



County Court of Victoria



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Letter to the Governor

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To His Excellency

The Honourable John Landy, AC, MBE
Governor of the State of Victoria and its
Dependencies in the Commonwealth of Australia
May it please your Excellency

We, the Judges of the County Court of Victoria have the honour to present to Your Excellency our Annual Report pursuant to the provisions of the *County Court Act 1958* (as amended), in respect of the 12 months from 1 July 2002 to 30 June 2003. It contains matters of considerable importance and we request that it be laid on the table of both Houses of Parliament during the Spring Session 2004.

We have taken the liberty to enclose a copy of our Annual Report for Your Excellency. We have the honour to be Your Excellency's most obedient servants.



Michael Rozenes
Chief Judge
9 December 2004



About Our Cover

The Lady of Justice, a work by prominent Australian sculptor William Eicholtz, graces the front entrance to the new County Court complex.

Judge F G Dyett
Judge J K Nixon
Judge L S Ostrowski
Judge J T Duggan
Judge L R Hart
Judge J R Hanlon
Judge M D Higgins
Judge M J Strong
Judge L C Ross
Judge B H Stott
Judge J H Barnett
Judge E H Curtain
Judge R G Williams
Judge F G Davey
Judge E C S Campbell
Judge D E Morrow
Judge M G McInerney
Judge M A Rizkalla
Judge T G Wodak
Judge F J Shelton
Judge W R White
Judge A P Duckett, OBE
Judge M B Harbison
Judge S P Gebhardt
Judge J M Pannam
Judge T M Holt
Judge C D Douglas
Judge T D Wood
Judge I C Robertson
Judge G R Anderson
Judge L D Pilgrim
Judge P D Jenkins
Judge B J King
Judge J A Coate
Judge J R Bowman
Judge R A Lewitan, AM
Judge J A Nicholson
Judge G G Hicks
Judge J A Smallwood
Judge S M Cohen
Judge M E Sexton
Judge F E Hogan
Judge I E Lawson
Judge G Gullaci
Judge M P Bourke
Judge E M Gaynor
Judge P J Coish
Judge K R Howie
Judge J A Campton
Judge R F Punshon
Judge W A Wilmoth
Judge G T Chettle
Judge F Millane
Judge W Morgan-Payler
Judge S Davis



A state of the art hearing room—part of the new County Court complex.

About the County Court of Victoria

At the County Court of Victoria (the Court), our vision is to be a leader in providing a high quality, accessible and efficient court system that ensures justice for all Victorians at the least cost.

Our Mission

In cooperation with Court administration, our mission is to achieve improvements to the Court's infrastructure, governance and case management arrangements. In this way, the Court will continue to deliver high quality, accessible and easy to understand justice services, in the jurisdictions assigned to it by Parliament, at the least cost to the community and litigants.

Our Objectives

Our objectives are to:

- maintain a high level of community confidence in the Court;
- improve access to justice services; and
- provide timely disposition of matters.

We aligned these objectives with the Government outcomes detailed

in the *Growing Victoria Together* framework, identifying direct links of outcomes to the strategies to be employed by the Court in meeting its objectives.

The Court's Role

The principals of *A Safe and Just Society, Strategic Directions for Justice in Victoria* underpin the County Court's vision and mission statements as follows:

- Ensure timely access to affordable justice while recognising the principle of judicial independence.
- Provide Victorians with an accessible, responsive and innovative legal system.

The Court's Values

The values of the judiciary are at the heart of the Court's approach to all aspects of its work, including directions for the future. These values are best encapsulated in the oath of office, which each individual takes when becoming a Judge, namely:

I swear by almighty God that as a County Court Judge, in the State of Victoria, I will at all times and in all things do equal justice to all persons and discharge the duties of my office according to the Law and to the best of my knowledge and ability without fear, favour or affection.

Non-judicial staff have a dual role of service support to the judiciary in executing their duties of office and a compliance role within the Department of Justice (DOJ).

In fulfilling their duties, staff conduct themselves in a manner that:

- is respectful and courteous to each other and all Court users;
- demonstrates responsibility and accountability;
- is ethical;
- is fair and impartial; and
- is professional.

Staff underpin their commitment to service delivery to the judiciary, the DOJ and other stakeholders through:

- continuously assisting in the review and implementation of improvement strategies of the Court's processes;
- maintaining and/or enhancing the currency and relevance of their skills, particularly information technology and its application in the workplace;
- flexibility to embrace change and openness to ideas; and
- monitoring genuinely recognised performance against these commitments.



A tapestry of suspended coloured glass panels entitled *Quality of Mercy* by artist Colin Lanceley effectively exploits the natural light in the spacious Public Hall on level one of the new County Court complex.

Highlights and the Year at a Glance

Item	2002–03	2001–02	% Change
Total County Court Cases			
• Commenced	12,431	11,082	12.2
• Finalised	12,255	11,777	4.1
• Pending	11,989	11,517	4.1
Overall County Court Clearance Ratio (%)	99.0	106.0	(7.0)
Total Civil Cases			
• Commenced	7,850	6,937	13.2
• Finalised	8,020	7,985	0.4
• Pending	9,699	9,411	3.1
Overall Civil Clearance Ratio (%)	102.0	115.0	(13.0)
<i>Civil Business List Cases</i>			
• Commenced	2,735	2,869	(4.7)
• Finalised	2,902	2,889	0.4
Civil Business List Clearance Ratio (%)	106.0	101.0	5.0
<i>Civil Damages List Cases</i>			
• Commenced	4,365	3,340	30.7
• Finalised	4,285	4,336	(1.2)
Damages List Clearance Ratio (%)	98.0	130.0	(32.0)
<i>Civil WorkCover List Cases</i>			
• Commenced	513	571	(10.2)
• Finalised	697	629	10.8
WorkCover List Clearance Ratio (%)	136.0	110.0	26.0
<i>Other Civil Cases</i>			
• Commenced	237	157	51.0
• Finalised	136	131	3.8
Other Civil Clearance Ratio (%)	57.0	83.0	(26.0)
Total Criminal Cases			
• Commenced	4,581	4,145	10.5
• Finalised	4,235	3,792	11.7
• Pending	2,290	2,106	8.7
Criminal Clearance Ratio (%)	92.0	91.0	1.0
<i>Criminal Trials and Pleas</i>			
• Commenced	2,282	1,988	14.8
• Finalised	1,907	2,033	(6.2)
• Pending	1,739	1,505	15.5
Trials and Pleas Clearance Ratio (%)	84.0	102.0	(18.0)
<i>Criminal Appeals</i>			
• Commenced	2,299	2,157	6.6
• Finalised	2,328	1,759	32.3
• Pending	551	601	(8.3)
Appeals Clearance Ratio (%)	101.0	82.0	19.0
Total Adoption Cases			
• Applications considered	72	-	-
• Adoption Orders Made	67	100	(33.0)
• Applications Pending	5	-	-

We began our first full year in our new premises at 250 William Street in the heart of Melbourne's judicial precinct.

We celebrated the Court's sesquicentenary on 8 November 2002, marking 150 years of service to the Victorian community.

We experienced a landmark change in leadership when we farewelled Chief Judge Waldron upon his retirement and welcomed the appointment of Judge Rozenes as Chief Judge on 25 November 2002.



Report of the Chief Judge

The year under review marked a time of landmark change with a new home for the Court and a new Chief Judge. For much of 2002–03, a buoyant air of excitement filled the Court, brought on by our recent move to the new County Court Complex. This state-of-the-art facility makes an inspiring home for the Court and has changed the way most of the Judges feel about working at the Court—enthusiasm and optimism reigned supreme.

Sesquicentenary Celebration

On 17 November 1852 the County Court came into existence, upon the *County Courts Act of 1852* being proclaimed. On 18 November 2002, we celebrated the Court's sesquicentenary in the splendid setting of a ceremonial court in our new court complex. Needless to say over the 150-year period of this historical milestone, both the County Court and the State of Victoria have experienced an evolutionary process. Indeed, more than one hundred years passed before the County Court Act was amended to create one County Court in, and for, the State of Victoria.

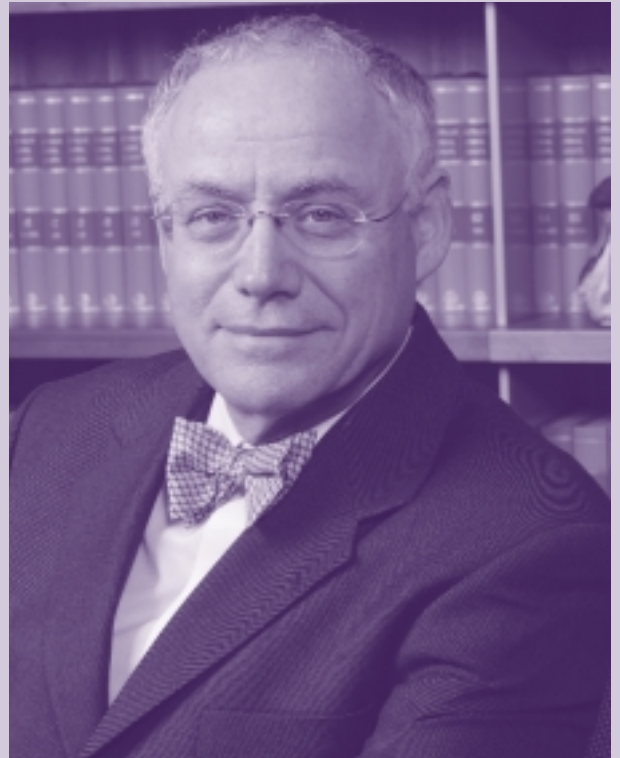
Today, with the Court being so well supported by high calibre judicial, registry and administrative staff, and also by the state-of-the-art technology provided in our new complex, the Judges and staff at the Court face the future beyond the sesquicentenary anniversary date with confidence.

On pages 8–9 of this Annual Report, we feature a tribute to the history of the Court.

Farewell to Our Former Chief

On 24 November 2002 we witnessed another important historical event with the retirement of former Chief Judge Waldron after an unparalleled 20-year appointment as Chief Judge. As the Attorney-General said in his address to the Court at Glenn Waldron's farewell, "His Honour has helped forge this Court's reputation as Australia's pre-eminent intermediate jurisdiction. His commitment to quality, innovation and efficiency has ensured the just and expeditious conduct of the Court and brought access to justice to the Victorian community".

Glenn Waldron has left the Court in excellent shape—a new building at the cutting edge of court design, a Bench of some 58 judges, a vastly extended civil jurisdiction and a modern approach to criminal cases and listing. His personal endeavours have brought about much of this.



On 25 November 2002, the Court welcomed Michael Rozenes as the new Chief Judge, replacing Glenn Waldron upon his retirement from the Bench on 24 November 2002. Chief Judge Rozenes brings to his position an admirable record of organisational and administrative successes.

His Honour attended Monash University, graduating with a Bachelor of Jurisprudence in 1967 and Bachelor of Laws in 1969. He served articles with Mr Frank Galbally of the firm Galbally and O'Bryan and was admitted to practice on 1 April 1971. His Honour signed the Bar roll in December 1972 and read with George Hampel where he developed a varied criminal practice, appearing in commercial criminal cases and Royal Commissions.

His Honour was appointed Queen's Counsel in 1986 and specialised in complex tax fraud, commercial and appellate criminal cases. In February 1992, His Honour was appointed the third Commonwealth Director of Public Prosecutions and served in that position for five years, overseeing offices all over Australia in each State capital, including Townsville and Darwin, and a budget of \$60 million per annum. He served as a member of the Bar Council for two years and had been recently re-elected. His Honour served five years on the Bar Council Ethics Committee. He is a long time member of the Criminal Bar Association and its committee, and was chairman of that association for three years. His Honour has been co-chair of the Law Council of Australia Criminal Law National Liaison Committee and has written and presented numerous submissions to Parliamentary inquiries on matters such as case management, confiscation of assets, the right to silence, the powers of ASIO and the recent conversion of the National Crime Authority to the Australian Crime Commission. His Honour has for some years served on the board of Melbourne Health which administers, among other things, the Royal Melbourne Hospital.

Report of the Chief Judge

Our Performance

During 2002–03, we experienced a year of growth in overall Court performance with increases of 12.2% in cases commenced, 4.1% in cases finalised and 4.1% in cases pending. Although our overall clearance ratio decreased from 106.0% to 99.0%, it remained just under our target of 100.0%.

In our Civil jurisdiction, cases commenced rose 13.2% overall. In particular, cases commenced in the Damages List rose 30.7%, while cases commenced in the Business List fell 4.7%. Cases commenced in the WorkCover List decreased 10.2%, after having effectively worked our way through the back of the WorkCover bubble. Although the overall civil clearance ratio fell from 115.0% to 102.0%, it remained above our target of 100.0%.

In our Criminal jurisdiction, cases commenced rose 10.5% overall, with rises in cases finalised of 11.7% and cases pending of 8.7%. The appeals clearance ratio improved dramatically, rising from 82.0% to 101.0%, while the clearance ratio for trial and pleas fell from 102.0% to 84.0%. A change to the method of listing should improve timeliness for criminal trials in the Melbourne Court.

Changing the Way We Manage the Court

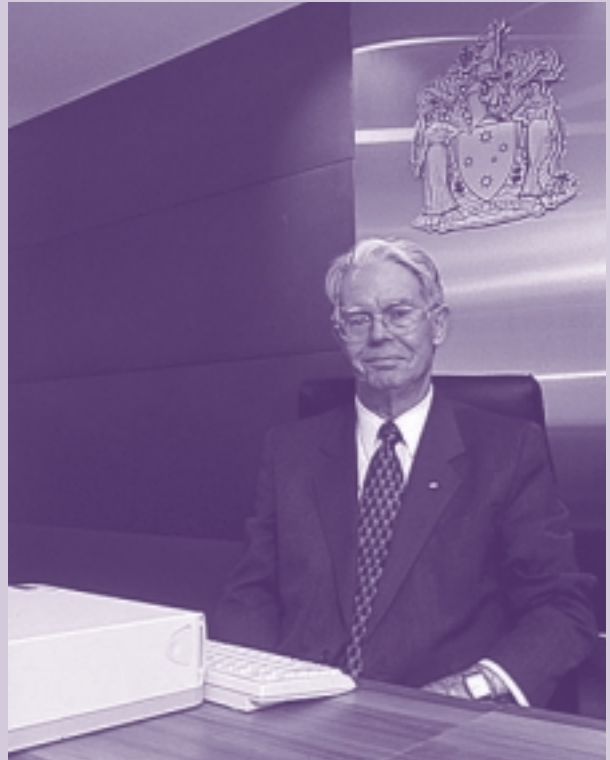
We made several changes regarding the way in which we manage the Court. We implemented a plan to establish a different Executive Committee of Judges with portfolio responsibility to more evenly divide the workload among them.

In addition, I took responsibility for a significant slice of the administrative load, alerting the Executive about anything that looked remotely contentious and seeking their advice.

Shortly after I arrived, I began the practice of meeting with the Executive on a fortnightly basis, making such meetings a regular, fixed event. Previously they were conducted, as needed, on a more intermittent basis.

Judicial Appointments and Changes

The Court was saddened by the loss of Judge Tony Smith who passed away on 13 July 2002. On a happier note, we farewelled Judge Katharine Williams upon her appointment to the Supreme Court. Judges David Jones, Barry Dove, Frank Walsh and R P L Lewis retired. In September Judges Michael Bourke, Elizabeth Gaynor and Philip Coish were appointed and in October Judges Ross Howie and Jane Campton were appointed.



On 24 November 2002, the Court farewelled former Chief Judge Waldron upon his retirement. His Honour's contributions to Victoria's legal system have been significant and to the County Court unparalleled through his administrative excellence, thoughtful leadership and uncompromising advocacy on behalf of the Court. Over nearly 21 years His Honour has helped forge the Court's reputation as Australia's pre-eminent intermediate jurisdiction. His commitment to quality, innovation and efficiency has ensured the just and expeditious conduct of the Court and brought access to justice to the Victorian community.

