



Document Type	Practice Note
Reference No.	PNCI 5-2008
Subject/List	Damages and Compensation (WorkCover Division)
Title	WorkCover Division – changes to Judges in charge
Authorised By	Judge Coish Judge in Charge WorkCover Division
Date	21 June 2008
Supersedes (Reference No. if known)	All other existing WorkCover Practice Notes and the Consolidated Practice Note - Operation and Management of the County Court Civil Lists (Melbourne Registry) insofar as it applies to the WorkCover Division.

WORKCOVER DIVISION

1. The Judge in Charge of the Damages and Compensation List, WorkCover Division is His Honour Judge P Wischusen. Judge Wischusen's Associate is Mr David Anderson. Please direct all enquiries to Mr Anderson: (T) 8636 6660 or (F) 8636 6039.
2. This Practice Note supersedes all other existing WorkCover Practice Notes and the Consolidated Practice Note - Operation and Management of the County Court Civil Lists (Melbourne Registry) insofar as it applies to the WorkCover Division.

Directions Hearings and Mentions

3. WorkCover directions hearings and mentions will be listed every Thursday at 10.00 a.m. before the Judge in Charge of the WorkCover Division.

Medical Panel Referrals

4. Applications to refer medical questions to medical panels should be made at the earliest possible time, preferably at the directions hearing.



COUNTY COURT OF VICTORIA

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5. Before any proceeding is fixed for hearing the parties will be asked whether there is to be an application to refer medical questions to medical panels. If a party intends to make such an application it will ordinarily not be necessary to list the proceeding for hearing.
6. Medical questions must be in a form which is consistent with the definition of "medical question" in s.5 of the *Accident Compensation Act 1985*.
7. The documentation accompanying a referral of medical questions to Medical Panels must include the following:
 - (a) Details of the worker's current address and telephone number.
 - (b) Full details of the parties' legal practitioners.
 - (c) One list of all documents and videos accompanying the referral of medical questions to a Medical Panel which is signed by each party with an acknowledgment that copies have been exchanged between the parties.
 - (d) One statement pursuant to s.65(6A) of the *Accident Compensation Act 1985* which complies with the terms of that provision. Such a document must specify the injury or alleged injury to or in respect of which the medical question relates, the facts or questions of fact relevant to the medical question which have been agreed and those facts or questions that are in dispute. If possible there should be an agreed statement of fact as to the worker's pre-injury duties. The statement should also specifically relate to the issues in dispute, particularly any issue raised in a Notice sent by the VWA to the worker.

Court Books

8. The parties must provide Court Books in accordance with Rule 34A.31 and 32.