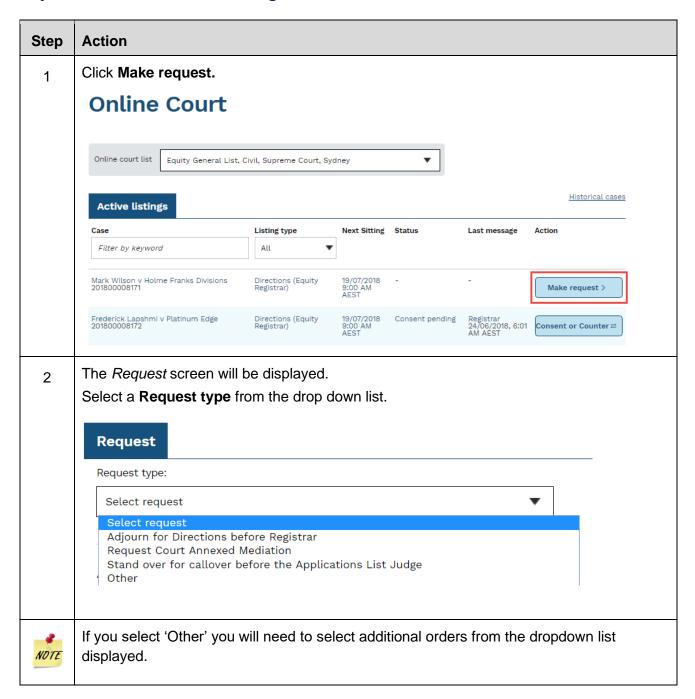


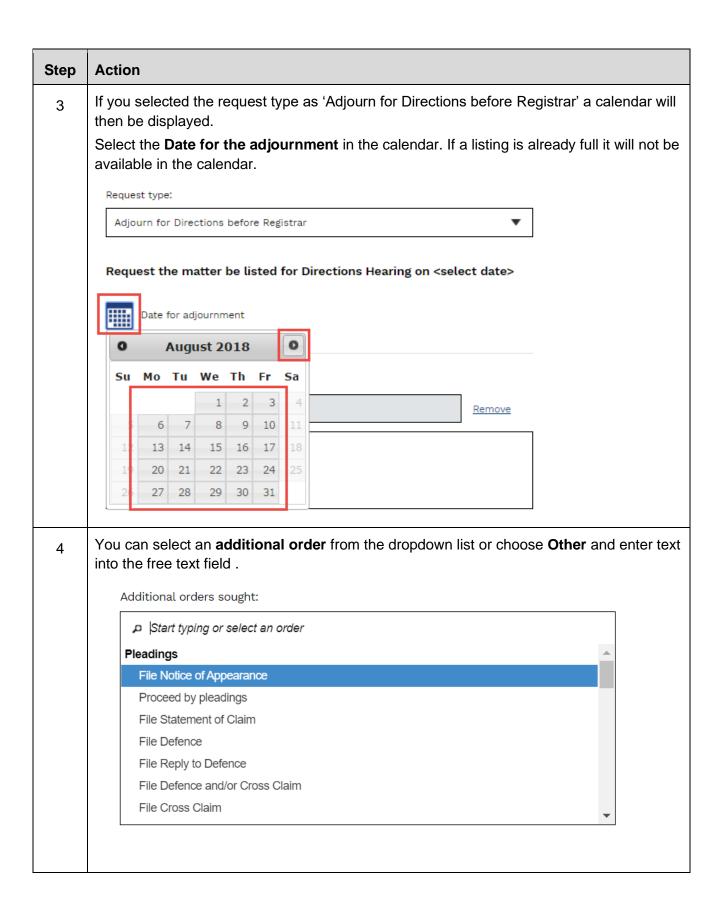


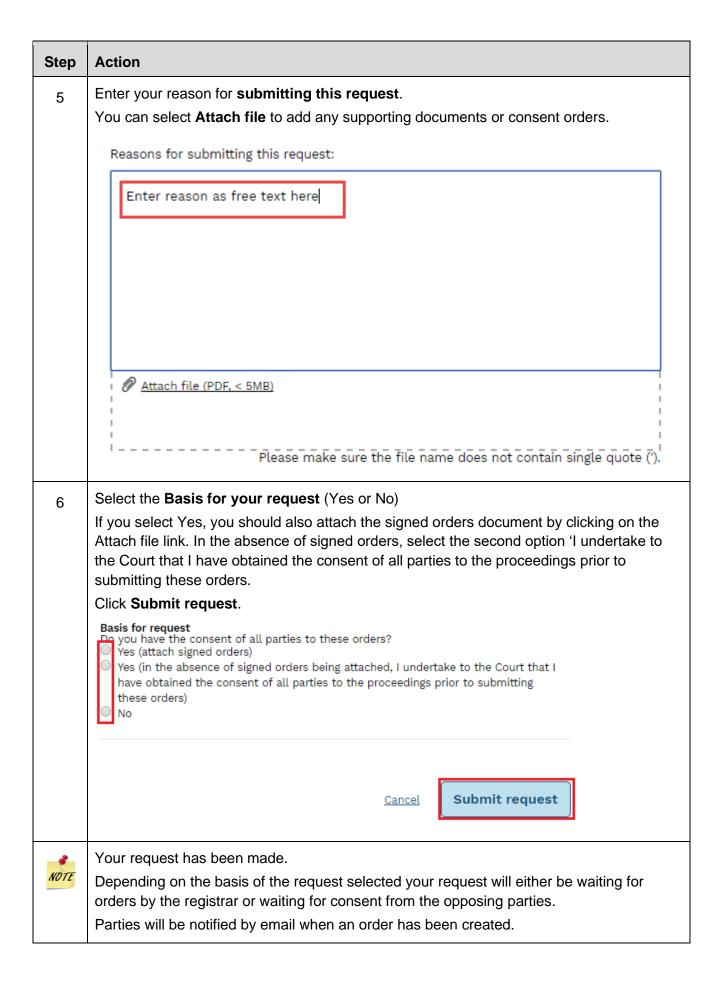




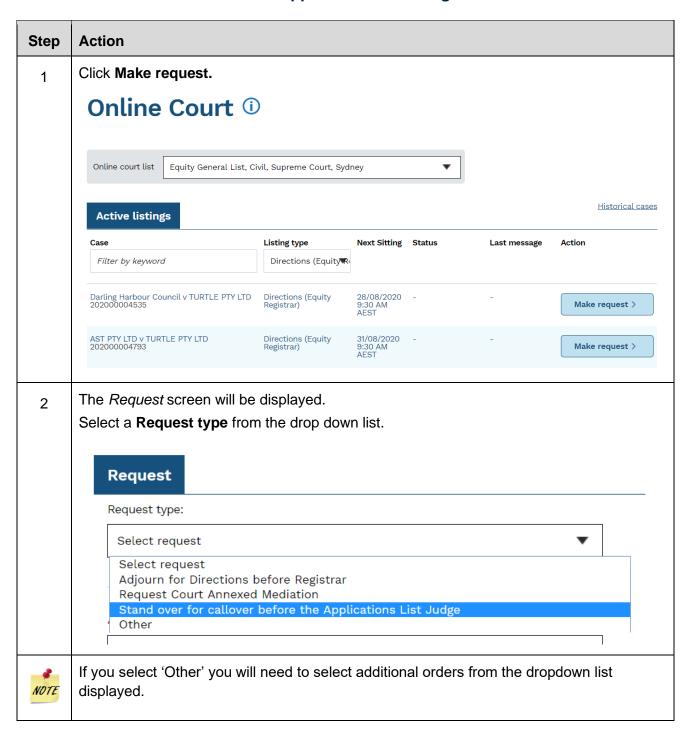
# **Adjourn for Directions before Registrar**