A hands-on administrator, His Honour has enthusiastically promoted emerging technologies, insisting that judges and administrative staff embrace the information age, introducing video conferences and developing a system for electronic transmission of transcript. A keen proponent of the new court complex, His Honour believed that the Court's accommodation should reflect its central place in the Victorian legal system and the site is a fitting legacy, establishing the Court as a truly contemporary jurisdiction. Under His Honour's guidance the Court has developed pioneering case management systems and reduced adjournments through simple measures such as the extension of judicial rosters from one month to three, ensuring better service for all Court users.

Leading by example, he has maintained an active role as a sitting judge and ensured the Court's participation in wider reform. His Honour has been involved in establishing the Judicial College of Victoria, the Pro Bono Secondment Scheme and the strategic directions plan for all of Victoria's courts, encouraging cooperation and coordination between the courts. Through his leadership, the Court has evolved to meet the changing needs of the Victorian public. The Court congratulates His Honour on a long and illustrious career and wishes him a well earned and happy retirement.

Finally in April 2003 the Court welcomed the appointments of Judge Roy Punshon and Judge Wendy Wilmoth. In the reporting period eight new judges were appointed to the Court—a truly remarkable change in the composition of the Court.

Training and Development

Managing the professional development of the Court's Judges, the Professional Committee conducted training sessions, produced educational materials and organised judicial attendance at various conferences and seminars, including the County Court Judges' Annual Seminar, the 17th Biennial Conference and the Australian Institute of Judicial Administration Conference.

In addition, Judge Anderson and Judge Wodak, along with Court administrative staff, began work on producing an Induction Manual for Judges. The manual will be available for newly appointed Judges early in 2003–04.

Refer to page 23 of this Annual Report for further information regarding our professional development activities.

Electronic Distribution of Transcripts Introduced

On 18 November 2002, the Court introduced the electronic distribution of Court transcripts in collaboration with the Victorian Government Reporting Service.

Previously the reporting service printed and hand delivered transcripts, which constituted a far more labour intensive process. The distribution of transcripts electronically saves printing and paper costs, and permits judges to electronically search and manage transcripts for judgments and charges.

Criminal Trial Management

The Court embarked upon a pilot project of individual calendaring involving six judges in the criminal jurisdiction. The project entitled 'The Six-Cylinder System' is aimed at examining whether criminal trials can be dealt with more expeditiously if they are managed intensively by the trial judge. The project will be evaluated after two years to determine its effectiveness and identify any opportunities for improvement.

Acknowledgments

In gratitude, I acknowledge the tireless efforts of the Judges and administrative staff for their valuable contributions. The Court's judicial support team, including tipstaves, associates and secretaries, worked very positively and made significant contributions to the work of the Court.

Looking to the Future

As the principal trial court in Victoria, I have no doubt that great challenges will continue to face the Court in the future. We deal with the majority of visible and reportable serious criminal conduct. Occasionally individual sentences are seized upon by commentators and subjected to criticism. That is as it should be, provided the criticism is informed and balanced. If it is not, there is a real risk that the community's confidence in the administration of justice and the rule of law is undermined.

The public has a real expectation that litigants will be able to access the courts in a timely manner and that the courts will dispense justice fairly, promptly and efficiently. Those expectations are particularly pertinent to this Court as the principal trial court in Victoria.

As Chief Judge, I am determined to do what I can to ensure that we build on the excellent efforts that have already been made by the Court to improve access to justice and to maximise the delivery of efficient, just outcomes.

The challenge faced by the Court is to continue to move forward, applying modern and progressive approaches. The Court strives to satisfy community expectations and to make an important contribution to the administration of justice in Victoria.



Michael Rozenes

Chief Judge

Chief Executive Officer's Message

As described in the Chief Judge's report, the financial year 2002–03 was one of great change for the Court, underscored by a new work environment and an historical change in leadership.

Welcome to Chief Judge Michael Rozenes

On 25 November 2002 Chief Judge Michael Rozenes was sworn in as Chief Judge. His Honour has become only the third Chief Judge in the Court's 150-year history, since the concept of a Chief Judge for the County Court was not introduced until 1975. Prior to that time the Chairman of Judges led the Court.

The response to the appointment of Michael Rozenes as Chief Judge of this Court by the legal profession in Victoria, along with the Judges, management and staff, was overwhelmingly positive. On behalf of management and staff, I welcome Chief Judge Rozenes to his new role.

Financial Performance

The transition into the new Court facility in May 2002 had an impact on Court expenditure in 2002–03, compared with 2001–02.

The administration function of the Criminal Trial Listing Directorate (CTLD) business unit was merged with the Court and its annual appropriations and expenditure of approximately \$562,000, principally comprising salaries and on-costs of staff, was absorbed by the Court.

The contractual arrangements of the Court Services Agreement (CSA) no longer required the Court to incur utility costs, such as gas and electricity, resulting in a reduction in 2002–03 in operating costs of \$200,000. Similarly, rent and outgoing charges, including depreciation were no longer incurred. As such, expenditure savings of approximately \$1,655,000 were realised for the financial year.

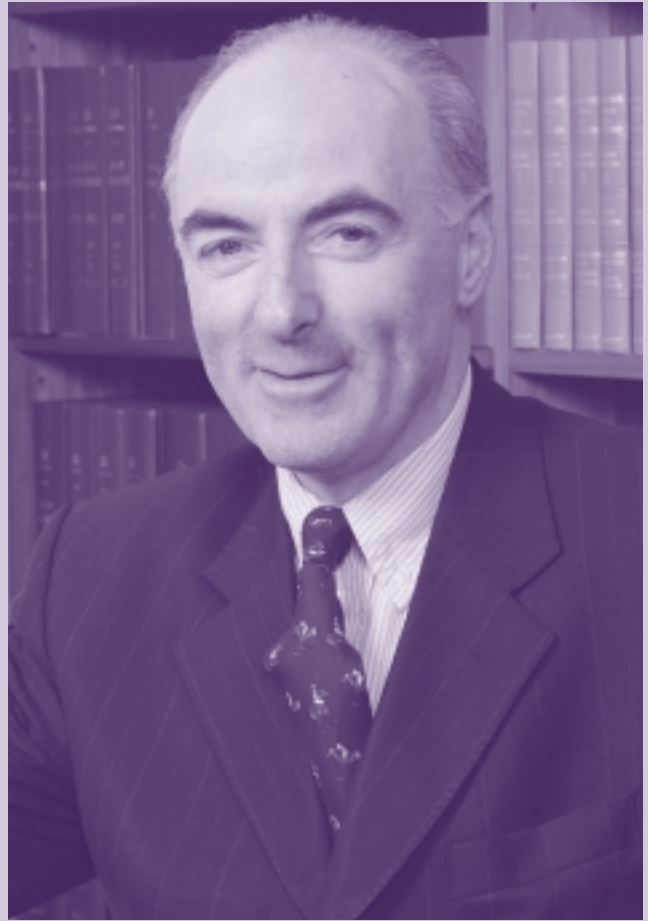
The salaries and on-costs for staff included funding and expenditure of approximately \$355,000 for judicial support for the additional two judicial appointments and the impact of general salary wage increases in accordance with Government agreements.

Capital purchases of items greater than \$1,000 were kept to a minimum since the CSA provided for technology refresh.

Refer to page 32 of this Annual Report for the Court's Operating Statement and additional financial commentary.

A New Building and a New Operating Culture

The challenges posed by the move to the new Court facility involved more than merely learning the building's layout. It involved a significant cultural change for the Court's staff in coming to terms with the details of the Public-Private Partnership that operates this extensive, modern facility. There were, however, very few teething problems encountered in the Court's first year in its new



Chief Executive Officer James Hartnett.

home. The building's owner The Liberty Group (TLG) and its sub-contractors quickly addressed any transitional issues in an amicable and expeditious fashion.

I wish to acknowledge that the very positive working relationships engendered in the first year bode well for the future. TLG has invested a considerable amount of time, goodwill and resources in making the first year of operations successful.

The Retirement of Chief Judge Waldron

Less than six months after moving into our new facility, we farewelled Chief Judge Waldron who served more than 20 years as the Court's Chief Judge. On behalf of all management and staff, past and present, I acknowledge the great contribution Judge Waldron made to the Court during a period of great change and growth. In recognition of his contribution, we renamed the Court's Level One Public Hall 'Waldron Hall'.

Sesquicentenary

It was both apposite and auspicious that we celebrated the Court's sesquicentenary in the new Court complex on 18 November 2002. To mark the occasion the entire complement of the Court's Judges sat in the Court's Ceremonial Courtroom.

New Support Services

As one of the most significant changes to the Court's operation in its new accommodation, TLG and its sub-contractors provide a range of services formerly provided by Court staff or contractors and service providers engaged directly by the Court.

Under the Public-Private Partnership between State Government, TLG through its sub-contractors now provide the following services to the Court:

- AIMS Corporations provides security at the Court.
- Interform Pty Ltd provides the information technology platform, including the Court's HelpDesk.
- Honeywell Pty Ltd provides all building services, maintenance and refurbishment.

The standards and quality of services provided by TLG and its subcontractors have been of a high standard throughout our first year in the new facility.

Implementation of the Court Operations Review (2001)

The move to the new facility enabled the Court to implement a number of key recommendations described in the County Court of Victoria Operations Review (2001), in particular, the integration of the Criminal Listing Directorate. The integration brings

Criminal Listings staff, who were previously located in a separate building away from the Court, into the Court's Registry, forming a more centralised and cohesive unit that improves communication in discussing criminal listings matters and greater awareness of staff requirements.

e-Filing Initiated

During the reporting period we began an initiative to introduce e-Filing, which will enable legal practitioners and litigants to electronically lodge, process and retrieve court documents relating to civil cases using the software system CITEC CONFIRM.

Due to be implemented in August 2003, the new system will improve lodgement turnaround time, helping the Court to achieve the goal of same day processing for the majority of lodgements. In addition, the system will provide a current, accurate case record available for online review and action at any time.

Staff Commitment

I record my thanks and appreciation to the Court's staff for their significant contributions in supporting the Court's day-to-day operations, in what has been a particularly challenging year. The positive attitude of staff allowed the Court to adapt to the many changes with a minimum of disruption.

Acknowledgments

I would like to take this opportunity to thank retired Chief Judge Waldron and Chief Judge Rozenes for their strong support and assistance during the Court's first year in its new home.

I am grateful for the dedication of my administrative staff, the significant contributions of Manager Information Technology Hans Wolf and his staff, Registrar Fin McRae and everyone in the Registry who help make the Court run efficiently and the diligent work of Library staff under the direction of Librarian Ian Edwards.

In addition, I would like to acknowledge the work of the Technology Committee, under the chairmanship of His Honour Judge Michael McInerney, assisted by many individuals, in particular Mick Francis of the Victorian Government Reporting Service; Director Caesar Formica, along with Bob Newton, from the Information Technology Branch of the DOJ; Frank Ciarniello and David Tigani of Interform; and Wendy Atkins of The Liberty Group, backed by the generous involvement of Court staff.



James Hartnett
Chief Executive Officer

Celebrating 150 Years: The Court's Sesquicentenary

The Court celebrated 150 years—a sesquicentenary of service to the Victorian community. During this sterling history, the Court has earned and maintained the confidence and trust of the Victorian community.

On 17 November 1852, the County Court Act of 1852 was proclaimed, bringing into existence the County Court of Victoria. At that time, only one County Court judge, Judge Pohlman, was appointed. Today, the Court is constituted by 58 judges.

In 1852, with approximately 168,000 persons living in the State of Victoria, the Victorian Parliament adopted the English County Courts model.

Around that time, Victoria was in the grip of a gold rush. The Victorian population rose dramatically from 76,000 in 1850 to 168,000 in 1852 and further rising to 220,000 in 1853.

Victoria was 'on its way' with county courts serving the community. The purpose of establishing county courts was to provide cheap and readily available forums for the quick disposal of small civil claims. Thus, in due course after 1852, several county courts were established in various gazetted locations namely, in Melbourne and in a number of provincial cities and towns.

A judge or judges were then appointed to each of those courts. As a result, each judge, at least initially, was a resident judge, presiding at a particular court. In 1857 each court was given juris-

diction throughout the whole of Victoria. However, it was not until 100 years later, namely, in 1957 that the County Court Act was amended to create one county court in and for the State of Victoria.

The Court, throughout its existence, has delivered justice to country Victoria in addition to metropolitan Melbourne.

In more recent times, through its significant procedural reforms, the civil initiative in the civil jurisdiction and the Crimes Criminal Trials Act procedures, along with the courts criminal case and list management system in the criminal jurisdiction, the Court has been able to deliver equal justice throughout the length and breadth of Victoria.

The jurisdiction of the Court was, from its inception, solely civil. This remained the case until 1968. The Court was by definition an inferior court. It was created by a statute and the extent of its jurisdiction was confined by the terms of that statute. Apart from the power to regulate its own procedure, the Court had no inherent powers.

Further, the jurisdiction was that of the Court itself, the judges being appointed to exercise that jurisdiction. The Court was not constituted by the judges themselves, as was the Supreme Court.

However, as distinct from the English situation, the judges of the Court from an early time, until 1968 exercised a concurrent criminal jurisdiction, as Chairmen of General Sessions.



Inaugural County Court Judge Pohlman (1852–1877).



First Chief Judge of the County Court His Honour Chief Judge Whelan (1975–1981)



Centenary of the Victorian Bar, Judges of the County Court (1986).

In 1968 the County Court Act was amended to confer both civil and criminal jurisdiction on the Court and the Court of General Sessions ceased to exist. However, such conferral of criminal jurisdiction was on the Court, not on the judges of the Court. Thus, the judges of the Court continued to exercise the jurisdiction of the Court.

The criminal jurisdiction conferred on the Court by the 1968 Act, in addition to the appellate jurisdiction concerning criminal and quasi criminal matters brought on appeal from the Magistrates' Court, was substan-

tially a concurrent jurisdiction with the Supreme Court with respect to indictable offences. Excluded from the jurisdiction were the offences of treason, murder and some murder-related offences, which remained within the exclusive jurisdiction of the Supreme Court.

In 1972, the County Court Act was amended to enable the Court to enter judgment, where appropriate, for any sum beyond the monetary limit of its jurisdiction, so long as the amount claimed in the summons was within such jurisdictional limit. That provision gave the Court a most valuable flexibility in



Opening of the Legal Year (1967).



dealing with civil claims, which in turn has encouraged litigants and their legal advisers to issue process in the Court.

In 1974 the County Court Act was amended to provide for the permanent appointment of a Chief Judge, the incumbent being His Honour Chief Judge Whelan. The creation of that position gave much needed added authority to the incumbent to satisfactorily lead the Court.

In 1989 that flexibility was increased by empowering the Court to allow an amendment to bring within the jurisdictional limit, a claim that as originally

made, was outside such limit. As a result of those two provisions, the civil non-personal injury jurisdiction of the Court was given much greater practical effect.

The size of the Court's civil jurisdiction has continued to steadily increase over the years, culminating in 1991 with unlimited jurisdiction in personal injury matters being conferred upon the Court and the jurisdictional limit in non-personal injury actions being increased to \$200,000.

In 1992, the *Accident and Compensation (WorkCover) Act 1992* was passed, whereby original jurisdiction with respect to most



The Scaffolding around County Court building (1987–1995).

claims arising under the Accident and Compensation Act, as amended by that Act, was conferred on the Court.

The *Courts Amendments Act 1986* effected even more fundamental and far reaching changes to the civil jurisdiction and to the constitution of the Court. The jurisdiction of the Court was conferred in a more general, comprehensive and therefore more certain manner.

In particular, as a result the Court has power to give full equitable relief in all matters that are within its jurisdiction. Additionally, it conferred on the Court jurisdiction

to hear claims that arise under a variety of Acts, up to their monetary jurisdictional limits.

