Federal Court procedure

Case management and the Individual docket system in the Federal Court

The Federal Court of Australia has recently released the following notice to practitioners on case management and the individual docket system:

Notice to practitioners and litigants issued by the Chief Justice

Case management and the Individual Docket System

1. Introduction

1.1 It is 10 years since the docket system was introduced into the Federal Court.

1.2 The essential element of the individual docket system is that a case is allocated to a docket of a particular judge at the time of filing with the intention that it will remain with that judge for case management and disposition.

1.3 The purpose of this Notice is to restate the purposes and principles underpinning the individual docket system.

2. Purposes

2.1 The overarching purposes of individual case management within the docket system is the *just* resolution of disputes as *quickly*, *inexpensively* and *efficiently* as possible.

2.2 These purposes inform what the Court does in its management of proceedings.

2.3 The Court requires that the parties and their representatives give effect to these purposes in their conduct of proceedings.

3. Principles

3.1 In giving effect to the overarching purposes, the Court, the profession and the parties will necessarily have regard to what the interests of justice, either generally or in the particular case, require.

3.2 To that end, the Court may be expected to have regard to the desirability of:

(a) identifying and narrowing the issues in dispute as early as possible;
(b) ascertaining the degree of difficulty or complexity of the issues really in dispute;
(c) setting a trial date early;
(d) minimising unnecessary interlocutory steps by permitting only interlocutory steps that are directed to identifying, narrowing or resolving the issues really in dispute between the parties;
(e) exploring options for assisted dispute resolution as early as practicable.

3.3 The parties and their representatives have an obligation to cooperate with, and assist, the Court in fulfilling the overarching purposes and, in particular, in identifying the real issues in dispute as early as possible and dealing with those issues in the most efficient way possible.

M.E.J. Black
Chief Justice, 5 May 2008.

This notice is available at <www.fedcourt.gov.au/how/practicenotices_nat03.html>.

The Victorian District Registrar of the Federal Court of Australia has also released a Notice to Practitioners — Directions for the Fast Track List that is available at <www.fedcourt.gov.au/how/practicenotices_vic06.html>.