



SUPREME COURT OF THE AUSTRALIAN CAPITAL TERRITORY

PRACTICE DIRECTION 1 OF 2022 COMMUNICATION WITH CHAMBERS

1. This practice direction takes effect from 26 May 2022.
2. This practice direction describes when and how legal practitioners and self-represented parties may communicate with the chambers of a judge. It articulates the well-established position set out in *Ken Tugrul v Tarrants Financial Consultants Pty Limited (in liquidation)* [No 2] [2013] NSWSC 1971 at 21-22.
3. There should be no communication (written or oral) with a judge's chambers in connection with any proceedings before that judge without the prior knowledge and consent of all active parties to those proceedings. The precise terms of any proposed communication with a judge's chambers should be provided to the other parties for their consent.
4. There are four exceptions:
 - (a) trivial matters of practice, procedure or administration (e.g. the start time or location of a matter);
 - (b) ex parte matters;
 - (c) where the communication responds to one from the judge's chambers or is authorised by an existing order or direction (e.g. for the filing of material physically or electronically with a judge's associate); and
 - (d) exceptional circumstances.
5. Any communication with a judge's chambers which falls into any of the categories set out in [4](b), (c) or (d) should expressly state the reason for the communication being sent without another parties' knowledge or consent.
6. Where consent has been obtained, that fact should be stated explicitly in the communication.
7. All written communications with a judge's chambers in relation to proceedings should be copied to the other parties.
8. Nothing in this practice direction is intended to detract from the obligations of legal practitioners under the Legal Profession (Solicitors) Conduct Rules 2015 or the Legal Profession (Barristers) Rules 2021.

9. The principles in this practice direction should also be applied when communicating with the Registrar or Senior Deputy Registrar in relation to matters listed before them.



Jayne Reece
Registrar

25 May 2022