

A guide to representing yourself

Preparing for a hearing

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From the time you are notified of your hearing date, there are a number of steps you can take to prepare. Some of these steps are in the official orders that are made during the course of your proceeding. You must follow any Court-ordered instructions carefully.

Types of hearings

Parties are expected to attend any hearings the Court schedules. If you cannot attend for any substantial reason, for example if you have a medical emergency, contact the Court immediately. **If you do not attend your hearing, the matter may be considered in your absence and may be dismissed or an order made against you.**

There are many different types of hearings at the Supreme Court. Some common types are outlined below. Check your Court document to find out what type of hearing you need to attend, so you can properly prepare. For all hearing types, take any documents you have filed and something to make notes on, such as a notepad, tablet or laptop. If you are attending a directions hearing, also take your diary so you can check if any dates proposed are suitable.

Directions hearing

A directions hearing is a short hearing to decide matters related to the timing of when things happen during the proceeding, including what has to happen, who does it and when it needs to be done. Depending on the complexity of the case, there may be more than one directions hearing. Our website has samples of orders that would normally be made at a directions hearing. These will give you an idea of what types of timetabling matters are discussed at a directions hearing. The directions hearing is **not** when you present your arguments to the Court – this happens at the final hearing. In the **Costs Court**, a directions hearing is called a taxation callover (attendance is required). There is no fee for a directions hearing.

Interlocutory hearing

An interlocutory hearing is any hearing that occurs after the start of a proceeding and before the final hearing. This is only held if one of the parties requests it by filing an application (usually in the form of a summons) and paying the fee. For example, if a party has not complied with orders in time, the other party can ask the Court to summons them to attend an interlocutory hearing. Other common types of interlocutory hearings are for discovery (to uncover more information), security for costs (to ensure a party has the funds to continue with a proceeding), to stay the execution of a warrant (to temporarily stop an eviction) and obtain an earlier trial date. The Court must agree that an interlocutory hearing is necessary. Every list has its own interlocutory hearing form, which you must complete to seek approval for an interlocutory hearing.

Hearing of application for leave to appeal

Sometimes the Court holds a hearing to decide if an appeal can be commenced. For example, a hearing may be held to decide if 'leave to appeal' should be given. Leave to appeal is permission from the Court to appeal a decision of another court or tribunal. The hearing may decide whether an application should be accepted outside the normal time limits or whether the application meets set criteria.

Trial/final hearing

The final hearing in a proceeding is sometimes called the trial. This is when parties from both sides argue their case in front of a judge or panel of judges (or a judge and jury). The Court will advise you of the date for your final hearing in orders made during the course of your proceeding. All parties are expected to attend. Sometimes a proceeding will only have one hearing. Court fees apply.

Delivery of judgment

At a delivery of judgment parties from both sides are expected to attend. There is no fee. It is when a judge gives the parties the decision, at a time and courtroom nominated by the Court. At the delivery of judgment, the successful party usually asks the judge to make an order for costs. This means they ask the judge to order the unsuccessful party to pay any expenses they had as part of the proceeding, such as legal fees, the cost of expert reports and court fees. If both parties attend the delivery of judgment, it means they can be part of the discussion about awarding costs.

Filing documents with the Court

As you prepare for your hearing, you may need to file various documents with the Court. For Trial Division proceedings, you use the Court's online system RedCrest (www.redcrest.com.au) to file documents. For Court of Appeal proceedings, check the [Guide to representing yourself in a Court of Appeal civil proceeding](#) for details on how to file documents. Our website has a guide to using RedCrest. If you have any questions, contact the Principal Registry (for proceedings in the Trial Division) or Court of Appeal Registry (for Court of Appeal proceedings).

Preparing for your hearing day

1. Prepare a folder of documents

If you have a final hearing (trial) to attend, prepare a folder of all your documents. Check you have copies of any documents you may want to refer to during your hearing, such as affidavits, attachments to the affidavits (called 'exhibits'), witness statements, written submissions, letters and emails from the Court.

The judge will have copies of all documents filed by you and the other party. If you plan to refer to documents during your hearing, the judge will expect you to say the name of the document you are referring to and the paragraph of the text that you want to draw to their attention. It will help if you clearly label your documents and put them in order before your hearing.