Since 1 July 1986, the Court has comprised the Judges, Master and Registrar. The Act also established a Council of Judges, consisting of all of the Judges of the Court, save Reserve Judges. The Council of Judges is the governing body of the Court, although much of the day-to-day administrative decisions are undertaken by the Executive Committee of Judges.

Today, the Court is well supported not only by the excellence of its judicial, registry and administrative staff but also through the state-of-the-art technology provided in the new court complex.

In recent years, there has been a revolution in case management. The Court is now a world leader in the use of computer and video technology. No other court in the world boasts the level of technology provided by the new court complex.

Civil Jurisdiction

Overview

Judges of the Civil Jurisdiction (Civil) of the Court deal with:

- claims for personal injuries, irrespective of the amount claimed;
- other personal actions where the amount claimed does not exceed \$200,000 (unless the parties consent in writing to exceeding that limit and that are not excluded from the Court by the County Court Act or any other Act). If more than \$200,000 is awarded, the plaintiff is entitled to recover the full amount; and
- actions where jurisdiction is specifically conferred on the Court by a statute, including the:
 - *Administration and Probate Act 1958*
 - *Adoption Act 1984*
 - *Cluster Titles Act 1974*
 - *Property Law Act 1958*
 - *Settled Land Act 1958*
 - *Strata Titles Act 1967*
 - *Transfer of Land Act 1958*
 - *Trustee Act 1958*

How We Manage Cases

The Court allocates cases to one of the following Lists:

- Business List (comprising the divisions of Commercial, Building and Miscellaneous);
- Damages List (comprising the divisions of General, Defamation, Applications and Medical); or
- WorkCover List.

The Judge in charge of the List or Division conducts a directions hearing after the defendant files an appearance.

Our Objectives

The Court aims to manage each case from the time of issue to settlement or trial in order to:

- encourage early settlement through alternative dispute resolution (ADR), particularly mediation;
- avoid unnecessary, time consuming and expensive interlocutory activity;
- have the issues more clearly defined prior to trial; and
- expedite the overall progress of cases and encourage relevant and appropriate trial hearings.

Allocation of Judges

Judges allocated to manage the Lists within Civil included Judge Harbison (Business List and Damages List), Judge G D Lewis (WorkCover List), Judge Shelton (Building Division), Judge Wodak (Medical Division) and Judge Stott (Defamation Division). On average, 10 Judges sat in Melbourne during 46 weeks of the reporting period hearing cases in Civil.

Directions Hearings

Under section 34(A) of the County Court Rules, directions hearings are driven by a Judge of the Court rather than the parties to an action. The Judge sets a date for the directions hearing for the parties and the hearing instructs the parties on the requirements for trial. In addition, the Judge can

order the parties to attend mediation and other ADR forums. As a result, many cases settle prior to hearing, helping to increase disposal rates.

As of 30 June 2003, directions hearings listed by the Registry in Melbourne totalled 6,324, compared with 7,072 in 2001–02. These hearings involved 434 serious injury applications (1,811 in 2001–02), 1,909 business cases (2,123 in 2001–02), and 3,981 damages cases (3,138 in 2001–02).

These statistics show a marked fall in the serious injury applications before the Court at the directions stage. The vast bulk of serious injury applications have been listed for trial and are awaiting determination.

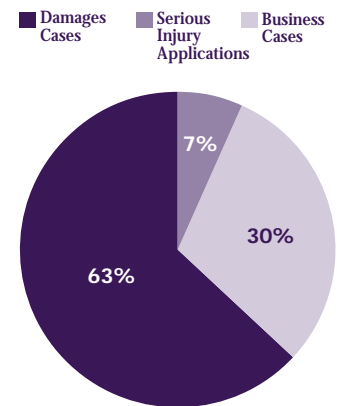
Judge Harbison held regular videolinks with circuit courts, totalling 57 videolinks for 2002–03 (54 in 2001–02), dealing with 883 cases.

As of 30 June 2003, an estimated 576 serious injury applications under section 135(A) of the *Accident Compensation Act 1985* were awaiting determination by the Court, comprised as follows:

- 116 listed for directions in Melbourne;
- 345 listed for trial in Melbourne; and
- 115 listed for directions or trial on circuit.

The number of damages writs dealt with by the Directions Judge increased by 31.2%, from 3,340 in 2001–02 to 4,381 in 2002–03 due to an increase in serious injury applications. Recovery applica-

Directions Hearings by Type—2002–03



The majority of directions hearings involved damages cases.

tions under section 138 of the *Accident Compensation Act 1985* made up a large proportion of these writs.

The Directions Court processed an estimated 1,500 orders 'on the papers' by the Directions Judge.

As a result of the 'bubble' in serious injury cases filed by April 2001, the time from appearance to trial increased during the reporting period and peaked at 20 months during September 2002. During June 2003, that figure reduced to 19 months for serious injury cases and Business List and Damages List cases.

Judges worked tirelessly to dispose of the cases in the daily list during the financial year. Nevertheless, a total of 152 cases during that time remained unresolved.

Circuit time frames remained stable at under 12 months in all circuits except Warrnambool, where the majority of serious injury applications on circuit were issued.

Overall Civil Caseflow

The following statistics detail the overall caseflow for Civil during 2002–02, with comparisons to the previous financial year:

- Cases commenced rose 13.2%, totalling 7,850 (6,937 in 2001–02), comprised as follows:
 - 2,735 Business List (2,869 in 2001–02)
 - 4,365 Damages List (3,340 in 2001–02)
 - 513 WorkCover List (571 in 2001–02)
 - 237 Other Civil Cases (157 in 2001–02)

The significant increase in Other Civil Cases commenced was due to an increased number of applications under the *Confiscation Act 1997* and the *Proceeds of Crime Act (Commonwealth) 1987*.

- Cases finalised rose 0.4%, totalling 8,020 (7,985 in 2001–02), comprised as follows:
 - 2,902 Business List (2,889 in 2001–02)
 - 4,285 Damages List (4,336 in 2001–02)
 - 697 WorkCover List (629 in 2001–02)
 - 136 Other Civil Cases (131 in 2001–02)
- Cases awaiting directions or trial rose 3.1%, totalling 9,699 (9,411 in 2001–02). (Note that a further breakdown of cases pending is not possible since the analysis methods became available during 2002–03 and were not applied to all sections of

Civil in the reporting year. However, such data will be available in future Annual Reports.)

The 13.2% rise in cases commenced may have been attributed to speculation surrounding tort law reform governing public liability and medical negligence to commence in the next financial year. The overall Civil clearance ratio was 102.0% in 2002–03. When compared with 115.0% in 2001–02, this result represents a decline of 13.0%. However, Civil maintained a high clearance ratio above the target of 100.0% despite a 13.2% rise in cases commenced. This result reflects Civil's ability to keep up with rising demand.

The following information covers the major case activity for each List within Civil and includes hearings regarding confiscations, Commonwealth Proceeds of Crime matters and infant and disability compromises in Other Civil Cases, as previously described in Overall Civil Caseflow.

Business List

During 2002–03, cases commenced in the Business List fell 4.7%, totalling 2,735 (2,869 in 2001–02). Cases finalised rose 0.4%, totalling 2,902 (2,889 in 2001–02). The overall clearance ratio was 106% in 2002–03, compared with 101% in 2001–02, representing a 5.4% rise.

Building Division

A major Division within the Business List, the Building Division began operations in 1996. Judge Shelton managed the division as the Judge in Charge. The division handles building disputes, which

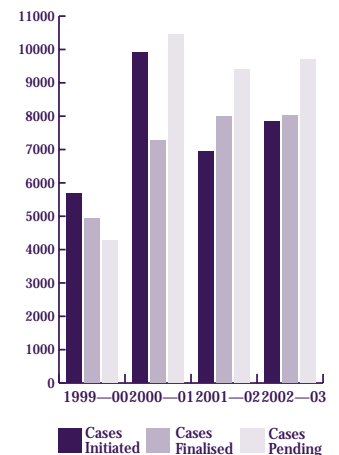
tend to be notoriously difficult to resolve. Contributing factors may include multiple parties and complex technical issues.

For the 12-month period to 30 June 2003, cases issued in the Building Division totalled 36 (24 in 2001–02), including two cases transferred from VCAT to this Division. The creation of the Domestic Building List of the Victorian Civil and Administrative Tribunal (VCAT) in June 1996 has, not surprisingly, resulted in fewer building cases being issued out of the Court.

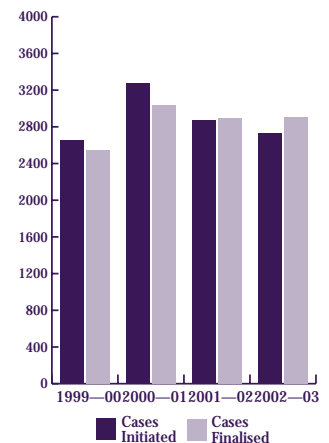
At the first directions hearing, the Judge in Charge makes directions with the aim of having each case determined as expeditiously as possible. The Judge in Charge directs cases to mediation as a matter of course, and the majority of cases are settled by this method. The County Court Rules first provided for mediation at the time the Building Cases List was established in 1983 and has since been routinely required in litigation.

Where appropriate, the Judge in Charge makes orders for appointing a special referee. Given the nature of building disputes, it is often necessary to have more than one directions hearing. Directions hearings are normally held at monthly intervals, although these hearings can be arranged at short notice when urgent matters arise. At these hearings, interlocutory matters are determined promptly, even if complex and lengthy, rather than being referred to the Practice Court or the Trial List. Where appropriate, trial dates can be obtained less than 12 months after the date of issuing proceedings.

Civil Cases Overall—
1999–2000 to 2002–03

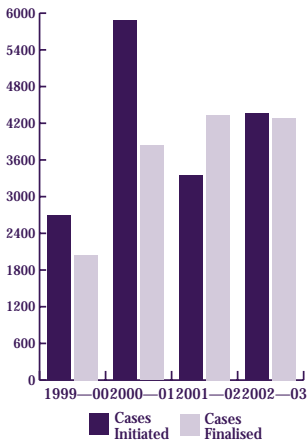


Business List Cases—
1999–2000 to 2002–03

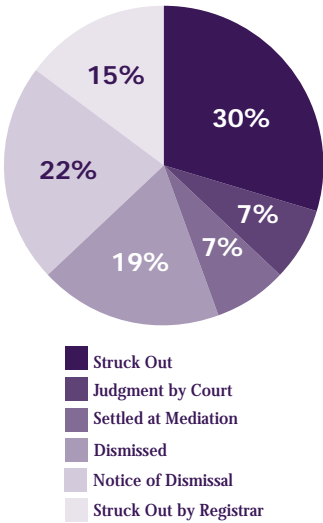


Civil Jurisdiction

Damages List Cases—
1999–2000 to 2002–03



Defamation Division Cases
by Method Finalised—
2002–03



Damages List

During 2002–03, cases commenced in the Damages List rose 30.7%, totalling 4,365 (3,340 in 2001–02). Cases finalised fell 1.2%, totalling 4,285 (4,336 in 2001–02). The 30.7% rise in cases commenced may have been attributed to speculation surrounding tort law reform governing public liability and medical negligence to commence in the next financial year.

The overall clearance ratio was 106% in 2002–03, compared with 101% in 2001–02, representing a 5.0% rise. The Damages List achieved a higher clearance ratio despite a 30.7% rise in cases commenced due to an increase in the number of cases listed at directions hearing. This result demonstrates the efforts of the List to efficiently meet rising demand.

Defamation Division

Judge Stott managed the Defamation Division of the Damages List as the Judge in Charge. The division handles matters relating to defamation of character, either verbal or written. Cases issued in the Defamation Division totalled 17 (30 in 2001–02) representing a 43% decrease. The number of directions hearings held totalled 78 and 17 cases were listed for trial.

The Division finalised cases as follows:

- eight struck out (four in 2001–02)
- two Judgment by Court (two in 2001–02)
- two settled at mediation (two in 2001–02)
- five dismissed (none in 2001–02)
- six Notice of Dismissal (12 in 2001–02)
- four struck out by Registrar (five in 2001–02)

Medical Division

The Medical Division of the Damages List began operations on 1 January 1998. Since its inception, Judge Wodak has been the Judge in Charge. The division handles matters relating to medical negligence cases.

Judge Wodak and relevant legal practitioners met twice during the reporting year to discuss the operation of the Division. These meetings provided useful exchanges of information that assisted in conducting proceedings.

Chaired by Judge Wodak, a sub-committee of legal practitioners was formed to investigate and make recommendations about adopting a code of conduct for expert witnesses, as well as other aspects of evidence given by experts in medical negligence litigation. While the sub-

committee was deliberating on these issues, it became apparent that changes were being considered to the Supreme Court Rules concerning expert witnesses and expert reports. Because any such changes may also be adopted by the Court by amendment to its Rules, the sub-committee deferred its deliberations to await these developments.

As the mainstay of judicial case management through the pre-trial phase, two scheduled directions hearings were held in each month for 10 months (excluding January and July). Much attention continued to be devoted to precision in pleadings, requiring the definition of issues, narrowing the scope of the trial and its duration, and often facilitating earlier resolution of disputes between parties.

Standard orders made at directions hearings and other relevant information was made available electronically on the Court’s web site and interlocutory orders were often made ‘on the papers’, without Court appearances.

Urgent applications were heard on a needs basis (generally at 9.30 a.m.) in cases where it was inappropriate to wait for the next scheduled directions hearing.

During 2002–03, a total of 651 proceedings were issued or transferred to the Division, compared

with 297 in 2001–02, representing a dramatic increase of approximately 219%. This unprecedented increase was largely attributed to the impact of legislative change affecting the availability of a cause of action and by the response of the legal profession in instituting proceedings before the amended legislation began. As a result, some 268 new proceedings were issued in this Division on 2 May 2003, representing approximately 41.0% of all Medical Division cases for the reporting year.

Even without those 268 new cases, the Division would have experienced a significant increase in the number of new proceedings, as shown in the historical graph set out opposite.

The disposition rate of proceedings without Court determination remained very high. Of those proceedings listed for trial in Victoria, only 16 proceedings (6.0%) went to verdict or judgment, compared with 8.0% in 2001–02.

The Division continued to permit confidential settlements and encourage the parties to resolve their differences by negotiation and mediation. Mediation continued to play a vital role in resolving many of the disputes in these proceedings.

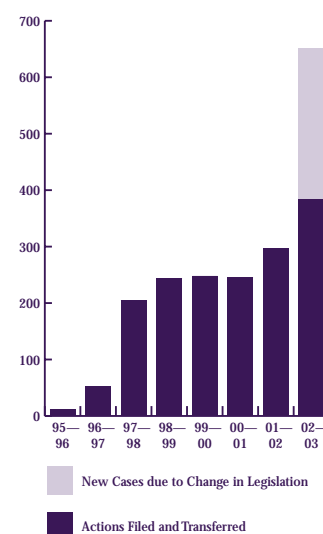
The importance of mediation was demonstrated by the rate of resolution. Of those proceedings listed for trial, 17.0% settled directly at mediation. Many proceedings that failed to settle at mediation settled following mediation, most likely because of what transpired at mediation. Those cases struck out by the Court (30.0%) and by the Registrar (6.0%), and those in which a Notice of Discontinuance was filed (27.0%)—a total of 63.0%—probably included many cases that resolved because of mediation.

To enable that form of dispute resolution, often the only order sought by the parties is that a proceeding be dismissed, struck out or simply discontinued. Resolving such highly complicated and complex proceedings in this way reflects the skill and competence of the legal practitioners in this type of litigation, the requirement for full and comprehensive disclosure by each party to each other party of all relevant information before mediation, and by the insistence that the issues in dispute are clarified as early as possible.

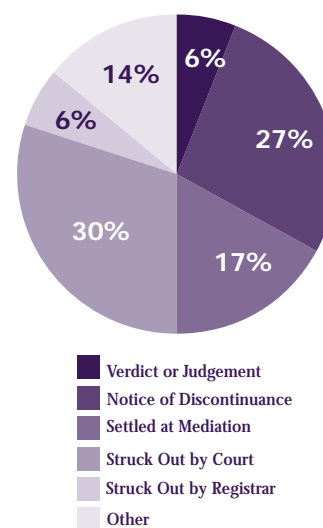
A total of 686 matters were listed for directions hearings during the reporting year. For the vast majority of proceedings, two directions hearings are conducted before trial, although some cases may require more than two.