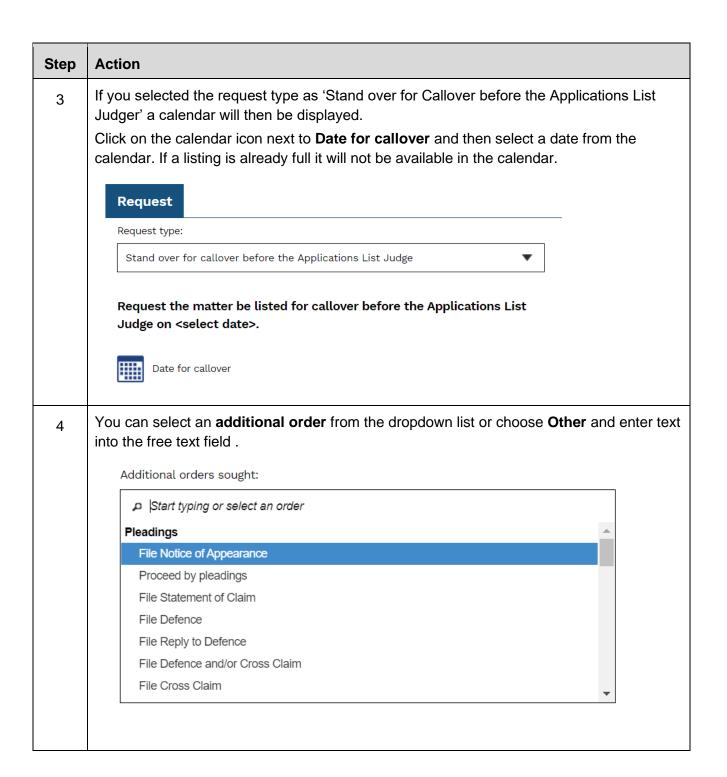


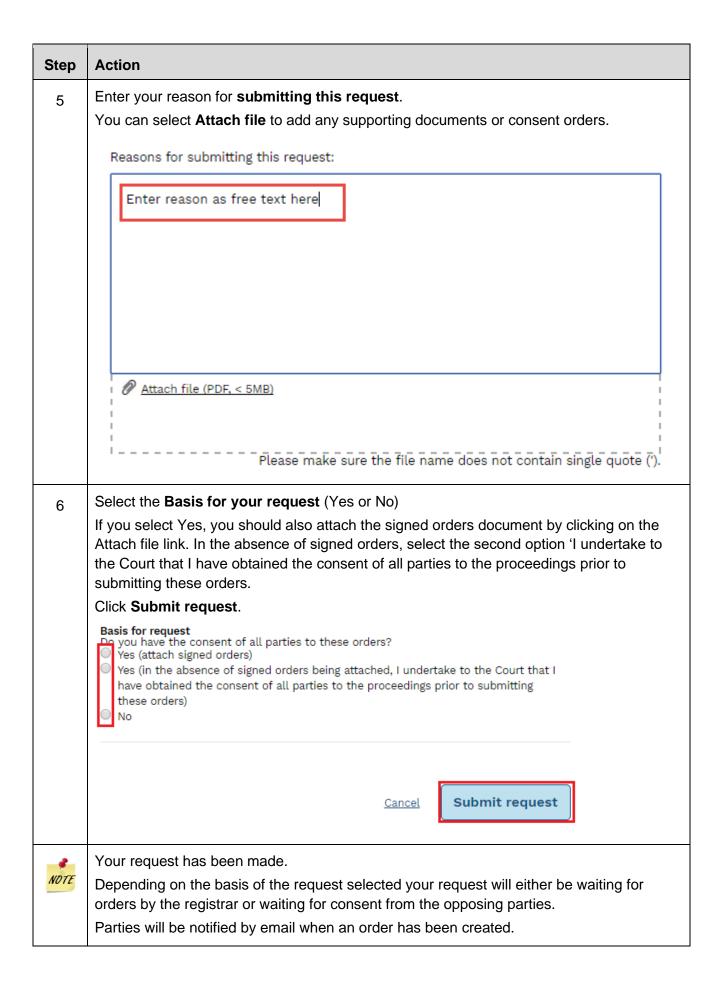




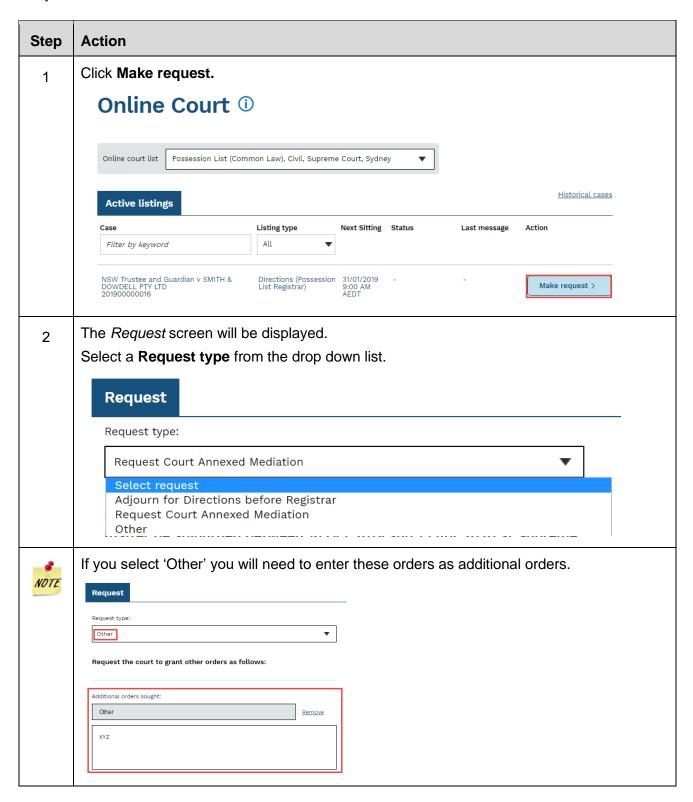
# Stand over for Callover before the Applications List Judge

