

1990 - No. 613

LOCAL COURTS (CIVIL CLAIMS) ACT 1970 - FORMS

NEW SOUTH WALES



[Published in Gazette No. 113 of 14 September 1990]

In pursuance of Part 36 rule 3 (2) of the Local Courts (Civil Claims) Rules 1988 I have amended the Forms approved for use in the Local Courts by inserting after Form 20 the Forms set forth hereunder.

I. H. PIKE
Chief Magistrate.

FORM 20A

CERTIFICATE OF READINESS

[Pt 9, r 2A]

IN THE LOCAL COURT

(CIVIL CLAIMS)

ISSUED AT

NUMBER

PLAINTIFF:

DEFENDANT:

To the Registrar:

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I certify as follows -

1. This action is, on the part of the plaintiff, ready for hearing.
2. I am not aware of any matters which would entitle the defendant to an adjournment.
3. The plaintiff intends to call at the hearing expert witnesses and other witnesses, and estimates the length of the hearing to be _____
The witnesses have been contacted, and I will at the call-over have the dates on which they are available.
4. I have subscribed correct answers to the questions hereunder:
 - (a) Have you briefed, or do you intend to brief, counsel?
If YES, will you have at the call-over the dates on which counsel is available?
 - (b) Have you supplied all particulars requested by the defendant?
If NO, why not?
 - (c) Have you obtained from the defendant all particulars sought by you?
If NO, do you propose to apply for an order for particulars?
 - (d) Have you served all reasonably prudent -
notices to admit facts?
notices to admit documents?
notices to produce?
 - (e) Do you intend to issue any subpoenas for production of documents?
If YES, have you considered making them returnable earlier than the hearing date so as to reduce delay at the hearing?
 - (f) If you intend to adduce expert evidence - have you obtained a written report from the expert?
If NO, why not?
If YES, have you served the report?
If NO, why not?

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Are you aware that the report can be made admissible in evidence?

Are you aware that you cannot call a medical expert to give evidence unless you have served the expert's report?

(g) If this is a building or other technical action, has a Scott Schedule been served?

If NO, why not?

If YES, has the Scott Schedule been completed and filed by the party on whom it was served?

If NO, why not?

(h) Do you intend to join any further parties?

(i) Do you intend to make or seek any amendments?

(j) Have you prepared and attached hereto a summary of the issues in dispute so far as you are aware of them?

(k) Have real attempts been made to settle this action?

Will you indicate below your opinion of the prospects of settlement?

Dated

(Solicitor for) plaintiff.

A copy of the above certificate was served on the (solicitor for the) defendant on
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(Solicitor for) plaintiff.

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For completion by plaintiff appearing without a solicitor

I have made sufficient enquiries as to the meaning and effect of this certificate. I understand that this action will not be listed for hearing or arbitration unless I have completed the preparations for hearing and completed, served and filed this certificate.

Plaintiff (or authorised officer of plaintiff corporation)

In addition, for completion where plaintiff is a corporation appearing without a solicitor

I understand that I cannot appear for the plaintiff in this action unless I have produced an authority in writing to so appear, and that an authority signed by myself will not be regarded as sufficient.

Authorised officer of plaintiff corporation

FORM 20B

NOTICE AS TO CERTIFICATE OF READINESS

Pt 9, r 1 (3)

IN THE LOCAL COURT

(CIVIL CLAIMS)

ISSUED AT

NUMBER:

PLAINTIFF:

DEFENDANT:

To the (solicitor for the) plaintiff:

A notice of grounds of defence, copy of which is attached, has been filed in this action.

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THE ACTION WILL NOT BE SET DOWN FOR HEARING OR CALL-OVER until the plaintiff has filed a certificate of readiness in the approved Form. The certificate must be served on the defendant or the defendant's solicitor before being filed.

Dated

Registrar.