The time from commencement of a proceeding to trial in the Division is less than 18 months. Directions hearings are fixed for a time six to eight months after appearance by the defendant or the first of multiple defendants. The legal profession sought that time span to enable sufficient time for preparing cases, including proper investigation of all relevant issues, pleadings and other preliminary work. The time between the first directions hearing, at which a timetable is provided, and trial is six to eight months, sometimes less, if the parties seek it. The mode of trial sought by the parties in the majority of proceedings is before judge and jury. The average estimate of duration of trials in the Division is three to five days.

Medical Division Cases Filed and Transferred—1995–96 to 2002–03

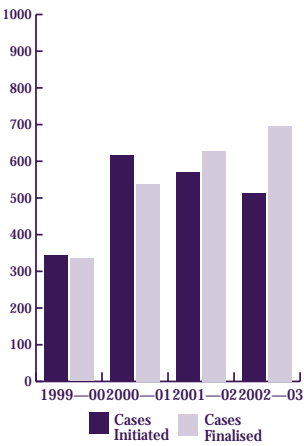


Medical Division Cases Finalised by Outcome—2002–03

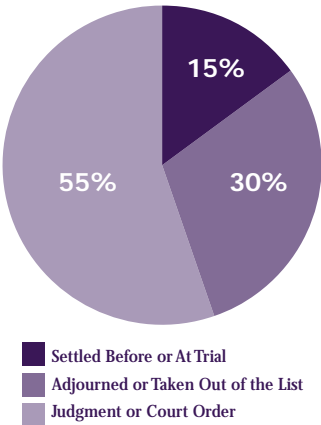


Civil Jurisdiction

WorkCover List Case Profile
—1999–2000 to 2002–03



WorkCover List Cases
Finalised by Outcome—
2002–03



WorkCover List

The WorkCover List handles applications under the *Workers Compensation Act 1958* and the *Accident Compensation Act 1985*.

During 2002–03, cases commenced in the WorkCover List fell 10.2%, totalling 513 (571 in 2001–02). Cases finalised rose 10.8%, totalling 697 (629 in 2001–02).

The volume of proceedings issued in the List in Melbourne increased by 16.0% from 404 in 2001–02 to 467 in 2002–03. Proceedings in the circuit courts increased 5.0%, with 109 proceedings being issued, compared with 104 in 2001–02.

The overall clearance ratio was 136.0% in 2002–03, compared with 110.0% in 2001–02, representing a 26.0% rise. The average time between entry of appearance and directions hearing increased slightly from six weeks in 2001–02 to seven weeks in 2002–03. In addition, the average time elapsed between directions hearing and trial remained steady at 12 weeks in 2002–03.

The reduction in cases commenced enabled the Judges to divert their attention to increasing the number of trials heard. In Melbourne, the List experienced a major increase in the number of matters listed for hearing, from 730 in 2001–02 to 1,008 in 2002–03—an increase of 38.0%.

Another significant increase involved matters mentioned in Melbourne, which totalled 1,185, compared with 959 during the last financial year—an increase of 24.0%. Directions hearings in Melbourne totalled 717, which represented an increase of 4.0%, compared with 691 in the last financial year. Cases awaiting directions hearings or trial numbered 370—an increase of 1.0%. Of the 1,008 matters listed for hearing in Melbourne, the List disposed of 759 matters as follows:

- 42 settled;
- 314 adjourned or taken out of the List at the request of the parties;
- 364 judgment or order; and
- 39 part heard.

As a 30 June 2003, pending matters awaiting directions or trial totalled 249.

Pending reports, which became available during the reporting period, were applied in the first instance in the WorkCover List. Pending reports will be available for other Lists in future Annual Reports.

Case Transfer

On 17 September 1991, the Council of Judges approved, in principle, the Courts (Case Transfer) Rules 1991. Such approval in principle having also been given to those Rules by the Council of Judges of the Supreme Court and the Council of Magistrates of the Magistrates’ Court, they became operative upon the proclamation of the *Courts (Case Transfer) Act 1991*.

Transfers from the Court

During the reporting year, 79 cases were transferred from the Court to the Supreme Court and the Magistrates’ Court, as detailed in the table below.

In addition, nine cases were subject to:

- a determination not to transfer by either the Senior Judicial Officer or the Designated Judicial Officer;
- withdrawal of the application; or
- settlement.

Transfers from the County Court—2002–03

Court	Type of Transfer	No. of Cases	Total
Supreme	Judge in Court –sections 44AA	0	
	Corporations Act or Property Law Act	1	
	Part 3 – Designated Judicial Officer (Judge)	41	
	Part 5 – Administrative Transfer (Registrar)	3	45
Magistrates’	Part 6 – Judge in Court	11	
	Part 3 – Designated Judicial Officer (Judge)	3	
	Part 5 – Administrative Transfer (Registrar)	20	34
Total			79

Transfers to the Court

During 2002–03, 121 cases were transferred to the Court from the Federal Court, the Supreme Court and the Magistrates' Court as detailed in the table below.

During the reporting period, the Senior Judicial Officers of the Court and Supreme Court under the *Courts (Case Transfer) Rules 1991* did not have to rule on an objection from the determination of the Designated Judicial Officers of the Court and Supreme Court. In three matters, the Senior Judicial Officers of the Court and the Magistrates' Court ruled on an objection from the determination of the Designated Judicial Officers of the Court and the Magistrates' Court.

Adoptions

The Court appointed 23 Judges designated to administer the Court's adoption jurisdiction. This rewarding aspect of the Court's work comprised making adoption orders, discharging adoptions and making orders dispensing with consent under the provisions of the *Adoption Act 1985*. From time to time, Judges on circuit hear adoption applications in country centres.

During 2002–03, the Court considered 72 adoption applications, as follows:

- 56 adoption orders made in Melbourne (87 in 2001–02);
- 11 adoption orders made in country centres (13 in 2001–02);
- four orders discharging adoptions (Melbourne only) (two in 2001–02); and
- one order dispensing with consent.

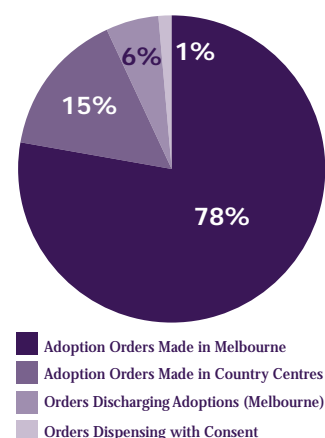
As at 30 June 2003, pending adoption applications totalled five.

Of the 67 adoption orders made, 37 orders involved adoptions of children from other countries, including South Korea, India and the Philippines.

The number of adoption orders made fell 33.0%, compared with 2001–02 when 100 adoption orders were made. While no particular reason can be attributed to the decrease, difficulties regarding international travel and the unsettled overseas security situation may have had some influence in this regard.

Comparisons with previous financial years of total adoption applications considered and pending are unavailable due to limitations in data collection. However, such data will be available in future Annual Reports.

Adoptions Finalised by Outcome—2002–03

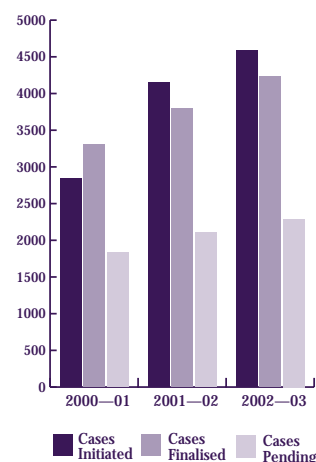


Transfers to the County Court—2002–03

Court	Type of Transfer	No. of Cases	Total
Federal	Cross-vesting legislation	0	0
Supreme	Part 6 – Judge in Court	3	
	Part 3 – Designated Judicial Officer (Master)	4	
	Part 5 – Administrative Transfer (Prothonotary)	10	17
Magistrates'	Part 3 – Designated Judicial Officer (Magistrate)	95	
	Part 5 – Administrative Transfer (Registrar)	9	104
Total			121

Criminal Jurisdiction

Criminal Cases Overall—
2000–01 to 2002–03



These figures are calculated from monthly disposal data subject to audit throughout the year.

Example of a Criminal Trial
Progressing through the Court



Overview

Judges of the Criminal Jurisdiction (Criminal) of the Court hear all indictable offences except treason, murder and certain other murder-related offences (refer to section 36A of the *County Court Act 1958*).

Subject to the power of the Supreme Court to order transfer of a matter from the Supreme Court to the Court, the Director of Public Prosecutions has the initial decision whether to present a person for trial in the County or Supreme Court (refer to section 353 of the *Crimes Act 1958*).

In practice, the great majority of indictable offences are heard in the Court.

How We Manage Cases

Judges manage cases under the *Crimes (Criminal Trials) Act 1999* (Crimes (CT) Act). The purpose of this Act is to increase the capacity for judicial management of criminal trials in order to more efficiently manage the process of criminal hearings. The Crimes (CT) Act provides for:

- full and complete disclosure by the prosecution;

- a required summary of the Crown opening given by the prosecution to the defence before trial so that the defence knows just how the Crown proposes to put its case;
- a required response to that opening given by the defence before trial and to state what matters are in issue in the trial; and
- a mechanism by which the Crown may serve a notice of pre-trial admissions on the defence who are required to respond to that notice.

The Crimes (CT) Act emphasises pre-trial court control of criminal proceedings. One or more Judges, whose rulings will be operative on trial, administer pre-trial procedures.

Our Objectives

We aim to ensure that:

- all the issues surrounding a case are clarified prior to trial;
- the jury is cognisant of the issues when hearing and considering the evidence given in the trial; and
- the trial Judge is able to effectively control the conduct of both the Crown and the defence, thus excluding irrelevant advocacy in the pre-trial process.

Allocation of Judges

On average, 22 Judges sat in Melbourne during 48 weeks of the reporting period hearing criminal matters.

Overall Criminal Caseflow

The following statistics detail the overall caseflow for Criminal during 2002–03, with comparisons to the previous financial year:

- Cases commenced rose 10.5%, totalling 4,581 (4,145 in 2001–02).
- Cases finalised rose 11.7%, totalling 4,235 (3,792 in 2001–02).
- Cases awaiting determination or trial rose 8.7%, totalling 2,290 (2,106 in 2001–02).

The overall Criminal clearance ratio was 92.0% in 2002–03, compared with 91.0% in 2001–02, representing a slight increase.

To reduce the time taken to hear criminal trials, the Court will begin a pilot in July 2003 involving six Judges who will individually manage a list of cases. These Judges will oversee the scheduling of hearings in order to test whether intensive management results in more expeditious processing of cases at the Court.

Trials and Pleas

The following statistics detail the caseload for Criminal trials and pleas during 2002–03, with comparisons to the previous financial year:

- Cases commenced totalled 2,282, compared with 1,988 cases in 2001–02, representing a 14.8% increase.
- Cases finalised reduced by 6.2%, totalling 1,907 cases, including Commonwealth cases, compared with 2,033 cases in 2001–02.
- At the end of the June sittings in 2003, 1,739 persons were awaiting trial, compared with 1,505 persons at the end of June 2002—a 15.5% rise.

The trials and pleas clearance ratio was 84.0% in 2002–03, compared with 102.0% in 2001–02, representing a 18.0% decrease. A change to the method of listing criminal trials planned for the next financial year should improve the timeliness of criminal trials in the Melbourne Court.

Appeals

The Court hears appeals from the Magistrates Court under section 83 of the *Magistrates' Court Act 1989* or from the Children's Court with respect to criminal and quasi-criminal matters.

A decision of the Court in its appellant jurisdiction is generally final. An exception occurs when the Court substitutes a sentence of imprisonment for a non-custodial sentence. With the leave of the Supreme Court, an appellant can then appeal against the sentence to the Court of Appeal.

The following statistics detail the caseload for the Court's Criminal Appeals jurisdiction during 2002–03, with comparisons to the previous financial year:

- Cases commenced rose 6.6%, totalling 2,299 (2,157 in 2001–02).
- Cases finalised increased 32.3%, totalling 2,328 (1,759 in 2001–02).
- Cases pending decreased 8.3%, totalling 551 (601 in 2001–02).

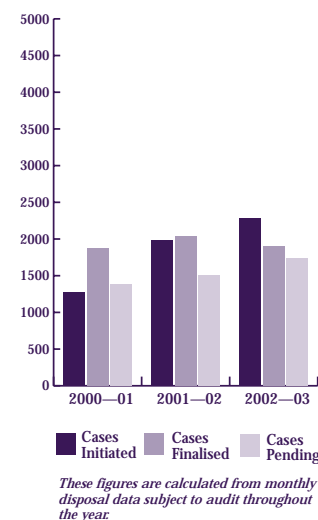
The appeals clearance ratio was 101.0% in 2002–03, compared with 82.0% in 2001–02, representing a 19.0% increase.

The appeals jurisdiction continued to experience a high incidence of adjournments and abandonments, despite the *Magistrates' Court (Amendment) Act 1999* making significant changes to the procedures governing appeals.

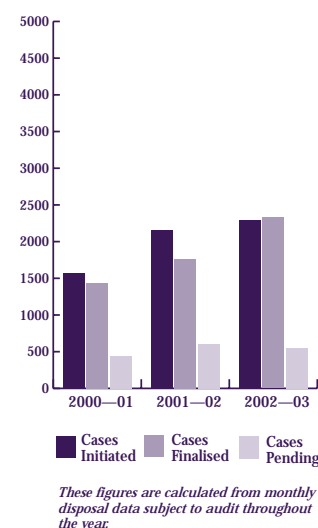
Since then, the Court has enhanced its ability to maintain a swift disposition rate of appeals. Despite these efforts, too many appeals continued to be adjourned during the financial year, often where the appellant was in custody. Usually, this occurred due to a lack of readiness to proceed for various reasons. Room for improvement exists in preparing appeals to proceed on their designated dates. Timely applications for legal aid on the part of applicants, with prompt processing by Legal Aid Victoria, would assist in achieving efficient processing of appeal hearings. Appeals involving an appellant in custody are usually listed within two weeks of the notice of appeal being lodged and non-custody appeals are listed within six weeks of the notice of appeal being lodged.

The Court will continue to allocate three judges to hear appeals in the Melbourne Court.

Trials and Pleas Case Profile—2000–01 to 2002–03



Appeals Case Profile—2000–01 to 2002–03



Circuit Sittings

Overview

Although the Court hears most cases in Melbourne, Judges hear both criminal and civil cases in country locations throughout Victoria.

About 20.0% of the Court's Judges sit on circuit at any one time throughout the year, allowing litigants, witnesses and accused persons to appear at the local court rather than travelling to Melbourne.

