



New South Wales

# **District Court Rule (Flat Filing of Documents) 1998**

under the  
District Court Act 1973

The District Court Rule Committee made the following rule of court under the *District Court Act 1973* on 5 March 1998.

J G Cowen  
Secretary to the Rule Committee

## **Explanatory note**

The object of this Rule is to eliminate the present requirement that documents filed in the District Court have backsheets and to require instead all relevant identifying information to be included on the front page of the document. This new system of "flat filing" is based on the system adopted by the Supreme Court under Part 65 of the *Supreme Court Rules 1970*.

**1998 No 155**

Clause 1                    District Court Rule (Flat Filing of Documents) 1998

---

**District Court Rule (Flat Filing of Documents)  
1998**

**1 Name of Rule**

This is the *District Court Rule (Flat Filing of Documents) 1998*.

**2 Commencement**

This Rule commences on 20 March 1998.

**3 Amendment of District Court Rules 1973**

The *District Court Rules 1973* are amended as set out in Schedule 1.

**4 Notes**

The explanatory note does not form part of this Rule.

---

## **Schedule 1    Amendments**

(Clause 3)

### **[1]    Part 47, rule 1**

Omit the rule. Insert instead:

#### **1 First page of a document**

- (1) The first page of a document in any proceedings must be headed in the Court at the proper place in relation to the proceedings, and if the document is filed at a place other than the proper place the heading must contain a note that the document was filed at that place.
- (2) The first page of a document in any proceedings must show the number and year allotted to the proceedings under Part 5, rule 3 (3).
- (3) The first page of a document in any proceedings between parties must be entitled between the parties, and not otherwise.
- (4) The first page of a document in any proceedings in which there is no defendant or respondent must be entitled "In the application of" together with the name of the applicant, and not otherwise.
- (5) A document may bear an abbreviation of the title of the proceedings sufficient to identify the proceedings unless the document is:
  - (a) an originating process, or
  - (b) a cross-claim, or
  - (c) a document to be served on a person not a party to the proceedings, or
  - (d) a form of judgment or final order.
- (6) At the foot of the left hand side of the first page of a document prepared by a party for use in the Court, the following are to be shown:

**1998 No 155**

District Court Rule (Flat Filing of Documents) 1998

Schedule 1      Amendments

---

- (a) the name, address and telephone number of the solicitor for the party,
- (b) if the solicitor acts in the proceedings by an agent—the name, address and telephone number of the agent,
- (c) if the address for service of the party is the office of a solicitor who has an exchange box in a document exchange of Australian Document Exchange Pty Limited—the solicitor's exchange box number.

(7) Subrule (6) does not apply to a document prepared by a party for use in the Court who is not represented by a solicitor. However, any such document must show the name and address for service of the party at the foot of the left hand side of the first page of the document.

cf SCR Pt 65, r 1.

**[2]      Part 47, rule 6**

Omit the rule.