2. Pay your court fees

Check that you have paid any court fees that are due. There are time limits on when you must file different documents and when you must pay court fees. You cannot file your documents to start the proceeding, or file an interlocutory application, without paying the required fee or applying for a fee waiver. Any proceeding listed for a trial/final hearing will have a setting down fee, due six weeks prior to the trial date. The first-day hearing fee is due five days prior to the trial. After the first day, the hearing fee is due on the morning of the trial, before the trial starts.

3. Order your transcript

A hearing transcript is a written copy of the exact words spoken during a hearing. For a final hearing, the Court requires parties to arrange a transcript through an approved supplier. The approved transcript supplier for civil proceedings is Auscript Australasia Pty Ltd (www.auscript.com or 03 9672 5601). A transcript may be required for other types of hearing, for example a directions hearing. Check the practice note for the list or division that relates to your type of case – it will say if you need to order a transcript for your type of hearing.

After your final hearing, when you come to Court to get the decision, the judge will advise who ultimately pays the cost of the transcript as part of awarding costs. See [Practice Note SC Gen 7 – Transcript in Civil Proceedings](#) or contact the Self-represented Litigant Coordinator to discuss your situation.

4. Contact the Court if you need help to access court buildings

If you need assistance to access court buildings and are visiting one of our **Melbourne CBD** courts, we recommend calling security on 03 9603 6547 or 0437 864 908 at least two days in advance so we can help you plan your visit. If you are attending a regional court, phone ahead to check access. The 'Contact us' page on our website has contact details.

5. Prepare to present your case

It is important that you spend some time thinking about how you will present your case to the judge. Write down what you plan to say and make a list of the questions you would like to ask. Think about what the other party might say and how you would respond. Practice what you are going to say with a friend or family member.

If you plan to refer to documents during the hearing, have them clearly labelled so you can find them easily on the day. You may also find it helpful to observe a Court hearing, to help you understand what happens. Most cases are open to the public.

6. Decide if family and friends should come

You can bring a friend or family member as your support person but they will not be able to speak to the judge or ask questions on your behalf during the proceeding, unless the judge gives them permission. They must sit in the area reserved for the public.

7. Plan what to wear

The Court expects parties to dress in a way that is respectful to the Court. Dress formally, for example in a suit if you have one. If not, dress to look neat and tidy. Thongs, singlets and sunglasses are not allowed.

The day before your hearing

1. Pack what you need for the day

Review your notes and re-read the key documents that you plan to talk about at the hearing. Pack all your documents and any books you have been using to help you to understand the law. Pack something to make notes on such as a notepad and pen, tablet or laptop. If you are attending a directions hearing, also pack your diary so you can check if dates proposed are suitable.

2. Check the Daily Hearing List for your courtroom

At about 3.15pm, our website updates with the **Daily Hearing List** for the following business day. Check the Daily Hearing List for the courtroom number and name of the judge hearing your proceeding. Also note whether there are any other matters listed before the same judge that day.

More information

More information is on our website www.supremecourt.vic.gov.au. From the home page, click on Representing yourself. This takes you to the guides, videos and resources developed specifically for people who represent themselves in Court. You can also find links to organisations that provide free or low-cost legal help.

Trial Division proceedings

The Supreme Court has a **Self-represented Litigant Coordinator** who specialises in helping people with Trial Division proceedings who do not have a lawyer. You can make an appointment with the Coordinator to discuss Court process and to check you have the right documents. The Coordinator is not allowed to give legal advice.

Address for appointments with the Self-represented Litigant Coordinator

Principal Registry, Level 2, 436 Lonsdale Street, Melbourne VIC 3000

Mon-Fri 9.30am-4pm, closed public holidays

Phone: 03 9603 9300 (general enquiries) Phone: 03 9603 9240 (Self-represented Litigant Coordinator)

Email for self-represented litigants: unrepresented@supcourt.vic.gov.au

Court of Appeal proceedings

Address for filing documents in person and paying court fees

Court of Appeal Registry, Level 1, 436 Lonsdale Street, Melbourne VIC 3000

Mon-Fri 9.30am-4pm, closed public holidays

Phone: 03 9603 9100 (general enquiries)

Email: coaregistry@supcourt.vic.gov.au