Case Statistics*

The Court held circuit sittings at 13 locations, as follows:

Bairnsdale:

- Civil cases initiated three (six in 2001–02); criminal cases initiated 10
- Civil cases finalised seven (11 in 2001–02); criminal cases finalised seven

Ballarat:

- Civil cases initiated 174 (90 in 2001–02); criminal cases initiated 101
- Civil cases finalised 138 (139 in 2001–02); criminal cases finalised 101

Bendigo:

- Civil cases initiated 139 (145 in 2001–02); criminal cases initiated 106
- Civil cases finalised 139 (127 in 2001–02); criminal cases finalised 74

Geelong:

- Civil cases initiated 224 (217 in 2001–02); criminal cases initiated 120
- Civil cases finalised 237 (318 in 2001–02); criminal cases finalised 112

Hamilton:

- Civil cases initiated 51 (29 in 2001–02); criminal cases initiated seven
- Civil cases finalised 27 (43 in 2001–02); criminal cases finalised one

Horsham:

- Civil cases initiated 12 (eight in 2001–02); criminal cases initiated 13
- Civil cases finalised 10 (19 in 2001–02); criminal cases finalised six

Mildura:

- Civil cases initiated 44 (46 in 2001–02); criminal cases initiated 30
- Civil cases finalised 43 (39 in 2001–02); criminal cases finalised 25

Morwell:

- Civil cases initiated 114 (105 in 2001–02); criminal cases initiated 64
- Civil cases finalised 119 (159 in 2001–02); criminal cases finalised 72

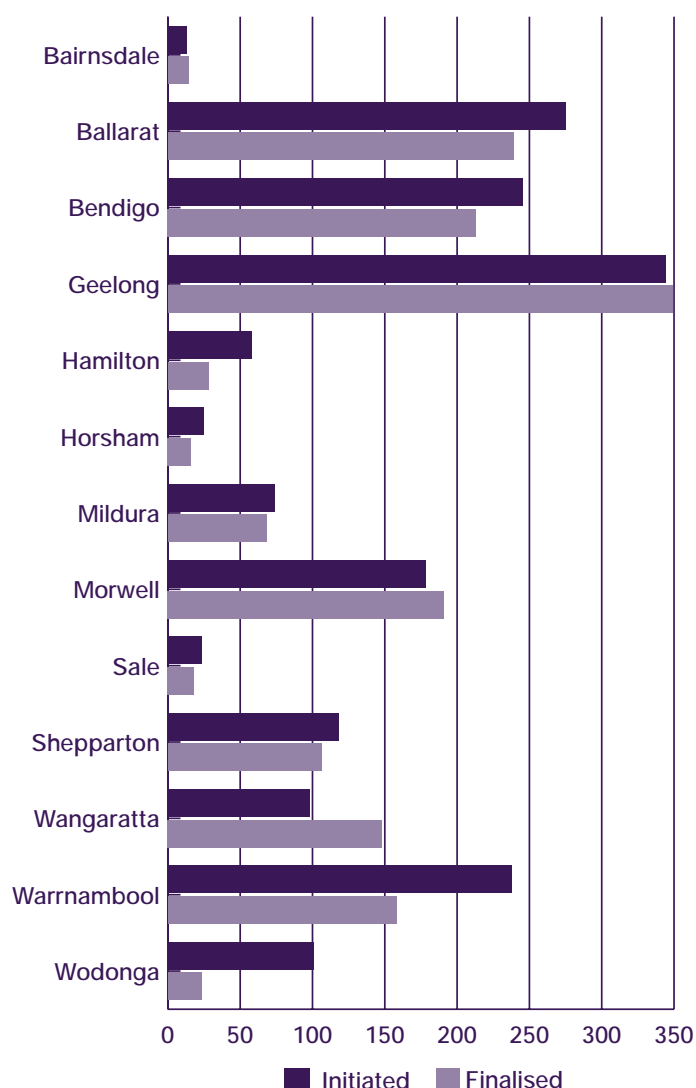
Sale:

- Civil cases initiated seven (six in 2001–02); criminal cases initiated 16
- Civil cases finalised five (11 in 2001–02); criminal cases finalised 13

Shepparton:

- Civil cases initiated 65 (74 in 2001–02); criminal cases initiated 53
- Civil cases finalised 73 (67 in 2001–02); criminal cases finalised 33

All Cases Initiated and Finalised at Circuit Sittings—2002–03



Wangaratta:

- Civil cases initiated 71 (101 in 2001–02); criminal cases initiated 27
- Civil cases finalised 99 (199 in 2001–02); criminal cases finalised 49

Warrnambool:

- Civil cases initiated 224 (120 in 2001–02); criminal cases initiated 14
- Civil cases finalised 143 (192 in 2001–02); criminal cases finalised 15

Wodonga:

- Civil cases initiated 88 (14 in 2001–02); criminal cases initiated 13
- Civil cases finalised 22 (one in 2001–02); criminal cases finalised one

*These figures may vary from statistics reported elsewhere in this Annual Report due to timing of the information collected.

How We Are Governed

Constitution of the County Court

The County Court is constituted by the Chief Judge, a variable number of other Judges and the Registrar of the Court. Administration of the Court is the responsibility of the Council of Judges, comprising of all the Judges of the Court, save any Judge who has elected, or after retirement has been appointed, to be a Reserve Judge.

The Court’s Jurisdiction

The Court is the intermediate tier of the court hierarchy. The Court’s jurisdiction covers:

- **Criminal**—The Court can hear all indictable offences (except treason, murder and related offences). Criminal cases heard in the Court include:

- serious theft, armed robbery and like offences;
- drug trafficking and associated offences;
- sex offences such as rape;
- fraud and other dishonesty offences;
- serious assault;
- Commonwealth offences, including income and sales tax offences, Customs offences and illicit drug importation offences.

A Judge and a jury of 12 people hear criminal trials.

- **Criminal Appeals**—The Court can hear appeals from the criminal jurisdiction of the Magistrates’ Court and the criminal and the family divisions of the Children’s Court.

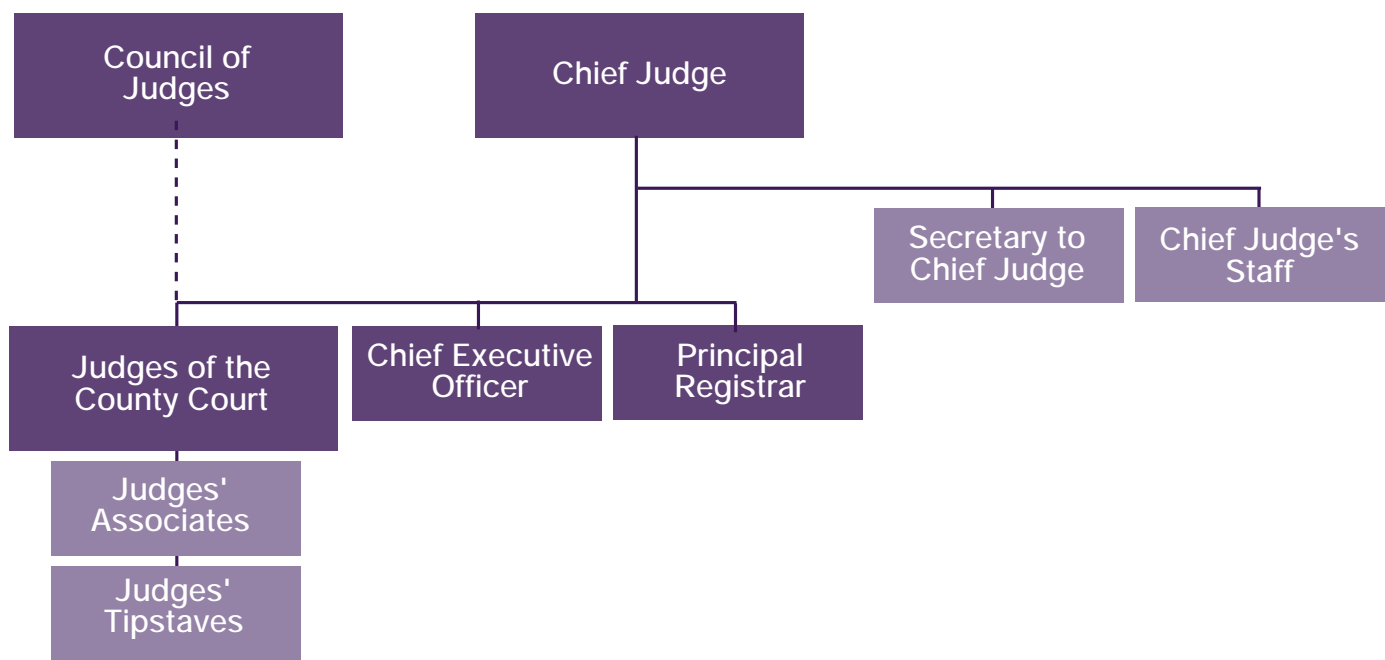
- **Civil**—The Court has an unlimited jurisdiction in personal injury matters. In non-personal injury civil matters, the Court has a jurisdiction up to \$200,000. Judgment may be entered for any sum in excess of \$200,000, which is proved at trial. Where the parties consent, the Court may have jurisdiction in excess of \$200,000 in non-personal injury cases. The Court has original jurisdiction in WorkCover matters, with the Magistrates’ Court having a limited concurrent jurisdiction in that area.

Civil trials may be heard by a Judge alone, or a Judge and jury of six people.
- **Adoptions and Change of Name**—The Court has jurisdiction to make orders

relating to adoption and change of name. Although under the Adoption Act the Court shares jurisdiction with the Supreme Court, the Court hears all applications under the Adoption Act.

- **Circuit**—Although the Court hears most cases in Melbourne, Judges hear both criminal and civil cases in the following country locations:
 - Bairnsdale
 - Ballarat
 - Bendigo
 - Geelong
 - Hamilton
 - Horsham
 - Mildura
 - Morwell
 - Sale
 - Shepparton
 - Wangaratta
 - Warrnambool
 - Wodonga

Constitution of the County Court



How We Are Governed

About 20.0% of the Court's Judges sit on circuit at any one time throughout the year, allowing litigants, witnesses and accused persons to appear at the local court rather than travelling to Melbourne.

Council of Judges

According to Section 87(1) of the *County Court Act 1958* a Council of the Judges of the Court, after notice has been given to all the Judges, must meet at least once in each year, on such day or days as are fixed by the Chief Judge, for the following purposes:

- Consider the operation of the above Act and the Rules.
- Consider the work of the several offices and the arrangements relating to the duties of the Court's officers.
- Inquire into and examine any defects that appear to exist in the system of procedure or the administration of the law in the Court, or in any other court from which appeal lies to the Court.

During the reporting period, the Council of Judges met on eight occasions to consider major issues and resolutions.

Executive Committee of Judges

Through its Executive Committee of Judges, the Council of Judges carries out much of the day-to-day administration of the Court.

During 2002–03, committee members totalled 13 and met on nine occasions to discuss matters of interest to the general operation of the Court.

Rules Committee

Members of the Rules Committee meet, as required, to review and draft revisions to the County Court Rules, which are confirmed by the Council of Judges.

Of special significance during the reporting year was the amendment to enable electronic filing of documents in civil matters, which was necessary in order to commence a major project to introduce e-Filing.

During 2002–03, committee members amended the County Court Rules, as follows.

Amendments to the County Court rules

The following amendments to the Court Rules commenced operation:

- County Court (Chapter I Amendment No. 7) operative from 1 July 2002 making miscellaneous amendments to the Principal Rules: new definition of bank.

- County Court (Chapter I Amendment No. 8) operative from 1 January 2003 amends the Schedule of Scale of Costs in the County Court Rules: a 5.5% increase for counsel's fees and 3.19% for solicitor's costs.
- County Court (Chapter I Amendment No. 9) operative from 1 January 2003 making miscellaneous amendments to the Principal Rules: changes to Rules with respect to marking a document or copy with the seal of the Court, cost consequences of failure to accept offer and amendments to Form 42F with respect to subpoenaed documents.
- County Court (Chapter I Amendment No. 10) operative from 1 January 2003: facilitating electronic filing of documents in the Court.

Court Fees

The Court charges fees for various services in the Civil jurisdiction, including:

- Filing Originating Process
- Setting Down for Trial
- Hearing at Trial by a Judge or Judge with Jury
- Entering Judgments or Orders

Government consolidated revenue absorbs the proceeds of these fees, therefore, they do not form part of the Court's annual appropriations.

Effective 16 June 2003 Court Fees were increased under Statutory Rule Number 53/2003 of the County (Court Fees) (Amendment) Order 2003. Refer to the Financial Summary on page 32 for more information.

Judicial Remuneration

Established by the *Judicial Remuneration Tribunal Act 1995*, the Judicial Remuneration Tribunal determines the salary and other entitlements of a Judge.

During the reporting period, under the powers contained in sections 10 and 17AA of the *County Court Act 1958*, the Attorney-General certified that judicial salaries and allowances were to be increased. The increases were made retrospectively: 5.0% from 1 January 2002 and 3.0% effective from 29 October 2002.

The County Court Registry

The Court's Registry comprises a team of some 40 people who serve the needs of the judiciary and Court users. The Registry is broadly divided into two divisions comprising Client Services, which supports the telephone and counter services, and the Listings Area.

Client Services

Manager, Client Services Damian James oversees the operations of around 20 staff located in Client Services. The Client Services area is divided into the following components:

- **Adoptions**—One registrar processes all adoption applications before the Court and liaises with Associates to the Judges who conduct the hearings in relation to these applications.

- **Cash Office**—The Cash Office deals with all monies received by the Court, including civil fees and criminal fines.
- **Criminal Registry**—The staff of the criminal registry manage files and liaise with Associates in relation to these files, and assist the Court with the enforcement of fines under the Sentencing Act.
- **Counter Services**—Counter Services Staff assist more than 1,000 clients per week, involving such tasks as authenticating orders, accepting documents filed by parties, receiving subpoena documents, and answering queries from legal practitioners and the general public.

- **Records**—The staff of Records are responsible for creating and maintaining civil files and subpoena documents, and administering and supervising inspections of subpoena documents.

Listings

Staff in the Listings division of the Registry arrange all hearings for criminal and civil cases and record orders on the Case and List Management System (CLMS).

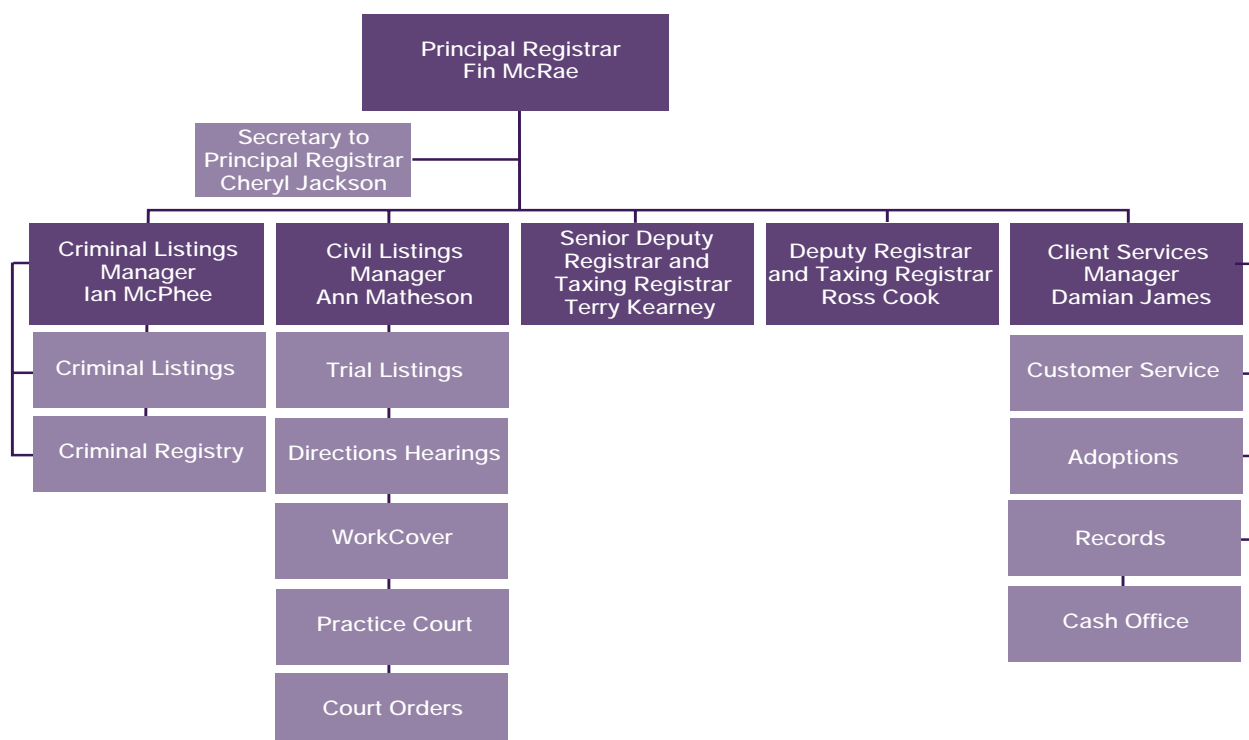
Circuit Courts

The Court has Registries at Melbourne and 13 major regional locations where the Court sits. The Magistrates' Court employs registry staff in the circuit locations.