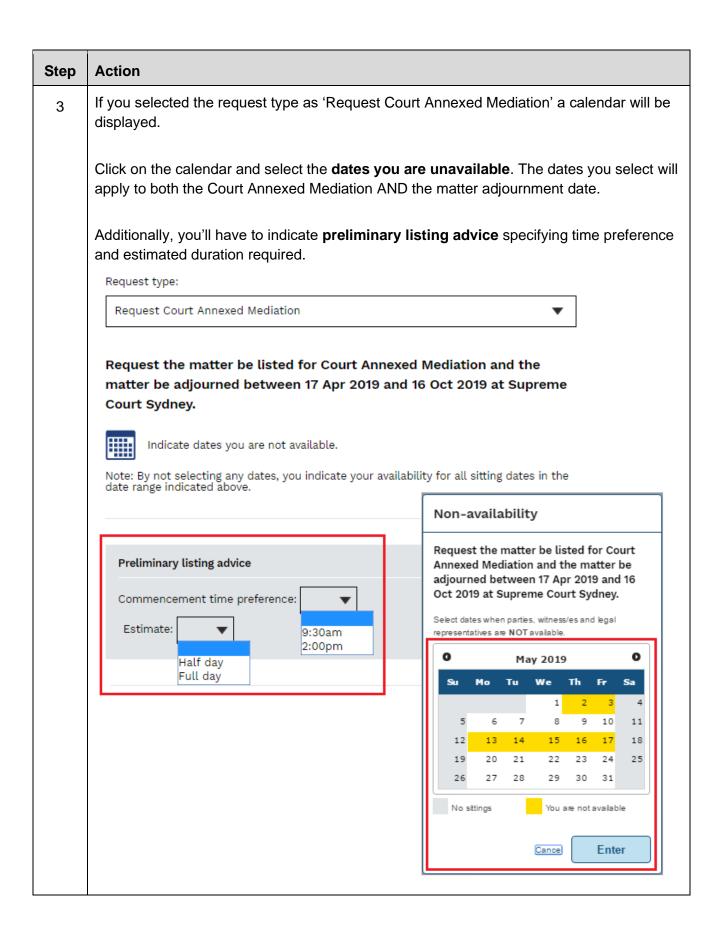


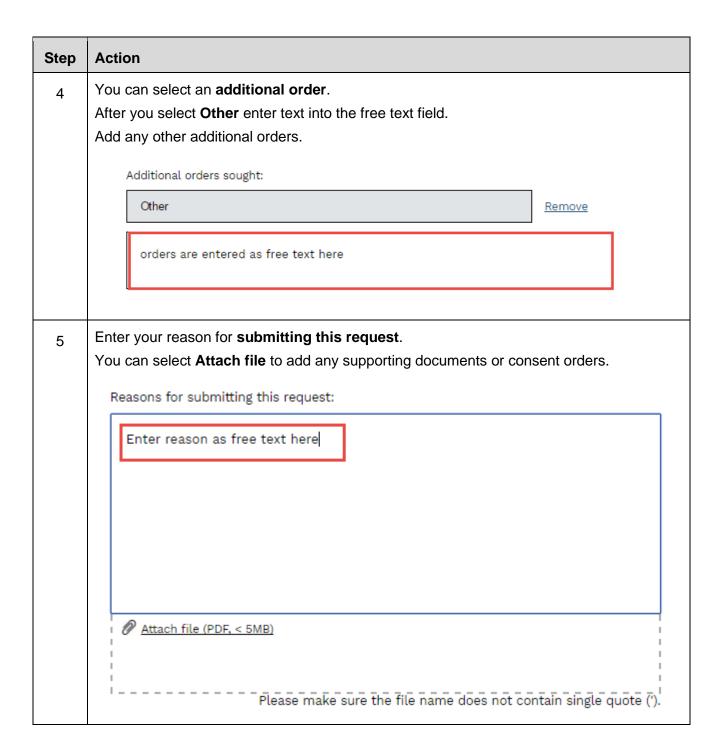


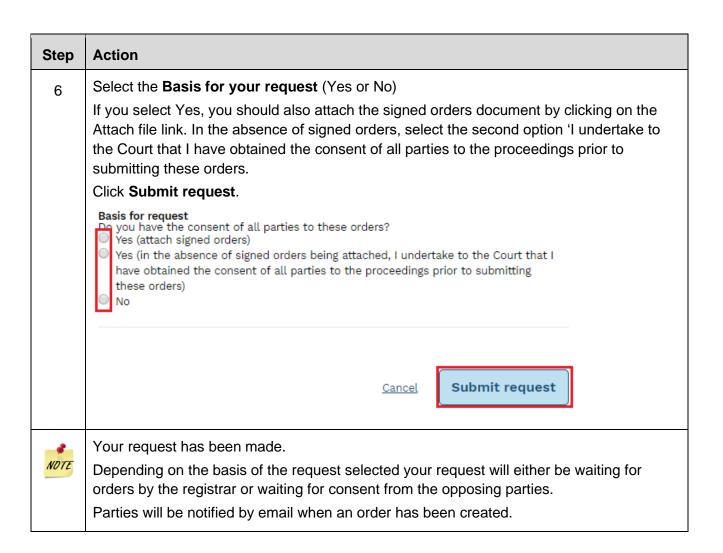


# **Request Court Annexed Mediation**

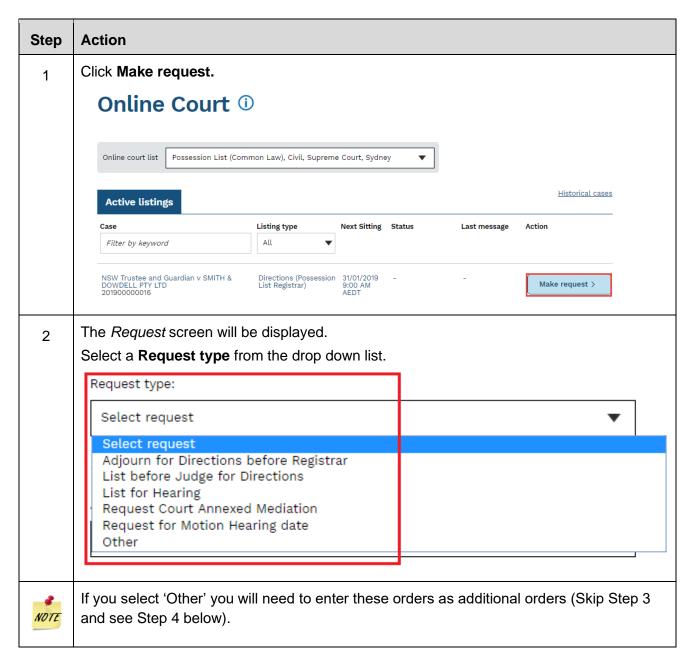


