



SUPREME COURT OF THE AUSTRALIAN CAPITAL TERRITORY

PRACTICE DIRECTION 8 OF 2026

SUPREME COURT – CIVIL INTERLOCUTORY APPLICATIONS

Commencement

1. This Practice Direction takes effect from 17 August 2026.

Application

2. This Practice Direction applies to all interlocutory civil applications, except for applications to list matters urgently before a duty judge.
3. Applications to list matters urgently before a duty judge should continue to follow the process outlined in the *Notice to Practitioners – Listing urgent matters in the Supreme Court*. To access this Notice, and for further information on the process for listing matters before a duty judge, see the Supreme Court website [here](#).
4. The requirements of this Practice Direction are subject to any contrary direction of the Court or the Registrar.

On filing

5. The applicant is to file and serve the application, any supporting affidavit and a written outline (of no more than two pages in length) which identifies the following:
 - (a) The statutory provision or rule under which the application is brought or the power the party is asking the court to exercise to make the order/s sought;
 - (b) The issue/s to be determined;
 - (c) The test to be applied;
 - (d) Where appropriate, a list of up to three key authorities relied on along with citations for those cases including pinpoint references;
 - (e) Whether the application requires an earlier hearing date than as provided under [11] along with a brief statement as to the reasons why.
 - (f) An estimate of the time required for the hearing of the application;
 - (g) If the estimate is greater than one hour, detailed reasons for the estimate, including setting out the anticipated time to address each issue identified.

On issuing

6. The Registrar will set a hearing date and make a standard set of directions pursuant to rule 1401 of the Court Procedures Rules as follows:

- (a) Within two business days of filing, the applicant is to serve on the respondent/s the application, supporting affidavit, its written outline as filed with the court and a copy of this practice direction.
 - (b) Within 10 business days of service, the respondent is to file and serve any material on which it wishes to rely, along with a written outline of no more than two pages in length which identifies the following
 - (i) Whether or not the application is by consent, including as to costs, and if so whether in chambers orders are sought;
 - (ii) Where the application is not by consent:
 - i. Where appropriate, a list of up to three key authorities relied on in opposition including case citations with pinpoint references;
 - ii. A time estimate for the hearing of the application;
 - iii. If the estimate is greater than one hour, detailed reasons for the estimate, including the anticipated time to address each issue identified.
 - (c) All parties wishing to be heard are to file written submissions (of no more than three pages) two days prior to the hearing of the application.
7. The Court expects parties to communicate with each other in advance of the hearing with a view to resolving the application or narrowing the issues to be determined consistent with their obligations under section 5A of the *Court Procedures Act 2004*.

Estimates for applications

- 8. Parties should note that applications in proceeding will normally be limited to hearing time of no longer than one hour.
- 9. Consistent with their obligations under section 5A of the *Court Procedures Act 2004*, parties are expected to assist the court to remain within the time allocated.
- 10. Where this direction is inconsistent with a provision of the *Court Procedures Rules 2006*, the direction prevails in accordance with Rule 1401.

Hearing date for application

- 11. Applications will be listed, subject to the Court's availability, on the first Friday after the expiry of 15 business days from filing with the Court. Parties should expect matters to proceed to hearing on the first date allocated. Counsel's availability for interlocutory applications may not be able to be accommodated. If Counsel briefed in the matter is unavailable on the date advised parties must make alternative arrangements in advance of the listing so that it can proceed on that date.

By direction of the Chief Justice



Jayne Reece

Registrar

13 August 2026