

Succession & Probate List Practice Modifications Memorandum

From 1 July 2023, the following modified practices will apply to family provision and probate matters, salient features of which include:

1. These matters will be managed and heard in a list to be known as the Succession & Probate List (the **List**).
2. Motions and directions hearings in the List will be dealt with on Fridays and the currently operating Monday directions day will be phased out.
3. Ordinarily, two Judges will, or will be available to, sit in the List on Fridays. So far as is practicable, family provision applications (whether combined with probate or not) will be dealt with by one Judge and matters which are exclusively probate will be dealt with by the other.
4. Mediation in matters in the List will be Court annexed unless the parties consent or the Court otherwise expressly orders.
5. A Practice Note reflecting the changes will be published shortly.

Additional modifications may be considered in due course.

The Honourable Justice David Hammerschlag
Chief Judge in Equity
Supreme Court of New South Wales
9 June 2023