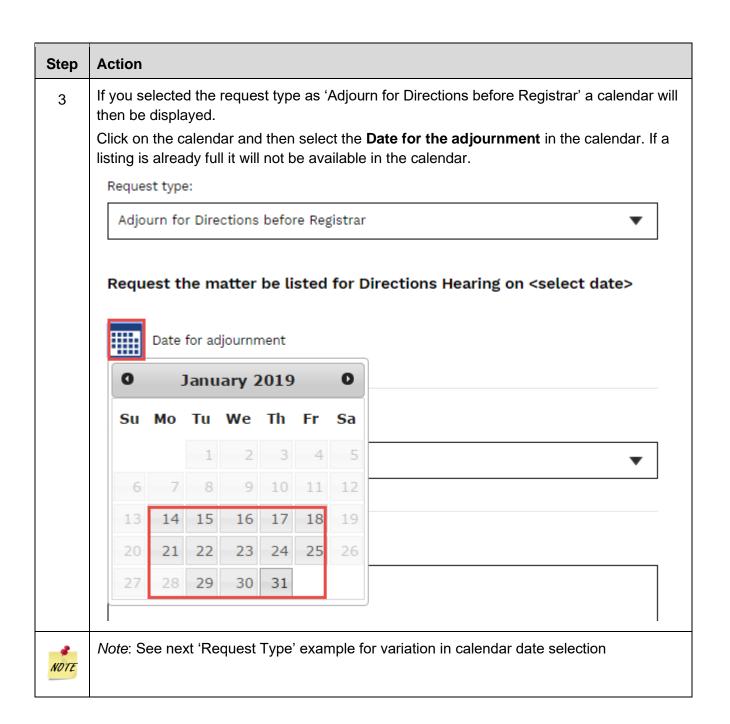




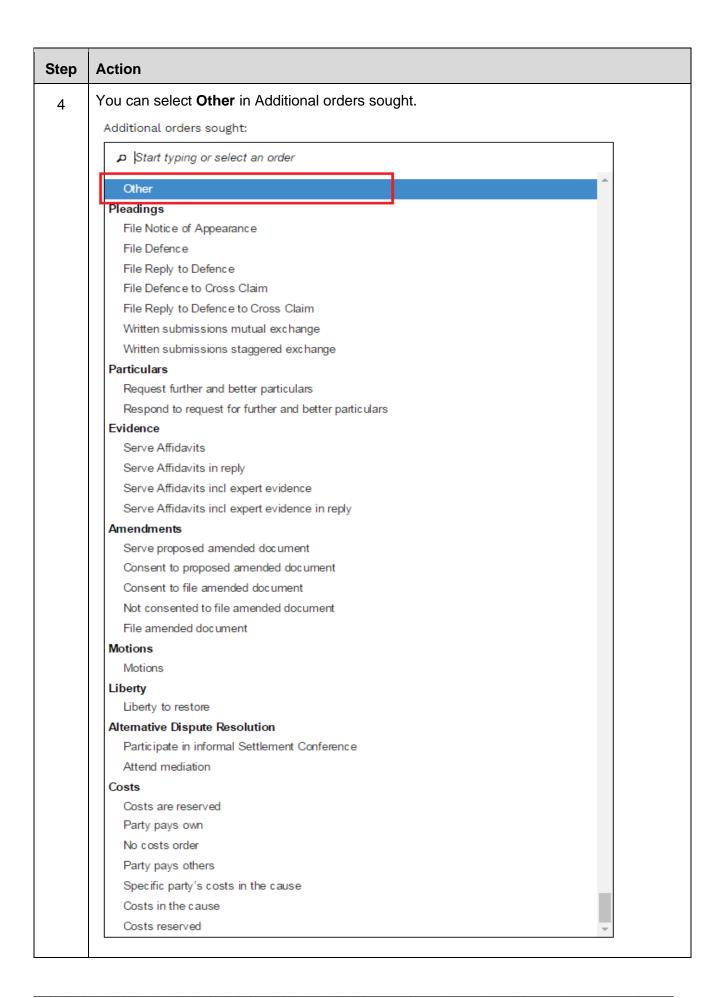


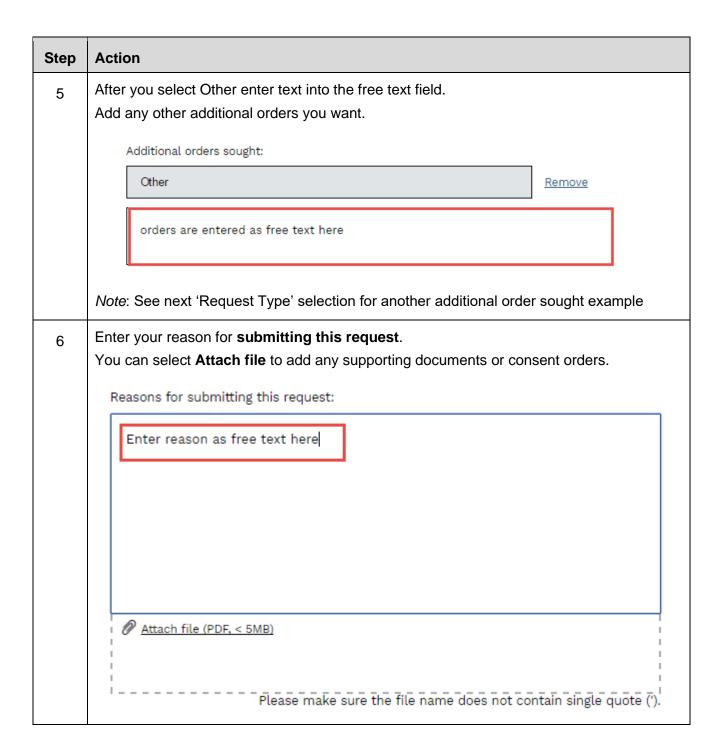
# Request Adjourn For Directions before Registrar