Pursuant to the Crimes (CT) Act reforms, the circuits are broken into three regions headed by a Criminal List Judge. For each region a Senior List Registrar assists each Criminal List Judge in coordinating the list.

The Chief Judge and the Registrar meet with Deputy Registrars from the circuit courts at a bimonthly Circuit Registrars Working Party meeting to discuss circuit listing issues and case management at circuit courts.

Registry Structure at at 30 June 2003



The County Court Registry

Major Initiatives

The Registry played an important role in the administration of the Court, while implementing the following key initiatives and activities. For more information on services provided by the Registry to Court users, refer to page 27.

New County Court CLMS

Part of the Criminal Justice Enhancement Project of the DOJ, the new County Court CLMS, when fully implemented, will provide an integrated criminal, civil and cash management system. Based on a widely-used system in the United States known as SCT Courts, CLMS will be progressively employed in all circuit courts in Victoria, as well as the Melbourne Registry over the next few years.

Initially implemented in the criminal jurisdiction in October 2001 and the civil jurisdiction in January 2002, CLMS enables Registry staff to:

- record detailed case and party information;
- use sophisticated listing features; and
- extend the use of automatic case management triggers to the criminal jurisdiction, as well as the civil jurisdiction.

In the future, Registry staff will be able to:

- introduce an orders module that has been custom built for the Court; and
- electronically file civil and criminal documents by way of the proposed e-Filing features.

Other initiatives undertaken with regard to CLMS included:

- introducing progressive enhancements to CLMS;
- conducting refresher training for Circuit Registrars;
- assisting in increasing Associates' use of CLMS;
- increasing the number of Management and Operational Reports able to be extracted from CLMS;
- implementing ongoing testing of orders and review to take legislative changes into account; and
- finalised the e-Filing contract provider.

Organisational Review

The Registry continued to implement the recommendations of the Operations Review (2000–01), with the merger of the Criminal Trials Listing Directorate (CTLD) and the Registry in May 2002.

Staff and Customer Feedback

We conducted a Registry Counter Resource Monitoring Study from 18–22 November 2002 with the aim of gathering accurate data to provide a snapshot of Registry counter customers and enquiries over a period of a 'typical' week.

We will use the information gathered to:

- plan how to use Registry resources to best meet customer requirements at the counter;

- monitor whether the Registry is meeting the targets set out in its Customer Service Charter;
- detect any changes in the type of counter enquiries, such as any increases in the number of long enquiries;
- provide a baseline to assess the effectiveness of electronic service initiatives introduced in early 2003; and
- compare 2002 levels of customer numbers with waiting times of past results.

After analysing the feedback received, the results show:

- the number of customers attending the counter has increased 13.0%, compared with the 2000 result;
- 92.6% of customers were served after queuing for five minutes or less, below the 98.0% benchmark;
- 94.0% of customers had their enquiries dealt with to completion by the same counter officer, just below the 95.0% benchmark; and
- 74.0% of enquiries take two minutes or less to complete and only 10.5% of enquiries take longer than five minutes to complete.

In 2003–04 we plan to implement changes to achieve improvements in meeting our benchmarks.

Timely Case Management

As a result of the Annual Planning Day held on the Tuesday after Easter each year, we published the 2002–03 Registry Annual Action

Plan and initiated several projects, including:

- introducing a General Inquiry Line;
- developing the Kit for Litigants in Person;
- developing the Order 42.10 subpoena process;
- conducting a more comprehensive Client Survey;
- implementing a Business Process Improvement Review;
- developing comprehensive workflow manuals;
- conducting orientation tours of the new building for all staff;
- managing the Court booking process under the Court Services Agreement;
- developing e-Filing;
- replacing the CTLD web site;
- integrating existing criminal files;
- improving efficiency of depositions storage; and
- conducting an information session on the new Drug Court of the Magistrates' Court and the impact on Court appeals.

Improved Communication

The move by the CTLD from 436 Lonsdale Street into the new building in May 2002 has greatly improved communication between the criminal and civil listings sections and facilitated greater cooperation and improved resource allocation.

Judicial Support

The Professional Committee

The Professional Committee manages the professional development of the Court's Judges. During 2002–03, the committee conducted educational sessions in Melbourne, produced educational materials and organised judicial attendance at various conferences and seminars.

Educational Sessions

Judges conducted a number of educational sessions, which included training in Brief Analyser; a software program used for transcript management. In addition, Judges Nixon, Wodak and Anderson collaborated to provide an introductory program for a number of recently-appointed Judges concerning the conduct of arraignments, pleas and trials. Judges Wodak and Anderson have produced written material to support the program.

Induction Manual

Judge Anderson and Judge Wodak, along with Court administrative staff, began work on producing an Induction Manual for Judges. The manual will be available for newly-appointed Judges early in the next financial year.

Annual Seminar

The County Court Judges' Annual Seminar was conducted in March 2003 in Marysville over three days. It was well attended and included a full program of educational sessions, many of which were interactive.

Biennial Conference

Twenty-three Judges attended the 17th Biennial Conference of the Judges of the District and County Courts of Australia in June 2003 held in Queensland.

The conference theme was *Law and Language* with speakers addressing legal language and writing, as well as literary topics that had a legal theme. The key note address *Does Literature Influence the Law?* was delivered by His Honour Justice Ian Callinan.

Other Conferences

Judges of the Court participated in other conferences during 2002–03, including:

- the Australian Institute of Judicial Administration (AIJA) Conference in Sydney in October 2002, with the theme of *Technology for Justice*, in which Judge McInerney presented a paper on the technological capacity of the Court;
- the Commonwealth Law Conference held in Melbourne in April 2003; and
- the Judicial Conference of Australia's Colloquium 2003 in Darwin from 30 May to 1 June 2003, including topics such as working with the media, and sessions on aboriginal sentencing and refugee law.

National Judicial Orientation

In October 2002, five Judges attended the annual Judicial Orientation Program conducted over five days by the Judicial College of New South Wales, in conjunction with the AIJA.

Judicial College

Passed in the Autumn Session 2001, the *Judicial College of Victoria Act 2001* established the Judicial College of Victoria on 29 May 2001. The college appointed Executive Director Ms Lyn Slade and engaged additional staff.

The college commenced to plan and conduct a number of programs focusing on the professional development of judicial officers. The Court will work closely with the college in developing these programs.

Judicial Support

Judicial support included the Court's Library, Associates, Tipstaves, Court Researchers and judicial secretarial support. In addition, the Victorian Government Reporting Service (VGRS) provided recording and transcript services for Court proceedings.

As at 30 June 2003, the number of judicial support staff totalled 132. This total comprised 65 Associates, 60 Tipstaves, five Judicial Secretaries and two Court Researchers.

The Courts Information Officer, who assists the Court as well as the Supreme Court, was available to Judges of the Court, as required.

Court Library and Information Service

The Court Library and Information Service provides modern, efficient and timely information and knowledge services to the Judges and administrative staff of the Court.

The primary mission of the service is to provide resource support and reference assistance to the Judges of the Court. In addition, the service assists the legal profession, law librarians and the public with information requests.

Resources managed by the service include more than 100 physical collections, ensuring Judges have ready access to the resources they require, such as Chamber Collections, Bench Collections, Common Library Collections and the Main Library.

The Library and Information Service:

- effectively manages the Court's information and knowledge assets;
- develops and implements knowledge enhancement strategies in line with the Court's strategic plan;
- monitors and makes recommendations for continuous improvement of information organisation and access;

Judicial Support

- creates high-profile current awareness initiatives services using Lotus Notes, intranet and other web-based approaches;
 - enables a collaborative, knowledge sharing environment, incorporating legal research training within the Court; and
 - manages the Court's collection budget, Library staff and other staff associated within the knowledge environment.
- *Judgment Template*—A project to create uniform judgment-based documents resumed after the relocation of the Court to its new premises. Proposed for implementation in 2005, this project will increase the availability and access to Court judgments via the Court's web site.
 - *Unreported Judgments Data Capture*—A project to scan old Court civil judgments to enable the Library to catalogue them, facilitating easier electronic access.
 - *Web Site Update*—In conjunction with the Court's Information Technology Department, a project began to redesign the Court's web site. The aims of the project, due for completion in early 2004, are to improve the overall 'look and feel', implement a more advanced search engine, and reformat and reclassify existing content to create a new platform that provides greater flexibility. The new platform will allow Court staff to individually publish documents to the web site, while allowing for greater quality control through an information audit process.

The librarian has the assistance of a part-time library assistant who is responsible for a number of administrative duties, including filing, shelving and compiling and disseminating current awareness bulletins.

Key Activities

During 2002–03, the Library and Information Service conducted the following major projects and activities.

- *Customer Service Survey*—Conducted during 21–30 April 2003, Judges, Associates and Tipstaves, together with selected Registry and administration personnel, participated in a customer service survey. The service received a total of 54 responses and the breakdown of responses by category showed that three of the four categories exceeded the Court's stated target of a 90.0% or better score in the 'very good' rating for customer service.

Recording of Court Proceedings

During 2002–03, VGRS provided running transcripts for criminal trials and introduced electronic delivery of transcripts as a standard service to the Court. All criminal sentences are recorded and transcribed. Some pleas are transcribed in special circumstances.

A number of private companies provide reporting services for civil matters on a 'user pays' basis. These companies also provide reporting services at some circuit locations.

The Court introduced video conferencing at Horsham and Bairnsdale and added the new Wodonga Court complex into the court framework.

Associates

Associates, many of whom are legally qualified or hold qualifications in other disciplines, assist the Judges. Associates perform duties depending on the jurisdiction in which their respective Judges sit and the types of cases to be heard.

Associates perform daily activities such as retrieving information from the CLMS system, accessing transcripts electronically, empanelling juries and taking verdicts, maintaining files, liaising with legal practitioners, preparing result sheets and forms from templates readily accessible online, and undertaking legal research using the Internet.

In addition, Associates accompany Judges on circuit and attend to other matters depending on the responsibilities of their respective Judges.

Key Training Activities

During 2002–03, training activities included:

- providing induction training for new Associates, along with in-service professional development;
- developing a training manual for the induction of Associates;
- making available electronic templates of all forms used by Associates in the course of their work;
- providing assistance at short notice to all Associates in their day-to-day work; and
- holding three days of professional development activities in March 2003, including a large group session on Knowledge Management in line with DOJ policy, and some 30 alternative sessions on a range of topics relevant to the work of the Associates.

The Senior Associate (Training) participated in meetings with staff in other parts of the Court, ensuring that procedural changes were advised to Associates promptly and effectively.

Associates' Professional Development Committee

Chaired by Judge Strong, the Associates' Professional Development Committee meets every second month, in addition to occasional special meetings. During the financial year, a number of guest speakers attended the meetings, including the Registrar, Human Resources Manager, Information Technology Manager and Chief Executive Officer. Their attendance afforded an opportunity for Associates to gain a better understanding of the roles and responsibilities of other areas of the Court.

Committee members serve on a rotational basis with no Associate serving for longer than two years. This approach ensures the continuity of the committee and its representation of the Associate group as a whole.

Committee members became increasingly actively involved in the meetings. Under the guidance of Ms Sarah McHutchison and Information Technology staff member Daniel Bonetto, members began a project to produce a Circuit Guide for the benefit of Associates and Tipstaves.

Tipstaves

Tipstaves form an integral part of the Court's judicial team. Tipstaves work closely with Judges and Associates. Their duties vary depending on the jurisdiction but generally include:

- collecting Court lists and preparing for the day's proceedings;
- liaising with security and custody officers and recorders of court proceedings;
- liaising with barristers and solicitors, witnesses and interpreters;
- contacting the Juries Commissioner's Office and supervising juries;
- maintaining order during sittings of the Court, making proclamations for opening and adjournment, and swearing in witnesses;
- operating the technical equipment used in court;
- assisting associates with exhibits; and
- monitoring security for the Judge.

Court Researchers

The Court's Research Unit supports Judges and their staff by providing a timely, efficient and accurate legal research service.

Court Researchers:

- research diverse areas of the law and prepare complex research memoranda;
- advise judges on current and future law reforms;
- support judges attending the Annual County Court Judges' Seminar;
- publish internal and external publications; and
- liaise with judges and external stakeholders, such as the Judicial College of Victoria.

The Court appointed a Senior Researcher to manage the Unit and provide one-on-one and group legal research training sessions to Judges and Associates.

Judicial Secretarial Support

A dedicated and efficient secretarial team worked to support Judges in producing drafts of charges, sentences, rulings and judgments, along with other secretarial assistance, as needed.

Information Officer

The Court's Information Officer forms an important link between the Court and the media, enabling more accurate and reliable reporting of Court proceedings. In addition, the Information Officer reduces the risk of non-compliance with suppression orders, by alerting the media when the Court makes suppression and prohibition orders.

Court Administration

Staff Profile

The Chief Executive Officer supports the work of the Judges of the Court with assistance from management and staff in the areas of finance and administration, business and planning, information technology, including CLMS, human resources, judicial secretarial support and facility management.

Wages and Superannuation

Non-judicial employee wages totalled \$8.85 million in 2002–03, compared with \$7.68 million in 2001–02. Staff are eligible for superannuation benefits provided through various funds, including VicSuper.

Equal Employment Opportunity

The Court is an equal employment opportunity employer. We are committed to selecting the best applicants based on merit and equity principles. During 2002–03, we updated staff on current issues and developments with regard to harassment and discrimination issues within the workplace by conducting seminars, workshops and circulating relevant literature.

Occupational Health and Safety

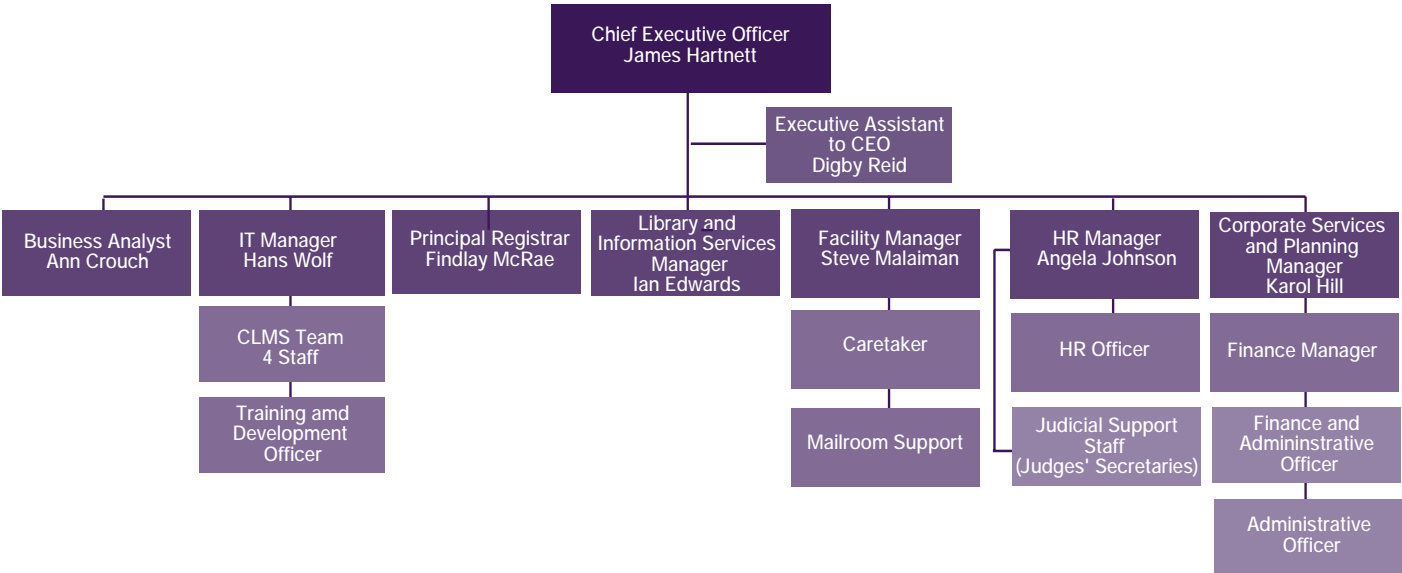
We aim to provide and maintain a safe working environment that ensures the health and wellbeing of Court employees, Judges and visitors to the Court. During 2002–03, the Occupational Health and Safety Committee met on three occasions to review and test emergency and evacuation procedures and building security. A total of three WorkCover claims were accepted during 2002–03 resulting in 17 work days lost.

