

Timetable for Statements

(Practice Note 2 of 2012)

Applicant's evidence

1. The Applicant is to serve on the Defendant a copy of:
 - The Applicant's own written statement, and
 - Any written statement/s of witness/es from whom the Applicant intends to call evidence at hearing
 - on or before: (approximately 2 weeks).
2. In proceedings where the Defendant is unrepresented, the statements may be placed with the registry for collection by the Defendant.

Defendant's evidence

3. Subject to any claim under s 87 of the Civil Procedure Act 2005, the Defendant is to serve on the Applicant a copy of:
 - The Defendant's own written statement, and
 - Any written statement/s of witness/es from whom the Defendant intends to call evidence at hearing
 - on or before: (approximately 4 weeks).
4. In proceedings where the Applicant is unrepresented, the statements may be placed with the registry for collection by the Applicant.

Mention

5. The matter is next listed on: (approximately 5 weeks) ('the mention date') to review compliance with this timetable and, if ready, to list the matter for hearing.
6. Unless the Court otherwise orders, and subject to the interests of justice, on the mention date:
 - If the Applicant has failed to comply with these directions and does not appear at Court, the application may be struck out.
 - If the Defendant has failed to comply with these directions and does not appear at Court, an Apprehended Violence Order may be made.

It is important to comply with the above timetable. If statements are not exchanged prior to the hearing date, it will be necessary to seek leave of the Court to give oral evidence.