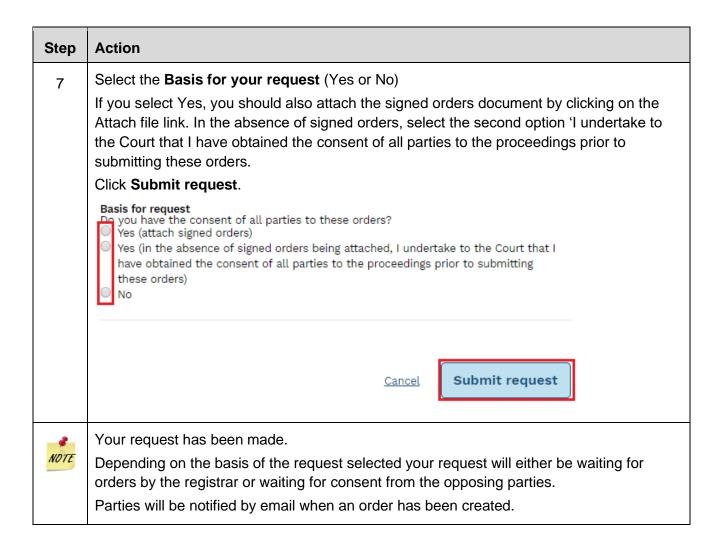




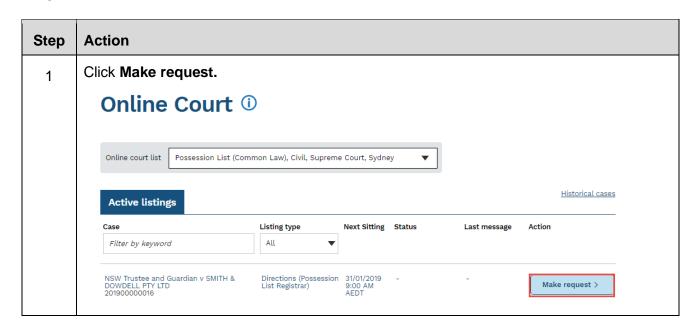
Online Court

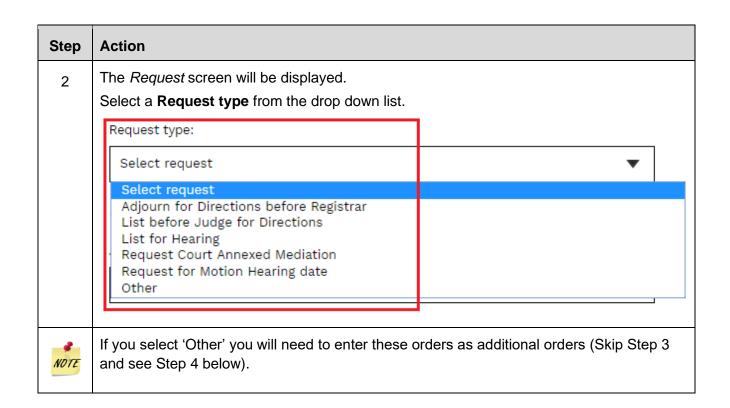


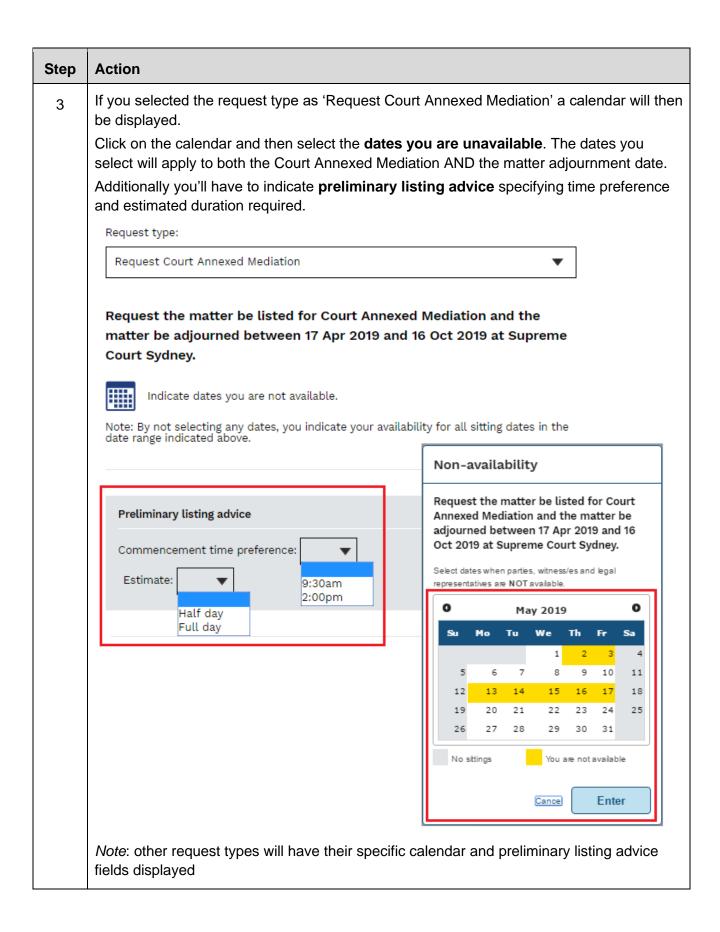




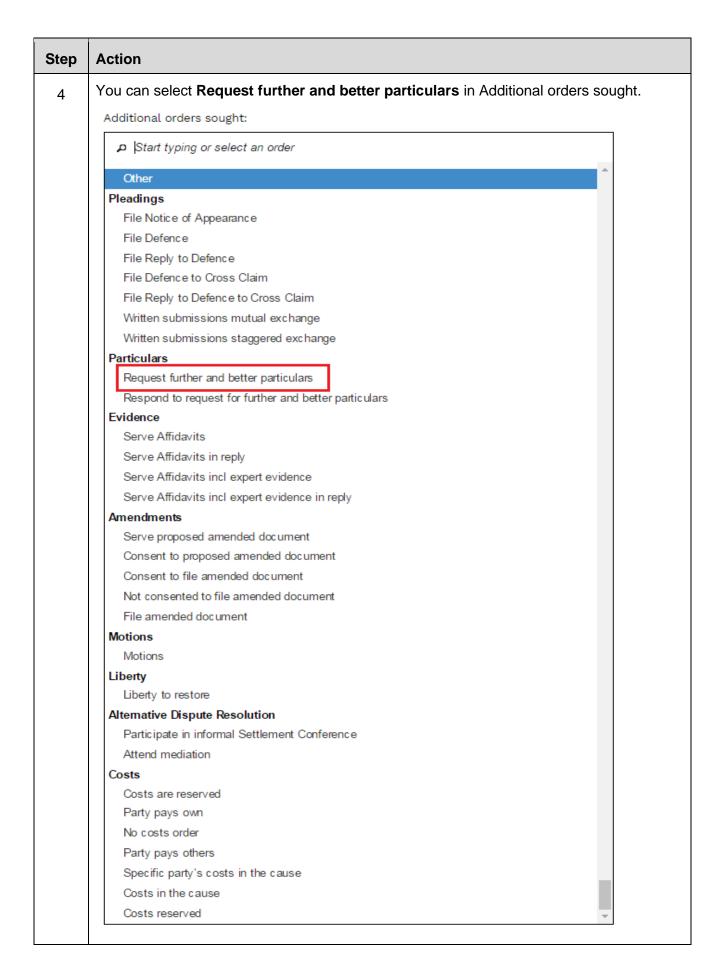
#### **Request Court Annexed Mediation**

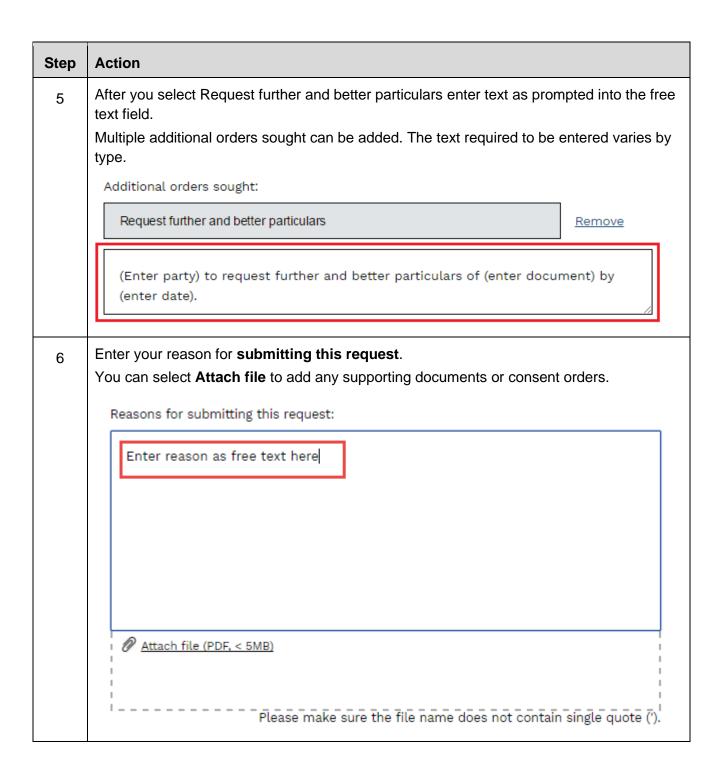


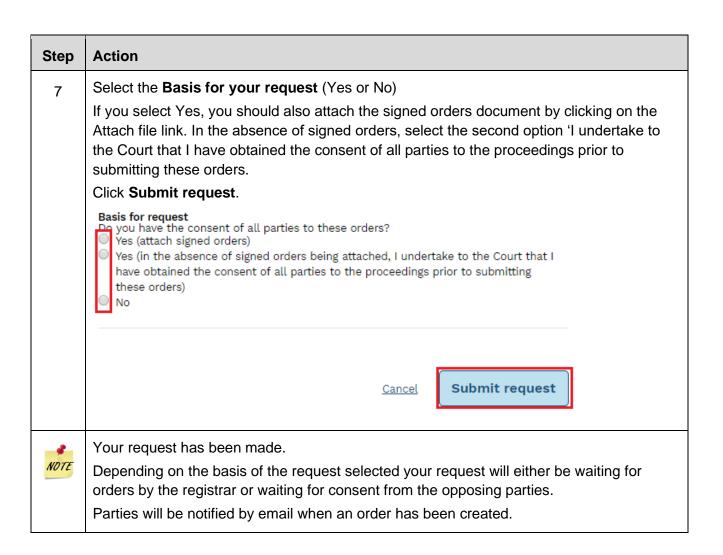




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# **Land and Environment Court Requests**

### The types of request you can make

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,

You 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
- Mention
- Notice to Produce List
- Online court Request required
- Other
- Registrar Directions Hearing
- Return of Subpoena
- S34 Conciliation Conference
- S34 Conciliation Conference Onsite then back to Council Chambers
- S34AA Conciliation and Hearing
- S41A Conciliation and Hearing
- Slip Rule Amendment
- Tree Directions Conference
- Variation to Timetable

You can then request the following additional orders:

- 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

When there is more than one future listing date on a case the closest listing date will apply for the Online Court request. If you want to make a request on a later listing, you must wait for the first listing to pass the cut off time before you make your request in the Online Court.

If you need to make an additional request before the initial request has been completed you should do this through the Online Court Messages tab, and attach any supporting material.

