

# SUPREME COURT OF QUEENSLAND

## PRACTICE DIRECTION NUMBER 7 OF 2024

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### SETTING TRIAL DATES: CIVIL JURISDICTION BRISBANE

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1. This Practice Direction sets out the process for setting trial dates for civil proceedings to be heard in the Supreme Court at Brisbane (**the listing process**).
2. This Practice Direction applies to civil proceedings:
  - (a) commenced in, or transferred to the Brisbane registry;
  - (b) commenced by claim (or ordered to proceed as if commenced by claim) or any other proceeding, if ordered by the Court; and
  - (c) in which the trial is estimated to be of more than one day's duration.<sup>1</sup>
3. Subject to an order of the supervising judge, this Practice Direction does not apply to proceedings on the Supervised Case List, the Commercial List, the Class Actions List, the Building, Engineering and Construction List or the Supervised Case List for Proceedings Involving Self-represented Parties.

#### **Pre-trial Case Management Conference**

4. When a Request for Trial Date<sup>2</sup> has been filed, the proceeding will be referred to the Resolution Registrar to conduct a pre-trial case management conference (**conference**). The registry will provide notice of the conference by email to the parties.
5. If the proceeding has been set down for trial by order of the Court, the Resolution Registrar may contact the parties to conduct a conference.
6. The purpose of such a conference is to ensure that the trial is prepared and will proceed in an efficient and cost-effective manner, to minimise the waste of available court time and other public resources, avoid late adjournments and ensure overall trial readiness.
7. The parties must appear at the conference and be in a position to make informed submissions about appropriate orders to address the purposes outlined in the preceding

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<sup>1</sup> Where the trial is estimated to take no more than one day, parties may obtain a trial date by emailing the Civil List Manager at [CivilListManager@justice.qld.gov.au](mailto:CivilListManager@justice.qld.gov.au).

<sup>2</sup> See [r 467 of the Uniform Civil Procedure Rules 1999](#) (Qld) (UCPR) and Form 48.

paragraph. The Court expects that counsel retained in the matter or, if they are not available, the lawyer with carriage of the matter, will attend the conference.

8. Leave to appear by telephone or video conference may be granted where circumstances prevent a party or their legal representative from attending in person. A party should apply for leave to appear remotely by email to the Resolution Registrar by 12.00 pm on the last business day preceding the conference.
9. Prior to the conference, the parties should engage in meaningful discussion about the matters to be addressed at the conference, including:
  - (a) Whether each party's pleading properly reflects the case to be presented at trial.
  - (b) Whether there remains any opportunity to resolve the dispute prior to determination by the Court.
  - (c) The management of lay and expert evidence, including how such evidence should best be presented at trial.
  - (d) The use of collaborative tools such as a statement of agreed facts, chronology, list of issues, and/or list of facts and matters not in dispute.
  - (e) The formulation of a realistic trial plan which includes the estimated duration of openings, the estimated duration of each witnesses' evidence, the sequence in which witnesses will be called, the calling of expert witnesses (if any), the calling of witnesses by telephone or video link, and the estimated duration of submissions.
  - (f) The efficient management of documentary evidence, including the preparation of a Resolution Bundle.<sup>3</sup>
  - (g) Pre-trial directions designed to ensure that the trial proceeds quickly, efficiently and in a cost-effective manner.
  - (h) The availability of counsel and lay and expert witnesses.
10. Trial dates will, so far as possible, be set at the conference.

#### **After trial dates have been set**

11. Once trial dates for a proceeding have been set:
  - (a) The trial may only be vacated by order of the Court or the filing of a Notice of Discontinuance and not by consent of the parties.

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<sup>3</sup> See [Practice Direction 18 of 2018](#). The Resolution Bundle should consist only of critical documents likely to be referred to in the evidence of a witness or otherwise necessary to enable the real issues in the proceeding to be determined at trial. It should be limited in volume and organised in a form that assists the efficient presentation of evidence at trial. Litigants must utilise technology where possible to achieve efficiency. The excessive printing and copying of paper documents is to be avoided.

- (b) If not already paid, the responsible party must pay the setting down and hearing fees prescribed under the *Uniform Civil Procedure (Fees) Regulation 2019* within the time prescribed under rule 4(2)(b) of that Regulation.
- (c) The parties must notify the Resolution Registrar and the Civil List Manager as soon as reasonably practicable if:
  - (i) the dispute the subject of the proceeding has resolved ([rule 308A UCPR](#));
  - (ii) the trial may require fewer, or more, days than have been allocated; or
  - (iii) any party or parties propose(s) applying for adjournment of the trial, whether contested or by consent. Any application for an adjournment, even if by consent, will be referred to the Court.

### Contact details

Resolution Registrar: [Resolution.Registrar@courts.qld.gov.au](mailto:Resolution.Registrar@courts.qld.gov.au)

Civil List Manager: [CivilListManager@justice.qld.gov.au](mailto:CivilListManager@justice.qld.gov.au)



**H Bowskill**  
Chief Justice  
11 March 2024