

SUPREME COURT OF TASMANIA

PRACTICE DIRECTION

No. 2 of 2006

16 May 2006

The following Practice Direction is published by direction of the Chief Justice, the Honourable Justice Underwood AO.

LOWER COURT APPEALS

The nature of lower court appeals varies. Some are straight forward but some require organisation to ensure that they are ready to be heard. In many cases an order made on the first return day adjourning the hearing into the civil list is not adequate to achieve that state of readiness. In order that all lower court appeals are properly prepared for a hearing and achieve timely listing and resolution, the Master of the Supreme Court will assume administrative responsibilities with respect to all lower court appeals.

The first return date issued by the Registry will continue to be for the next convenient Miscellaneous Business List.

Subject to a contrary view being taken by the judge presiding over that list, an order will be made that the hearing of the appeal or motion to review will be adjourned to the civil list for hearing. Thereafter, the file (regardless of the Registry in which it is filed) will be referred to the Master. He will confer with the parties to ensure that it is prepared for a hearing and, in consultation with Mr Farmer or Mr Nason, listed at an appropriate time and place.