



Delays in reserved judgments

Purpose

This policy outlines how the Court manages inquiries regarding delays in the delivery of reserved judgments.

Application

This policy applies to parties and legal representatives awaiting delivery of a reserved judgment.

Making an Inquiry

If a party or legal representative becomes concerned that a reserved judgment has been outstanding for an unreasonably long time, a written inquiry should be directed to the relevant head of division. A copy of all inquiries should also be provided to the chambers of the Chief Justice.

- the Chief Justice (if the matter is a criminal appeal, and a copy of all other inquiries) chambers.chiefjustice@courts.nsw.gov.au
- President of the Court of Appeal (if the matter is a civil appeal) chambers.president@courts.nsw.gov.au
- the Chief Judge at Common Law (for any Common Law matter) morna.lynch@courts.nsw.gov.au
- the Chief Judge in Equity (for any Equity Division matter) giorgina.kotevski@courts.nsw.gov.au

The inquiry should include the following details:

- the name and brief description of the proceedings and the case number
- your role in proceedings (e.g. plaintiff/defendant; legal representative for the first plaintiff/second defendant; cross-claimant/defendant)
- the length of the proceedings
- the date upon which the judicial officer reserved judgment
- any urgency as to the reserved judgment

The letter should be copied to all parties to the proceedings.

The head of jurisdiction or the Chief Justice will discuss each inquiry with the judicial officer/s involved in the reserved decision. However, at no time will the head of jurisdiction reveal the inquirer's identity to the judicial officer/s concerned.

The head of jurisdiction will provide the inquirer with a written response within two weeks of receipt. If this response does not satisfactorily resolve the concerns, the inquirer may write to the Chief Justice. A copy of the original letter and the head of jurisdiction's response shall be attached to this request.

Issued by

The Hon T F Bathurst AC
Chief Justice of NSW
23 September 2020