



## FEDERAL MAGISTRATES COURT OF AUSTRALIA

### **AUTHORISATION** **pursuant to Rule 2.07 *Federal Magistrates Court Rules 2001***

#### *Supplementary Documents filed electronically via the Commonwealth Courts Portal*

#### **Introduction**

From 16 August 2008, The Federal Magistrates Court of Australia, in conjunction with the Family Court of Australia, will commence a trial of electronic filing of supplementary documents in family law matters being those non- initiating documents not requiring a fee to be paid.

This is the first of several incremental steps towards implementation of full electronic filing of documents in the court in both family law and general federal law.

In the initial pilot, authorisation is given for supplementary documents in family law matters to be sent to the Court electronically via the Commonwealth Courts Portal (' the Portal') at: <https://www.comcourts.gov.au>.

At this stage only legal practitioners who are registered with the Portal will be authorised to lodge documents via the portal and only if they are associated with the particular file in the proceedings in the Court.

A separate trial of electronic filing, in conjunction with the Federal Court of Australia, in general federal law matters will also be conducted by the Court later in 2008 or early 2009.

#### **Details**

This Authorisation is made for the purposes of Rule 2.07 of the *Federal Magistrates Court Rules 2001*. It is effective from **16 August 2008**.

Legal practitioners who are registered with the Commonwealth Courts Portal are authorised to send non-initiating documents in family law matter, in respect of which no fee is payable, to the Court by filing by email in any registry via the Portal. The address of the Portal is

<https://www.comcourts.gov.au>.

Rule 2.07 applies to any document sent to the Court via the Portal.

If the requirements of this Authorisation or Rule 2.07 are not met then a document sent for filing via the Portal will not be accepted for filing.

Sub-rule 2.07(6) of the *Federal Magistrates Court Rules 2001*, which requires a registrar to provide to the sender of a document which has been accepted for filing, a

copy of that document, will apply only where a sender requests that a copy of the document be held for collection or returned when sending the document to the Court via the Portal.

For the purposes of Rule 2.07(1)(c) the acceptable electronic file formats for documents sent for filing via the Portal are:

- ADOBE Portable Document Format (PDF) 20 Mb
- Microsoft Word (DOC) 20 Mb
- Rich Text Format (RTF) 10 Mb

Documents must not exceed the size limits shown next to each document format set out above. A document may not be sent for filing via the Portal if the electronic file for that document exceeds the size limit. Any such document will not be filed.

The following are examples of supplementary documents (which do not require payment of a filing fee or are non-initiating documents) and may be sent for filing via the Portal:

- Response to Divorce
- Affidavit of Service (of any description)
- Financial Statement
- Affidavit
- Superannuation Information Form
- Outline of case document, howsoever described, if directed to be filed

### **Affidavits**

An affidavit may be filed in accordance with this Authorisation only by sending a scanned image of the affidavit (and any annexures thereto) which must be signed and witnessed in accordance with the Rules. If directed by the Court, you may need to produce the original Affidavit in accordance with Rule 2.07 (8)(b)(ii).

### **Confirmation Notice**

On a document being successfully filed via the Portal a sealed Confirmation Notice will be available for download from the Portal.

A legal practitioner experiencing any difficulty in uploading a document or any questions about sending documents of filing via the Portal can contact the National Enquiry Centre on 1300 352 000 for assistance.



**Adele Byrne**

*Registrar authorised for the purposes of Federal Magistrates Court Rule 2.07.*

**Federal Magistrates Court of Australia**

**12 August 2008**