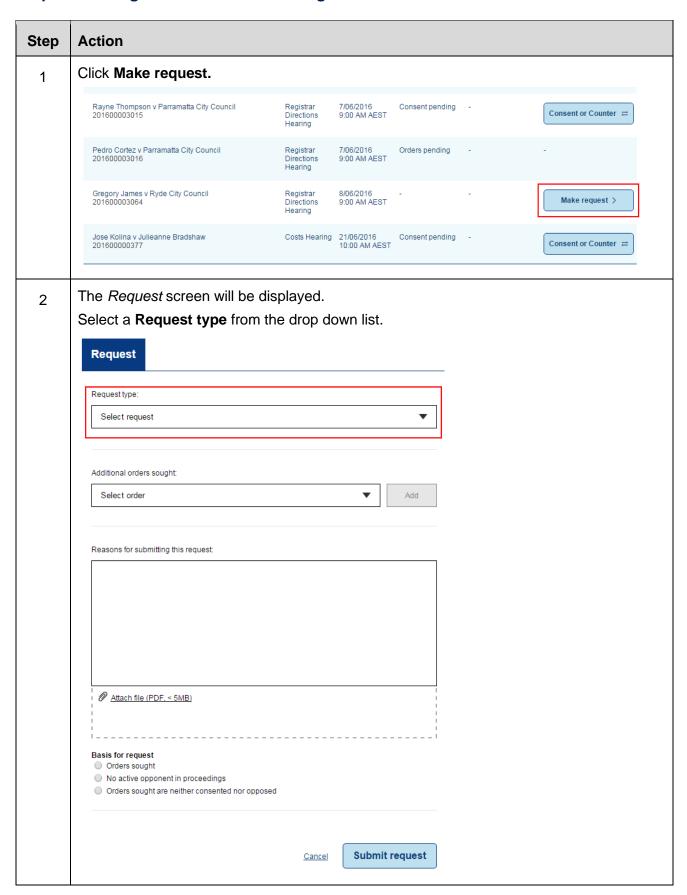
# **Deadlines for requests**

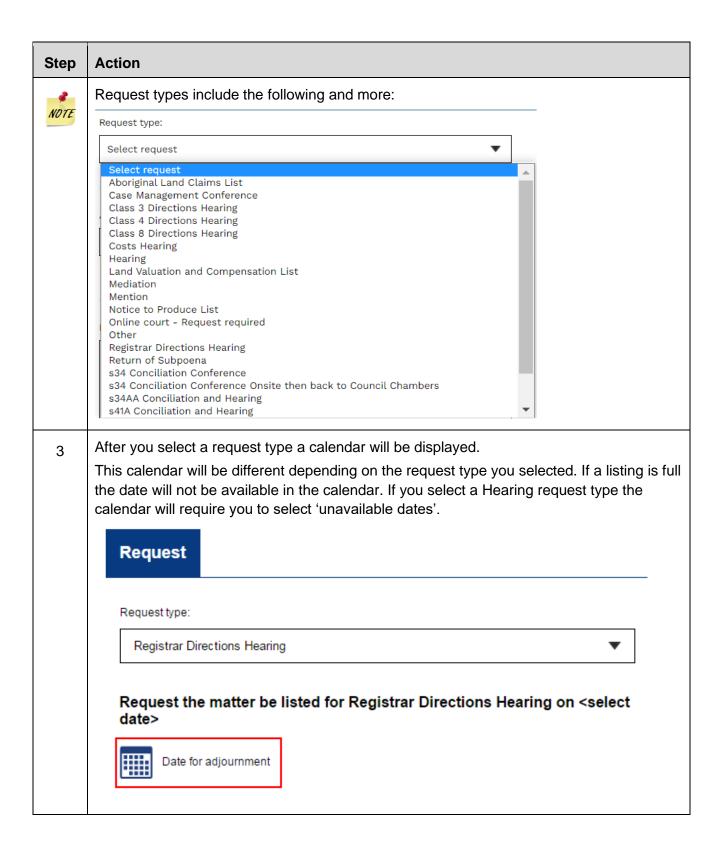
The deadline for submitting a request in the Online Court will be **2pm the day before the case is next listed—this applies to both online court listings and in-person listings.** 

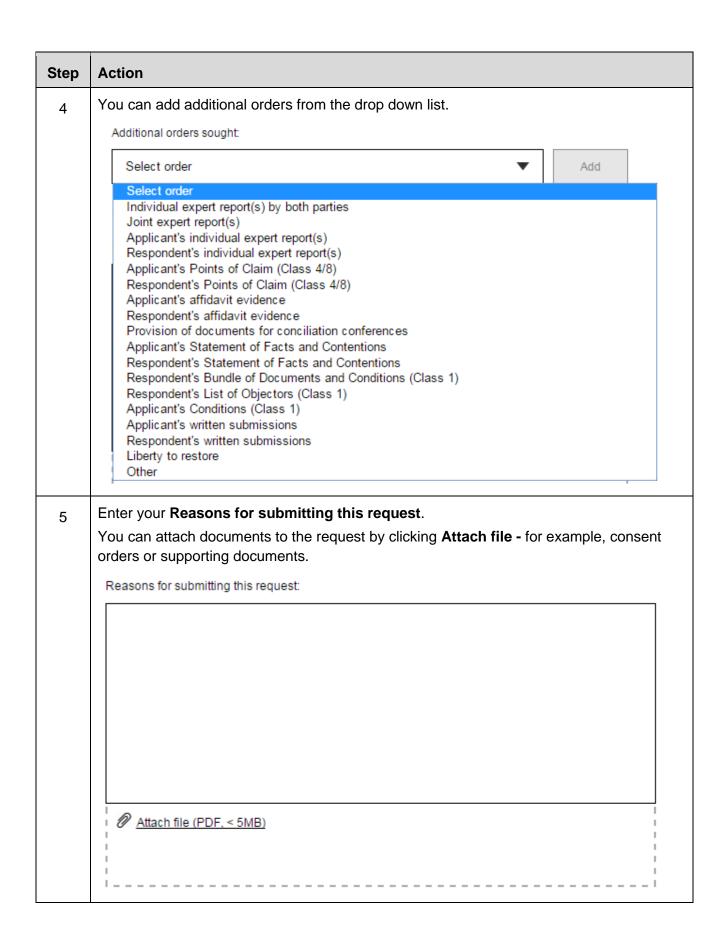
The cut off time to counter or consent to a Land and Environment Court listing is **4pm the day before** the listing date.

