

Notices to practitioners issued by the Registrar Federal Magistrates Court at Sydney – General Law

1. ORDERS – Entry (Sydney 2007/1).

This notice sets out the arrangements for the entry of orders under Part 16.07 and Part 16.08 of the Federal Magistrates Court Rules. The Federal Magistrates Court electronic case management system, Casetrack records the outcome of all orders made by the Court. Orders may be viewed on-line via eSearch through the Federal Magistrates Court web-site www.fmc.gov.au.

To assist legal practitioners and litigants it is proposed that the Registry at Sydney will produce and enter orders upon a written request. The following procedure is recommended.

2. Request for Entered Orders

Legal practitioners and litigants may request the Registry in writing to produce an entered/sealed copy of any order produced by a Federal Magistrate or a Registrar (see below regarding Bankruptcy Lists). The request may be made by facsimile to (02) 9230 8295 or email to NSW.fmc.orders@fedcourt.gov.au.

To process the request, please review the text of the order in Casetrack and indicate if you have any concerns that the text of the order differs from the substance of the orders made. In addition, the following information is required:

1. The name of the proceeding and file number.
2. The date of the order.
3. The Federal Magistrate or Registrar making the order.
4. The number of copies that are required.
5. The address and contact person to whom the orders are to be returned.

Legal practitioners and litigants may continue to prepare draft orders for entry/sealing by filing them via the Registry by post, DX or in person or facsimile.

For urgent matters that come before the Duty Federal Magistrate, legal practitioners and litigants are expected to provide an electronic version of the proposed order. The proposed order should be sent by email to the associate by arrangement with the associate.

In addition, where complex orders are to be sought, parties are encouraged to provide an electronic copy of the proposed order text prior to the court listing to the docket Federal Magistrate or, in respect of Registrar matters, to the NSW Registry.

3. Bankruptcy Lists

In Creditor's Petitions before a Registrar, the Court will prepare and enter/seal orders for sequestration, dismissal of a Creditor's Petition and substituted service orders.

These Orders may be collected at the Registry after 3.00pm at the Reception desk or may be sent by DX or post at the request of the party when in Court before the Registrar.

For other Orders made by a Registrar, including other orders made in Bankruptcy Lists, you should follow the "request for entered orders" procedure outlined in paragraph 2 above.

Michael Wall
Registrar

27th September 2007