

NOTICEBOARD

Practice Direction No 1 of 2001: Applications for removal pursuant to s40 of the Judiciary Act 1903 (Cth)

The High Court has released Practice Direction No.1 of 2001 which takes effect in relation to matters set down for hearing in October 2001 sittings of the court. The Practice Direction sets out the following:

1. The Practice Direction applies to applications for removal pursuant to s40 of the Judiciary Act 1903 (Cth) filed after 3 September 2001.
2. Subject to any contrary direction of the court or a justice, applications pursuant to s40 of the Judiciary Act 1903 (Cth) for removal into this court of a cause or part of a cause pending shall be made by a notion of motion supported by affidavit.
3. The affidavit in support should set out concisely:
 - (a) the court in which the cause is pending and the nature of the cause pending;
 - (b) whether the application is for removal of the whole part, and if so which part, of the cause pending;
 - (c) the factual background to the proceedings;
 - (d) what findings of fact have been made;
 - (e) what constitutional issues, if any, arise; and
 - (f) how those issues justify the granting of an application for removal. Exhibited to the affidavit should be such documents as are necessary for the proper determination of the application.
4. Subject to any contrary direction of the court or a justice, the procedures specified in Order 69A of the High Court Rules for applications for special leave or leave to appeal shall apply (with any necessary modification) to applications for removal.
5. In the case of an application for removal pursuant to s40 of the Judiciary Act 1903 (Cth) which is pending but has not been

determined by the court before the commencement of this Practice Direction the Registrar may give a direction to the parties as to the procedures to be followed to bring the application in line with this Practice Direction.

Practice Direction No. 2 of 2001: Appellants and respondents written submissions

The High Court has released Practice Direction No 2. of 2001 which provides forms to be followed for appellant's and respondent's written submissions filed pursuant to Practice Direction No.1 of 2000.

The Practice Direction takes effect in relation to matters set down for hearing in the October 2001 sittings of the court.

The object of this Practice Direction is to assist legal practitioners and litigants in complying with the requirements of Practice Direction 1 of 2000 in a form acceptable to the court.

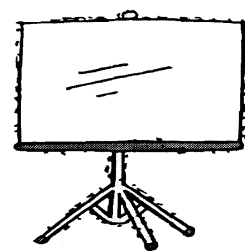
Federal Court of Australia Full Court Sittings for 2002

The Federal Court of Australia gives notice that, subject to their being sufficient business, sittings of a Full Court of the Federal Court of Australia during 2002 will be held in all capital cities within the periods indicated below:

- 11 February - 8 March 2002
- 6 - 31 May 2002
- 5 - 30 August 2002
- 4 - 29 November 2002

Any urgent matter may be transferred to a place of sitting other than that at which the matter was heard at first instance.

If the circumstances require it a Full Court may sit in capital cities to deal with matters on days other than those listed.



Balance Noticeboard contributions

Practitioners are encouraged to send in items to be included in the Noticeboard page in *Balance*. Fax or email your contributions to: fax no: 8941 1623 or email: lawsoc@lawsocnt.asn.au

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Why not be a volunteer with the Darwin Community Legal Service.

We are looking for solicitors and articled clerks to take part in our advice sessions.

We run three sessions per week:

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Darwin, Thursday nights from 5.30 - 7pm.

Casuarina, Saturday mornings from 10 - 11.45am.

If you become a volunteer you would be rostered on at the venue of your choice once a month.

If you would like to volunteer, please ring Sally on 8982 1124.