2002 Department of Justice Survey

In response to the 2002 Department of Justice Employee Survey, the Court undertook a number of actions, including:

- introducing a local rewards program;
- planning for a Breakthrough Self Assessment;
- increasing access to information through the County Court Bulletin Board; and
- increasing staff recognition through the Partnership Awards Program.

Administration Structure as at 30 June 2003



Service Delivery

The Court delivered services to its clients, the community and staff while fulfilling its objectives to maintain a high level of community confidence in the Court, improve access to justice services and provide timely disposition of matters.

Improving Access

To improve access to the Court's services, Registry staff conducted the following major activities.

Courtconnect

On 4 March 2002, the Court introduced Courtconnect, enabling the public and Court users to browse over the Internet and search CLMS for information on specific civil cases and/or conduct party name searches. Courtconnect is located on the Courts web site at www.countycourt.vic.gov.au

During the 12 month period since the Court implemented Courtconnect, requests to search files at the Registry counter decreased by 40.0%. This result is attributed to the popularity of Courtconnect with solicitors and other legal practitioners. The ability to conduct a free search via the Internet as opposed to paying a fee and manually searching a file at the Registry counter has been very well received by practitioners.

Litigants In Person Kit

During 2003 the Litigants in Person Working Group produced the Litigants in Person Kit for self represented litigants in the civil jurisdiction. The kit was published on the Court's web site as a guide to the civil process from filing a writ, through to hearings at court and enforcement matters, such as taxation of costs once a matter is completed.

The kit provides links to relevant documents and commonly used forms, which can be downloaded and printed, as well as links to other useful information, such as the current fees and costs. The kit has become one of the most accessed sections of the web site.

Early Inspection of Subpoenaed Documents

The Subpoena for Production to the Registrar Rule (Order 42.10) came into operation on 1 July 2002. The object of the Rule is to facilitate the production of certain documents before the Registrar prior to the trial of a civil proceeding. The Rule enables legal practitioners to inspect subpoenaed material in the Court Registry, subject to an objection process and certain conditions.

It is envisaged that the process will have a positive effect in terms of the early settlement of cases and in narrowing down issues in dispute. In addition, it should assist the Court in providing for trial date and time certainty, by avoiding unnecessary adjournment applications to inspect subpoenaed material.

Prior to 1 July 2002 all subpoenaed material would arrive at the Court in the days prior to a trial and could only be released to the parties for inspection by a Judge at the commencement of a trial.

The following report records statistics regarding the issue of subpoenas, Registry inspections, and objections to subpoenas for production to the Registrar.

Subpoenas Issued

There were 4,221 individual Order 42.10 subpoenas for production to the Registrar issued as follows:

- Average per month: 352
- Highest in one month (June 2003): 494
- Average in last six months of financial year: 414

Registry Inspections

A total of 2,849 individual materials were produced for inspection in the Court's Registry at Melbourne, as follows:

- Average per month: 237
- Highest in one month (March 2003): 434
- Average in last six months of financial year: 346

Objections Lodged

The number of objections lodged requiring judicial involvement totalled 521; usually at an objections hearing in the Practice Court. Almost all objections were withdrawn after the objecting party was afforded the opportunity to inspect the documents in the courtroom, as follows.

- Average per month: 43
- Highest in one month (April and June 2003): 64
- Average in last six months of financial year: 53

Incoming Subpoenaed Material

No particular statistics were recorded for incoming material filed in the Registry under subpoena. The number of packages coming into the Registry can vary significantly from as little as 20 per day to in excess of 90 per day.

Applications to Remove Documents Filed Under Subpoena

There have been less than 10 applications to remove documents filed under subpoena from the Registry.

The appropriate rule states that the 'Registrar may, in his discretion, decline to accede to any application'. The volume of material is the critical factor in relation to granting or refusing such orders.

The Way Forward

The statistics demonstrate that the number of subpoenas for production to the Registrar issued, inspected and objected to has increased during the financial year.

Mooted future rule changes will have an impact with respect to the objection process and the ability of the Registrar to make an order for returning subpoenaed material, when required for ongoing patient care or furnishing a report.

A split in the management of the Records Section and in managing the listing/inspection process will have a positive effect and will enable the Registry to cope with any future increases in issuing, inspecting, objecting and returning subpoenas for production to the Registrar.

Providing Technology

During 2002–03, the Technology Committee oversaw the provision of technology within the new Court building at 250 William Street and the associated transition issues.

Committee members were mainly concerned with the following issues:

- Transition issues involved in moving the Court and creating the technological environment in the new Court.
- Developing the County Court Web Site.
- Operating the CLMS and developing its component

Service Delivery

parts, comprising the case management system, orders module, e-Filing and Courtconnect.

- Cooperating with The Liberty Group to develop and operate the Court Room Allocation Management System (CRAMS).

The Technology Committee met every month to discuss and deal with the above issues, concentrating on the following activities:

- Ongoing induction and orientation for five new Judges and their staff.
- Trialling voice recognition IBM technology.
- Overseeing various projects undertaken by the DOJ that had direct relevance to the operation of the courts, such as a remote dial-in access, the Internet/IT Strategic Plan and the Windows 2000 Project CATCOE (Court's Common Operating Environment).

Mr Ian Edwards, Manager of Library and Information Services and member of the County Court Web Site Committee, pioneered dramatic software changes, such as the new judgment template, expanded the electronic library and the 'How To' manual, and developed a web interface for Judge Kelly's Charge Book.

The program conducted by VGRS to supply the legal profession with transcripts by way of email was successful, resulting in the Court making a determination that all transcripts will be supplied by way of email. In addition, VGRS conducted various seminars with regard to in-court technology attended by Associates and Tipstaves.

AIJA Technology for Justice Conference

Representatives of the Committee attended the AIJA Technology for Justice Conference in Sydney in October 2002, where Judge McNerney presented a paper on the technological capacity within the Court.

At the conference, the Technology Committee noted the contribution of Chief Executive Officer James Hartnett, Registrar Fin McRae and other Registry staff, with regard to the exceptional and diligent manner in which they assisted in introducing the new CLMS system. All parties conducted themselves in a commendable manner during such a difficult phase, particularly, Karol Hill for her efficient handling of transition issues and Marilyn Heard, as Associate Trainer, was pivotal in developing Associates' knowledge by way of seminars and liaison with the CLMS team.

Court Assistance Requests

Throughout the financial year Interform Pty Ltd attended to an average of 250 Court assistance requests per month. The company undertakes that task on behalf of building owners The Liberty Group. In addition, the Court had the benefit of its own in-house IT team directed by Hans Wolf. Committee members appreciated the improvement in the Court's professional amenity, which has come about from the move to the new complex at 250 William Street.

Acknowledgment of Leadership Changes

The Committee welcomed at its December 2002 meeting the new Chief Judge of the County Court, Chief Judge Rozenes. In addition,

members noted at the November 2002 meeting and conveyed their thanks to retiring Chief Judge Waldron for his ongoing commitment throughout the last 10 years with regard to the Committee's work, in particular, for the leadership and encouragement he provided to the Committee to ensure that the Court was technologically adept and efficient.

County Court Web Site

During 2003, Library and Information Services and the Court's Information Technology Department began a project to update and refresh the Court's web site. The project included reformatting and re-classifying content from the existing site to create a new platform that provides greater flexibility, allowing Court staff to individually publish documents to the web site, while allowing for greater quality control through an information audit process.

In addition, the project included redesigning the web site to improve the overall look and feel and implementing a more advanced search engine.

The web site receives some 2,000 visits per month, of which Courtconnect comprises 800. The home page provides daily Court lists, judgments and other information and is being continually upgraded and expanded.

e-Filing Project Initiated

In serving the legal community, the Court initiated the e-Filing Project to enable legal practitioners and litigants to electronically lodge, process and retrieve Court documents relating to civil cases using CITEC CONFIRM.

The new system, due to be launched in the next financial year, will improve lodgement turnaround time, with the goal to achieve same day processing for the majority of lodgements.

Legal practitioners will be able to lodge initiating or additional documents and the Court will assign case numbers and accept, reject or suppress documents. This process will result in a current, accurate case record being available for online review and action at any time.

Electronic Transcript Delivery

The Court acknowledges the effort of the VGRS by supporting the Court in providing funding of \$50,000 to rent nine Ricoh photocopiers. VGRS implemented electronic transcript delivery using these networked photocopiers as high volume printers and with the Court funding the purchase of an additional server to house the printer queues. The infrastructure enables electronic twice-daily delivery of transcript of proceedings in a timely and efficient manner.

Future Projects

In future Committee members will be concerned with adapting the new CLMS system and refining its operation, in particular, with regard to e-Filing and developing the orders modules relevant to criminal and civil jurisdictions. In this regard the Committee appreciated the ongoing work undertaken by Hans Wolf, who, since Tony Lansdell left the Committee in September 2002, has undertaken the management of the CLMS Project.

The County Court Complex

The State of Victoria accepted the new County Court Complex on 23 May 2002 and the Court relocated to the new facility at 250 William Street, which opened to the public on Monday, 27 May 2002.

The Court established a productive working relationship with its partner The Liberty Group (TLG) and its service partners. As a Public-Private Partnerships building, the County Court Complex is subject to the Court Services Agreement (CSA). The CSA provides for TLG to prepare and deliver an annual report to the Contract Administrator and Secretary Department of Justice on the activities and performance of TLG and its operators, comprising AIMS, Interform and Honeywell.

In addition to specified contractual reviews, including an Insurance Review and Court Services Standards and Operating Manual Review, the Annual Services Review provides an analysis of other key contractual and opera-

tional aspects of the complex for the financial year. This review covers key aspects, such as accommodation services, including refurbishments, Technology Refresh Fund, probity, insurance, defects and maintenance, courtroom use, CRAMS and security, to name just a few.

The expenditure on contract payments from the start of operations in May 2002 to the end of the financial year June 2003 represented an overspend of \$34,000 (.0016%) when compared with Treasury Corporation Victoria (TCV) estimates. This expenditure included an estimate of \$20,000 for CPI adjustments for the 13-month period.

The major conclusions from the review are summarised as follows:

- The Court received positive feedback about the interface between the Contractor, Operators and the Court.
- There were no accommodation services defaults, with all

courtroom and non-courtroom areas available for use.

- TLG rectified 99.0% of logged maintenance items, with a vast majority of items being rectified well within CSA standards.
- The \$500,000 performance bond held by the State for the 12-month defects liability period was released due to the defects being substantially rectified.
- In the first 13 months, the Court used 95.0% of reserved courtrooms.
- Third parties used 11 courtroom days.
- The contractor met all probity reporting obligations.
- The State made no change in law or change in policy notifications.
- There were no disputes reported.

The table on page 29 details courtroom use at the County Court Facility during 2002–03.

Comparisons with previous years will be included in future Annual Reports.

Building Services

To manage facility operations and building maintenance effectively, TLG established a procedure for operational activities to ensure that the functions and responsibilities for each partner were clearly identified.

Early in the reporting period, the Court, Contract Administrator and TLG established a working group committee to deal with all building and facilities issues. The Facility Defect and Maintenance Committee comprised representatives from the Court, TLG, Honeywell (service provider), Multiplex (building construction) and Contract Monitor (State). The committee met weekly to discuss the resolution of all defects reports, ongoing defects and maintenance process and defect liability period.

Courtroom Use in 2002–03—County Court Facility

	Yearly Reservation		Monthly Usage			Year to Date Usage		
	Reserved Courtrooms Monthly	Cumulative	Court Days Used	Monthly Variation (- = Fewer Days Used)	Monthly Usage %	Cumulative Usage	Cumulative Variation	Cumulative Usage %
July 02	407	407	363	-44	89.2	363	-44	89.2
Aug 02	885	1,292	813	-72	91.9	1,176	-116	91.0
Sep 02	816	2,108	792	-24	97.1	1,968	-140	93.4
Oct 02	863	2,971	908	45	105.2	2,876	-95	96.8
Nov 02	767	3,738	790	23	103.0	3,666	-72	98.1
Dec 02	577	4,317	563	-14	97.6	4,229	-86	98.0
Jan 03	217	4,532	232	15	106.9	4,461	-71	98.4
Feb 03	785	5,317	786	-	100.0	5,246	-71	98.7
Mar 03	811	6,128	684	-127	84.3	5,930	-198	96.8
Apr 03	701	6,829	641	-60	91.4	6,571	-258	96.2
May 03	871	7,700	830	-41	95.3	7,401	-299	96.1
Jun 03	620	8,320	604	-16	97.4	8,005	-315	96.2
Total	8,320		8,005	-315	96.2			

The County Court Complex

The committee registered the following defect and maintenance items, totalling 1,472 items registered during 2002–03.

Building/Facility Issues

The Committee addressed the following building/facility issues:

- ***Sound Attenuation in Courtrooms***—To address concerns regarding noise emanating through the door between the jury rooms and the courtrooms, a sound acoustic consultant performed testing and measurement of the sound rating in courtrooms. TLG and Multiplex will review the report from the acoustic consultant and recommend the options for resolving the issue. Multiplex recommended a proposal to install an additional 42mm solid core door to 17 affected courtrooms and sound lobbies to five courtrooms. The DOJ accepted the proposal as the full and final resolution of the issue.
- ***Air-conditioning Problems***—The committee registered a problem with the air-conditioning in the building defect list due to staff complaints from various areas of the building. The main issue involved an inadequate supply of heating affecting most staff members in the Registry, Library and Judicial Secretary areas. The temperature in the affected areas was closely monitored and reviewed with all parties.

The air-conditioning control has been re-programmed to ensure that the warm-up period is properly set to supply adequate heating to all areas. Additional air grills were installed adjacent to all toilet doors in the Registry area to improve the temperature level in the affected area.

Health and Safety

The Committee addressed the following health and safety issues:

- ***Safety Handrails***—The Court, TLG and Occupational Health and Safety (OHS) Committee received a complaint from a Court officer concerning the lack of handrails to stairs between the Judicial, Associates' and Tipstaves' level in the courtroom. The Court and TLG agreed to install safety handrails to all courts with high level stairs.
- ***Monitors Behind Witness Box***—The OHS Tipstaves Representative raised the issue of the wall-mounted monitors positioned directly behind the witness box. The monitors were located too close to the witness chair, creating a potential risk for witnesses to injure themselves when pushing back their chairs and standing up.

- ***Witness Chair Casters***—The existing casters of the 27 witness chairs were replaced with slides. The replacement slides will minimise the potential risk for witnesses.
- ***Registry Compactus***—The OHS Committee registered a complaint from Registry staff in relation to the ineffective moveability of the compactus installed in the Registry and in the basement. A working parties group inspected the compactus and agreed that the current units were inadequate and should be replaced.

Facility Operation and Activities

The Committee managed the following minor works and refurbishment activities:

- Removal of all Bar Table chair arms in courtrooms to prevent the damage to bar table timber veneer.
- Installation of safety handrails in most courtrooms.
- Installation of a shelving storage facility for the administration store room.
- Installation of an additional compactus for the Finance Office.
- Installation of a Registry compactus on the ground floor and basement level one.

CSA Sitting Committees

The following information summarises the sitting committees in accordance with the CSA for the reporting period.