You won't be able to make a request after this time and the case will proceed to the in-person appearance.

# **Request for Registrar Directions Hearing**







Step	Action
6	Select the <b>Basis for your request</b> . Some options will require opposing parties to consent to 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
	<u>Cancel</u> Submit request
7	Your request has now been submitted and is either waiting for an order from the decision maker or consent from opposing parties.  The solicitor on the record will receive an email notification when that order has been
	created.

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#### **Orders**

When the decision maker deals with requests in the Online Court the case will usually be adjourned and the current in-person listing will be vacated. This will mean that the parties will not need to physically attend court on that vacated listing date.

When the decision maker makes an order in the Online Court an automatic email will be sent 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.

Any orders made in the Online Court will be visible in the NSW Online Registry case information screen.

#### Your case information

Vincent Giannopoulos v Con Pavallo - OPEN (2016/00003266)



# Sending messages in the Online Court

Any party may send a message to the decision maker at any time.

The decision maker may also send a message to the parties if they think there are case management issues that need to be sorted out.

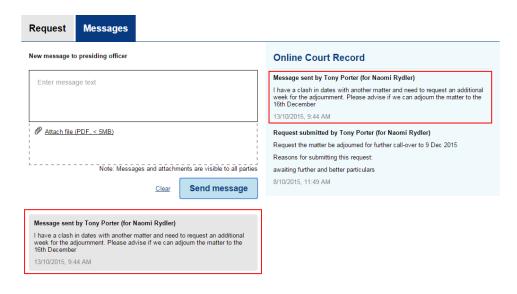


### **Local Court only**

When a case has become active in the Online Court but there has been no activity, auto-generated reminder messages will be sent from the decision maker:

- 7 days after a case has been activated in the Online Court
- on the Friday before the sitting date
- on the Monday before the sitting date
- on the Tuesday before the sitting date
- 3 days after the case has a 'consent pending' status if no consent has been given and it is within 14 days of the in-person appearance.

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



#### The Online Court Record

All activity in the Online Court—such as requests, consent, counter requests and messages—will be recorded in the Online Court Record. All parties and the decision maker will be able to see them.

Any person may ask the decision maker for a printed copy of the Online Court Record. The printed copy may be provided unless there is a suppression order or other restriction that applies to the case.

# **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

### What to do if you miss the deadlines in the Online Court?

If you have missed the cut off times for the Online Court you won't be able to continue online and you will have to attend court in person.

However, if you have only just missed the deadline click the case name and send a message to the decision maker to ask them to relist the case. It will then become available again on the Online Court.

- For Local Court matters email us at onlineregistry-support@justice.nsw.gov.au
- For Supreme Court and Land and Environment Court matters contact the registry.

#### Session times in the Online Court

Your Online Court session will remain open if you are actively using the system to Make a request, Counter a request, or create a Message, as long as you do not close the web browser.

If you disconnect your laptop from the server or if you close the web browser, your session time will end.

### What types of email notifications will you get?

The emails you will get from the Online Registry website (ORW) and Online Court (OLC) will depend on what type of user you are.

If you are representing yourself you will receive all email notifications.

Role Type	ORW	OLC
Solicitor on the record	<b>√</b>	$\checkmark$
Contact Solicitor	×	$\checkmark$
Barrister	✓	$\checkmark$
Delegate	✓	×
Self-represented litigant	<b>✓</b>	$\checkmark$

This is explained in more detail in the table below:

Role	Online Registry Website (ORW)	Online Court (OLC)
Solicitor on Record	Can: Do all functions on the Online Registry Website Cannot: N/A Email notifications: Yes, when: they file forms their delegates file forms	Can: Do all functions in Online Court Cannot: N/A Email notifications: Yes, when: someone in their legal team performs an action in Online Court (The law firm can decide how the email notifications sent to Solicitor on the Record and Contact Solicitor are distributed)
Contact Solicitor	<ul> <li>Can:</li> <li>■ View case information</li> <li>Cannot:</li> <li>File most forms—unless they have appointed themselves as the Solicitor on Record by filing these forms online: Notice of Appoint of Solicitor, Notice of Change of Solicitor, Notice of Appearance.</li> <li>Email notifications:</li> <li>■ None (unless they file the three specific forms aforementioned)</li> <li>Why can't Contact Solicitors file most forms?</li> <li>This is a current system constraint (the only way they can file a form is if they are a Delegate or appoint themselves as a Solicitor on Record)</li> </ul>	Can: Do all functions in Online Court Cannot: N/A Email notifications: Yes, when: someone in their legal team performs an action in Online Court (The law firm can decide how the email notifications sent to Solicitor on the Record and Contact Solicitor are distributed)
Delegate	<ul> <li>Can:</li> <li>File document or view case information online for people they are acting for</li> <li>Cannot:</li> <li>File documents or view case information unless they are associated with a Legal Practitioner or Authorised Officer.</li> <li>Email notifications:</li> <li>Yes, when:</li> <li>they complete the action themselves (e.g. file a form online)</li> <li>No, when:</li> <li>the Solicitor on Record files the form online (only the Solicitor on Record will receive the email notification)</li> </ul>	<ul> <li>Can:</li> <li>Do all functions in Online Court</li> <li>Cannot:</li> <li>N/A</li> <li>Email notifications:</li> <li>No—email notifications go to the Solicitor on Record and Contact Solicitor only (The law firm can decide how the email notifications sent to Solicitor on the Record and Contact Solicitor are distributed)</li> <li>Why don't Delegates receive email notifications in Online Court?</li> <li>This is a current technical constraint</li> <li>As a work around we suggest the Solicitor on the Record change their email address in their Manage Profile section to a generic email that can be monitored and triaged by a member of staff</li> </ul>

# **Help and Support**

### **Help using Online Court services**

Call: 1300 679 272 (Mon-Fri 8.30am-4.30pm)

Email: onlineregistry-support@justice.nsw.gov.au

System Demonstrations Videos are available on the NSW Online Registry YouTube Channel.

Also refer to the Help Section of the Online Registry for a summary of court or online processes.

### Information about court processes

Please see the website of the relevant court:

- Local Court website
- <u>District Court website</u>
- Supreme Court website
- Land and Environment Court website

### Legal help

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

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

Email: onlineregistry-support@justice.nsw.gov.au