

## **STANDARD ORDERS FOR HEARINGS**

### **CHRONOLOGY**

1. The Plaintiff's solicitor is to prepare a full chronology of relevant events, a copy of which is to be served upon the other party/parties at least 3 clear days prior to the hearing date.
2. The plaintiff is to read (or have read to them) the chronology **before giving evidence**. The chronology should be tendered in the plaintiff's case.

### **MEDICAL AND EXPERT REPORTS**

3. Each party is to prepare a schedule of medical and expert reports and any other documents which are to be tendered. A copy of the schedule is to be served upon the other party/parties at least 3 days prior to the hearing date.
4. The schedule is to contain the dates of the reports and the dates of service.
5. Working copies of all medical reports, the chronology and all other documents which any party proposes to tender should be available for the Trial Judge.

### **CONCURRENT EVIDENCE**

6. Where more than one expert has been required to give oral evidence, if the experts' field of expertise is the same or substantially the same, arrangements should be made by the parties for the experts to give their evidence concurrently.
7. If the parties disagree or are in doubt as to whether the case is suitable for concurrent expert evidence, directions should be sought from the Court on that matter at the earliest convenient time after such disagreement or doubt arises. This order includes an application by any party for a hearing to be exempt from the requirement for concurrent evidence.
8. Where experts are to give their evidence concurrently each expert should be provided with the reports of the other expert/s, if not already in their possession, at least 21 days before the commencement of the hearing.
9. The experts, before giving their oral evidence, should confer with the intent of reducing the issues between them. Thereafter a joint report should be prepared stating areas of agreement and continued disagreement. Where areas of continued disagreement remain, reasons must be stated by each expert (or group of experts holding a common opinion) for such continued disagreement.

## **SCHEDULES OF DAMAGES AND ISSUES**

10. Each party is to prepare a schedule of damages and a schedule of issues which is to be served upon the other party/parties at least 3 days prior to the hearing date. Copies of the schedules are to be provided to the Trial Judge

## **COURT TECHNOLOGY AND EVIDENCE**

11. If a party intends to adduce electronic evidence, for example CCTV footage, via CDs, DVDs or data files the party must contact the Court's Information Technology Branch (02 8759-1010 or multimedia@justice.nsw.gov.au) 28 days prior to the hearing to confirm that the Court's technology resources capable of playing the evidence.

If the electronic evidence is not in a form that is compatible with the Court's technology resources the evidence must either be converted to formats used by the Court or the party must bring their own devices to play the evidence.

## **ADJOURNMENTS**

12. All cases should be ready to proceed on the hearing date. Parties should expect that cases that do not finish within the estimate provided to the court will continue until concluded. Parties should promptly notify the Court if the estimate given for the hearing changes.

13. Subject to sections 56-60 of the CPA, hearings will only be vacated or adjourned in exceptional circumstances. These must be demonstrated by the party or parties seeking the vacation or adjournment. The unavailability of counsel or the failure to properly prepare the matter for hearing will not be regarded as an exceptional circumstance.

14. Any application for an adjournment must be made by way of Notice of Motion with an affidavit in support and must be made at the **earliest possible time**.

## **COUNSEL**

15. **Counsel Appearing at the hearing are to be notified of these orders.**