Committee	Purpose
1. Post Completion Project Committee	<ul style="list-style-type: none">Review of communications, strategy, performance and facility management.
2. Security and Emergency Management Planning Committee	<ul style="list-style-type: none">Review of Security and Management Plan. Implementation of increased security arrangements during the period of heightened security awareness.
3. Refurbishment Review Meeting	<ul style="list-style-type: none">Review refurbishment works. Year Two Refurbishment Plan agreed.
4. Government Functions Interface Committee	<ul style="list-style-type: none">Integration of services with Government functions, and the Tenancy User Review. Review of current issues impacting on Government responsibilities and reinforcing communication channels.
5. Technology Upgrade and Refresh Committee	<ul style="list-style-type: none">Review of current issues and expenditure from IT Refresh Fund. Adopting standards for requests, Disaster Recovery Plan and planning the technology upgrade to take place during Year Four.
6. Courtroom Booking Planning Committee	<ul style="list-style-type: none">Review reservation and booking arrangements. Streamlining of processes that have led to distribution of the Court List over an hour earlier each day.
7. Weekly Meeting Committee	<ul style="list-style-type: none">Manage current issues through monitoring and resolution.
8. Defects and Maintenance Items Meeting	<ul style="list-style-type: none">Defects and maintenance items logged, monitored, prioritised and checked when corrective action has been taken.
9. Occupational Health and Safety Committee	<ul style="list-style-type: none">Facility improvements undertaken in response to identification of OHS issues.

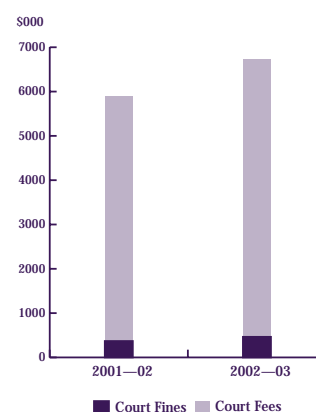
Operating Statement for the Year Ended 30 June 2003

The following Operating Statement and Financial Commentary summarises the revenue and operational expenditure of the Court for the year ended 30 June 2003, including comparisons with 2001–02.

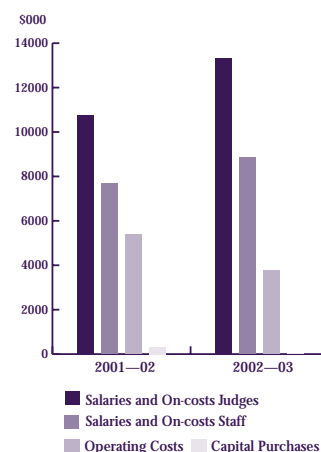
	2002–03	2001–02
	\$	\$
Revenue		
Court Fines	464,058	368,528
Court Fees*	6,263,196	5,520,723
Total Revenue	6,727,254	5,889,251
Operational Expenditure		
Salaries and On-costs—Judges	13,310,842	10,744,000
Salaries and On-costs—Staff	8,851,871	7,684,830
Operating Costs	3,773,022	5,394,009
Capital Purchases	28,043	323,604
Total Operational Expenditure	25,963,778	24,146,443

*Court Fee collections increases reflected a 13.2% increase in civil initiations.

Collection of Fees and Fines (Consolidated Funds)—2001–02 to 2002–03



Operational Expenditure—2001–02 to 2002–03



Financial Commentary

The transition into the new Court facility in May 2002 had an impact on the nature of expenditure incurred during the financial year, compared with 2001–02.

The administration function of the CTLD business unit was merged with the Court and its annual appropriations and expenditure of approximately \$562,000, principally comprising salaries and on-costs of staff, was absorbed by the Court.

The contractual arrangements of the CSA no longer required the Court to incur utility costs, such as gas and electricity, resulting in a reduction in 2002–03 in operating costs of \$200,000. Similarly, rent and outgoing charges, including depreciation were no longer incurred. As such, expenditure savings of approximately \$1,655,000 were realised for the financial year.

The salaries and on-costs for Judges were impacted by the addition of two judicial appointments to meet the demand of the caseload created by the legislative impact of section 135A of the *Accident Compensation Act 1985* and the salary rate deliberations of the Judicial Remuneration Tribunal (\$820,000 in arrears payments alone). Judicial leave entitlements paid out were in excess of \$663,000. Accounting procedural changes in attributing the costs assigned to the two County Court Judges sitting at the Victorian Civil and Administrative Tribunal (VCAT), were initiated during the financial year.

The salaries and on-costs for staff included funding and expenditure of approximately \$355,000 for judicial support for the additional two judicial appointments and the impact of general salary wage

increases in accordance with Government agreements, totalling \$269,000.

Capital purchases (items greater than \$1,000) were kept to a minimum since the CSA provides for technology refresh. The capital expenditure of \$323,604 in 2001–02 was predominantly due to the purchase of additional computers not provided in the scope of the original CSA. This expenditure came about through the rollout of the applications of the new CLMS, which required additional computers in the courtrooms.

Judges and Registrar as at 30 June 2003

Judges of the County Court of Victoria	Date of Appointment	Judges of the County Court of Victoria	Date of Appointment
His Honour Chief Judge Michael Rozenes	25 November 2002	Her Honour Judge Elizabeth Mary Gaynor	10 September 2002
His Honour Judge Francis Gilbert Dyett	24 October 1978	His Honour Judge Phillip James Coish	10 September 2002
His Honour Judge William Michael Raymond Kelly	12 March 1980	His Honour Judge Kenneth Ross Howie	22 October 2002
His Honour Judge John King Nixon	3 March 1981	Her Honour Judge Jane Anne Campton	22 October 2002
His Honour Judge Leonard Sergiusz Ostrowski	20 September 1983	His Honour Judge Roy Francis Punshon	8 April 2003
His Honour Judge Warren Christopher Fagan	14 August 1984	Her Honour Judge Wendy Anne Wilmoth	8 April 2003
His Honour Judge James Thomas Duggan	12 December 1984		
His Honour Judge Leo Richard Hart	19 March 1985	<u>Reserve Judges</u>	<u>Date of Election</u>
His Honour Judge Graeme Reuben Glover Crossley	20 March 1985	His Honour Judge P U Rendit	7 December 1999
His Honour Judge Thomas Antony Neesham	1 August 1985	His Honour Judge B R Dove	22 January 2003
His Honour Judge John Rupert Hanlon	12 May 1986	His Honour Judge F Walsh	1 February 2003
His Honour Judge Michael Desmond Higgins	3 June 1988		
His Honour Judge Michael John Strong	6 September 1988	<u>Reserve Judges</u>	<u>Date of Appointment</u>
His Honour Judge Leslie Charles Ross	8 November 1988	His Honour Judge F B Lewis	30 March 2001
His Honour Judge Russell Patrick Llewellyn Lewis	21 November 1989	His Honour Judge C S Keon-Cohen	3 August 2001
His Honour Judge Barton Harold Stott	12 December 1989	His Honour Judge J A Dee	31 August 2001
His Honour Judge John Henry Barnett	30 January 1990	His Honour Judge D A T Jones, A M	30 September 2002
His Honour Judge Gordon David Lewis	19 June 1990	<u>Registrar</u>	<u>Date of Appointment</u>
Her Honour Judge Elizabeth Helen Curtain	10 November 1993	Mr Fin McRae	24 January 2000
His Honour Judge Roland Gwyllam Williams	10 February 1994	<u>Appointments, Deaths and Retirements of Judges</u>	<u>Date</u>
His Honour Judge Frederick George Davey	6 April 1994	His Honour Judge A F Smith passed away	13 July 2002
His Honour Judge Edward Charles Stuart Campbell	7 June 1994	His Honour Judge G H Spence retired as a Reserve Judge	2 August 2002
His Honour Judge David Ernest Morrow	7 June 1994	His Honour Judge M P Bourke appointed as a Judge	10 September 2002
His Honour Judge Michael Gerard McInerney	21 June 1994	Her Honour Judge E M Gaynor appointed as a Judge	10 September 2002
Her Honour Judge Margaret Ann Rizkalla	11 July 1994	His Honour Judge Coish appointed as a Judge	10 September 2002
His Honour Judge Thomas Gideon Wodak	16 August 1994	His Honour Judge D A T Jones, AM elected a Reserve Judge	30 September 2002
His Honour Judge Francis Julian Shelton	5 September 1994	His Honour Judge J T Hassett retired as a Reserve Judge	8 October 2002
His Honour Judge William Rex White	28 February 1995	Her Honour Judge K M Williams elevated to the Supreme Court	22 October 2002
His Honour Judge Anthony Philip Duckett, O B E	22 March 1995	His Honour Judge K R Howie appointed as a Judge	22 October 2002
Her Honour Judge Marilyn Blanche Harbison	5 February 1996	Her Honour Judge J A Campton appointed as a Judge	22 October 2002
His Honour Judge Sheamus Peter Gebhardt	14 May 1996	His Honour Chief Judge GRD Waldron AO, QC retired	24 November 2002
Her Honour Judge Janette Margaret Pannam	7 October 1997	His Honour Chief Judge M Rozenes appointed as Chief Judge	25 November 2002
His Honour Judge Timothy Mark Holt	7 October 1997	His Honour Judge B R Dove appointed as a Reserve Judge	22 January 2003
Her Honour Judge Carolyn Dianne Douglas	7 October 1997	His Honour Judge F Walsh was appointed a Reserve Judge	1 February 2003
His Honour Judge Tim Deney's Wood	2 December 1997	His Honour Judge E J Cullity QC retired as a Reserve Judge	9 February 2003
His Honour Judge Ian Campbell Robertson	19 January 1998	His Honour Judge R F Punshon appointed as a Judge	8 April 2003
His Honour Judge Graham Richard Anderson	17 March 1998	Her Honour Judge W A Wilmoth appointed as a Judge	8 April 2003
His Honour Judge Lansell David Pilgrim	7 April 1999		
Her Honour Judge Pamela Dawn Jenkins	21 April 1999		
Her Honour Judge Betty June King	1 March 2000		
Her Honour Judge Jennifer Ann Coate	22 June 2000		
His Honour Judge John Richard Bowman	20 February 2001		
Her Honour Judge Rachelle Ann Lewitan, A M	16 May 2001		
Her Honour Judge Julie Ann Nicholson	3 July 2001		
His Honour Judge Graeme Geoffrey Hicks	20 August 2001		
His Honour Judge John Arthur Smallwood	20 August 2001		
Her Honour Judge Susan Michele Cohen	20 August 2001		
Her Honour Judge Meryl Elizabeth Sexton	20 August 2001		
Her Honour Judge Frances Elizabeth Hogan	2 October 2001		
Her Honour Judge Irene Elizabeth Lawson	26 March 2002		
His Honour Judge Giuseppe Gullaci	4 June 2002		
His Honour Judge Michael Patrick Bourke	10 September 2002		

External Committees

The Court relies upon the close liaison it enjoys with other courts, Court Services, the legal profession and other agencies for the day-to-day operation of the Court's services. During the reporting period, the Court liaised and consulted with a number of external committees including:

- Courts' Consultative Council;
- Courts' Library Committee;
- Council of Legal Education;
- Criminal Justice Enhancement Program;
- Criminal Users Group;
- Costs Consultation Committee;
- Costs Coordination Committee;
- Courts Security Review Project;
- Courts Strategic Committee;
- DOJ Planning Network;
- Family Violence Protocols Committee;
- Governing Council of the Judicial Conference of Australia;
- Judicial College of Victoria;
- Legal Aid Consultative Committee;
- Litigation Lawyers Committee;
- Supreme Court Litigation Committee; and
- Video Conferencing Users Committee.

Explanation of Terminology

ADR	Alternative Dispute Resolution.	Honeywell	The corporation contracted by The Liberty Group to provide maintenance services, including lighting, air-conditioning, lift maintenance, maintenance of all plant and equipment, landscaping services and caretaking for the County Court Complex.
AIJA	Australian Institute of Judicial Administration.	Interform	The information technology company that provides services for the County Court Complex.
AIMS	Australian Integration Management Services Corporation—the corporation contracted by The Liberty Group to provide a safe and secure environment for all Court uses within the County Court Complex.	Interlocutory	A matter that arises between commencement of an action and final determination of a case.
Appeal	A party to a proceeding may, subject to the rules governing that particular court, appeal a decision of the court to a higher court.	ITB	Information Technology Branch of the DOJ.
Associate	The personal assistant to a Judge who records orders made in court and provides other assistance to the Judge as required.	Judgment	The sentence or order of the Court in a criminal or civil proceeding.
Brief Analyser	An electronic tool used to manage, analyse and annotate transcripts produced during a trial (see also Transcript Analyser).	Judicial Staff	Staff directly responsible for assisting Judges in the execution of their judicial function including Associates, Tipstaves, Secretaries, Researchers and Information Services staff.
CATCOE	Court's Common Operating Environment.	Jurisdiction	The power of a court to hear and determine a case.
C(CT)A	<i>Courts (Case Transfer) Act 1991.</i>	Listing	The scheduling of cases on a daily, weekly and monthly basis.
C(CT) Act	<i>Crimes (Criminal Trials) Act 1999.</i>	Litigation	Legal proceedings before a court.
Charge	Directions given to the jury with respect to law by the presiding Judge during a trial.	Local Recognition	An award scheme within the Court to acknowledge individual and team contributions to the operation of the Court.
Circuit	Court sittings held in regional towns within Victoria.	Awards	The company responsible for building the County Court Complex.
Civil	Law regulating conduct between private individuals such as the law of negligence.	Multiplex	Cases dealing with the exercise of 'reasonable care'.
CLMS	Case and List Management System.	Negligence	Hearing for the purpose of ruling in relation to objections raised by one party against another with respect to subpoena documents.
Court Connect	A free electronic information search facility of the Court's Case and List Management System (CLMS).	Objections Hearing	Occupational Health and Safety.
CRAMS	Courtroom Allocation Management System.	OHS	Civil orders made by the Court without the requirement that the parties be present. It follows that prior to the Court making such orders, the Court must be satisfied in writing that the parties agree to the orders to be made.
CSA	Court Services Agreement.	On the Papers	Order under the County Court Civil Rules with respect to the early inspection of subpoena documents.
Damages	A court assessment (whether by Judge alone or by jury) of compensation for a loss suffered as a result of a civil wrong or breach of contract.	Order 42.10	
Discovery	A procedure in civil actions by which documents relevant to the action are disclosed to the other party before a case comes on for hearing.		
DOJ	Department of Justice.		
e-Filing	Filing of documents with the Court electronically.		

Explanation of Terminology

Partnership Awards	An award scheme within the DOJ to acknowledge individual and team contributions to the operation of business units within the DOJ.
Registrar	Officer responsible for keeping a register or record of the outcomes of court proceedings.
Sentence	An order relating to the punishment made by a court after a person has been found guilty, or has pleaded guilty to, a criminal offence.
Sesquicentenary	The Court's 150-year anniversary.
Subpoena	A writ issued in an action requiring the person to whom it is directed to be present at a specified date and time and for a specified purpose, or for the production of specified documents to the Court.
Suppression order	A court order preventing publication of certain information about a particular case.
Taxation of Costs	The process provided for under the Rules of the Court for assessing the amount of legal costs payable between the parties to a proceeding where the parties cannot agree.
TCV	Treasury Corporation Victoria.
Tipstave	A court official who performs functions in and out of court, including preparation of the court for the day's hearings and supervision of juries.
The Liberty Group	TLG (see below).
TLG	The Liberty Group. The business that owns the building in which the Court operates, and that provides services to the Court.
Transcript	A word-by-word record of a court proceeding produced electronically by court recorders.
Transcript Analyser	An electronic tool used to manage, analyse and annotate transcripts produced during a trial (see also Brief Analyser).
VGRS	Victorian Government Reporting Service.
Writ	A written order issued by a court commanding someone to do or refrain from doing a specific act. Writs may be issued to originate an action, during the course of proceedings or after a final judgment. The issuing of a writ is the main method of originating civil proceedings in the Court.



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