



HIGH COURT OF AUSTRALIA

Digital Lodgment System Portal Overview

In 2020 the High Court of Australia will move from a paper-based Court to one that provides for the electronic lodgment of Court documents.

The Digital Lodgment System Portal (DLS Portal) is an external facing portal that allows legal firms, legal practitioners and self-represented litigants to register, file documents, receive notifications and track the progress of their cases around the clock.

The system will provide for mandatory electronic lodgment of all documents filed in any case commenced after 1 January 2020. The portal will be accessible from a standard internet connection, and all connections to the portal, and any data stored, will be encrypted. It is recommended that parties use a Firefox or Chrome public browser rather than Internet Explorer to access the DLS Portal.

The DLS Portal has been designed with the primary focus of the needs of external users of the Court's services, as identified by external stakeholders in their responses to the Court's review of its services conducted in late 2018. It is expected that the DLS Portal will substantially improve access, efficiency and timeliness for the parties as well as reducing their costs of conducting litigation in the Court. Members of the public will also benefit from electronic access to information about cases filed and, upon payment of the prescribed fees, will be able to obtain copies of documents available for inspection.

Please note that hard copies of documents filed in cases commenced before 1 January 2020 will continue to be filed at the Registry counter.

An introductory video is available on the High Court website at www.hcourt.gov.au and step-by-step walk through assistance will be available in the DLS Portal from January.

Key features of the DLS Portal are provided below:

The DLS Portal will provide for the mandatory electronic lodgment of documents.

Electronic lodgment will be required for all documents in **new cases commenced on or after 1 January 2020**.

Parties filing electronic documents will not be permitted or required to file hard copies.

Documents will be prepared and signed by the parties in the current manner and then scanned for lodgment in PDF format in the DLS Portal.

Registration

Legal representatives and self-represented litigants will need to register as users of the DLS Portal before lodging documents.

Registration is now open on the DLS Portal at dls.hcourt.gov.au.

Lodged or filed

Documents lodged in the DLS Portal will not be filed unless approved by the HCA Registry (and any payment is received by the Court).

If approved by the Registry a lodged document will be taken to have been filed (new rule 1.10.5):

- (a) if a fee is payable:
 - (i) on the day the fee is received; or
 - (ii) if the fee is not received during the office hours of the relevant office of the Registry on the next day the office is open; or
- (b) if no fee is payable:
 - (i) on the day the document is received; or
 - (ii) if the document is not received during the office hours of the relevant office of the Registry on the next day the office is open.

Amendment of documents

It will not be possible to amend a document once lodged electronically – amendment will be by filing an amended document.

Payment of fees

The DLS Portal will enable online payment of fees payable under the *High Court of Australia (Fees) Regulation 2012*.

Online payment will be by credit card (Visa or Mastercard), debit card or Electronic Funds Transfer. Parties will still be permitted to pay fees in person at the Registry.

Public access

The DLS Portal will provide public access to documents filed by the parties, subject to access provisions in rule 4.07.4 and payment of requisite fees under the *High Court (Fees) Regulation 2012*.

Registry hours

Documents will be lodged in “the Registry” however the concept of separate offices of the Registry will be maintained for the purposes of allocation of case numbers and the calculation of time.

The office hours of the Registry will initially continue as provided by Practice Direction No 2 of 2017 (9:00am to 1:00pm and 2:00pm to 4:00pm Monday to Friday).

Use of seals and stamps

The Seal of the Court will be affixed, either manually by the Registry (in Canberra, Melbourne or Sydney) or automatically by the DLS Portal, to all documents identified in rule 4.06.2 except service copies of documents. The filing party will print service copies from the DLS Portal.

The FILED stamp prescribed by Rule 4.06.3 will be replaced by a watermark endorsed on the cover sheet of every filed document.

Service

In addition to the lodging of documents the DLS Portal will be used for serving documents (other than originating process) and for communications between the parties and the Registry. Notification that a document has been filed through the DLS Portal will be automated by email to all parties. Ordinary service will be deemed to have been effected by the DLS Portal for non-originating documents – on the day the notification email is sent by the DLS Portal or, if sent outside Registry office hours, the next day the office is open (rule 9.04A). It is recommended that parties whitelist the DLS Portal email address (DLS@hcourt.gov.au) to ensure that notifications are not blocked by their spam filter.

The filing party will not be required to file an affidavit of service of documents served through the DLS Portal.

Service of initiating process in the original and appellate jurisdictions of the Court will be by the methods provided by the current Rules (namely, personal or ordinary service, depending on the case type).

Exhibits

The appellant will no longer be required to lodge the original trial exhibits in appeals.

Schedule 1 Forms – general

To protect the privacy of parties filing documents electronically (in particular, self-represented litigants) the parties' service details will be removed from the footer and text of all Forms. Instead, contact details of legal practitioners and litigants will be entered in the DLS Portal on lodging a document (rule 1.07.2). These details will be accessible online by the parties and the Court only.
