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| **Practice note** |

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# Overview

## Use of technology in the County Court

* 1. The Court embraces the use of technology in proceedings and in its wider operations. Some of the ways in which the Common Law Division uses technology include:
     1. the filing of documents in the Court’s CITEC document filing system;
     2. the use of digital Court files utilising the Court’s iManage document management system;
     3. the use of eCourtbooks;
     4. videolinks in respect of directions hearings;
     5. videolinks in respect of some witnesses giving evidence remotely; and
     6. the development of a portal for the lodgement and inspection of electronic subpoenaed material.

# eCourtBooks

* 1. For all substantive hearings in the Common Law Division in which Court Books are required, these must be produced in an electronic format known as an eCourtBook.

## Production of eCourtBooks

* 1. Every eCourtBook must be prepared in the following way:
     1. Every eCourtBook must be prepared in a text searchable PDF format enhanced using Optical Character Recognition (OCR).[[1]](#footnote-1)
     2. The index should be at the commencement of the eCourtBook and should be numbered as page one.
     3. The documents recited in the index of the eCourtBook must be hyperlinked to those documents in the body of the eCourtBook.
     4. The documents in the body of the eCourtBook must be consecutively paginated with the page numbering to follow on from the index. For example if the Index is two pages long, then the first document is to be numbered page 3. No additional documents are to be added to the eCourtBook which have the effect of interrupting the consecutive pagination.
     5. Any additional documents must either be added to the end of the eCourtBook with the continued consecutive numbering or a supplementary eCourtBook must be provided. If this is to occur, the parties are to enquire with the Judge’s Associate as to how this is best dealt with.
     6. Documents must not be inserted into an eCourtBook using a subset of pagination, for example, 1A,1a or 1.1.
     7. The pagination of the eCourtBook must correspond with the pagination of any hard copy Court Books.
     8. If the eCourt Book is less than 20 MB it must be emailed to the Judge’s Chambers inbox of the judge allocated to hear the proceeding.
     9. If the eCourt Book exceeds 20 MB, then the party who has prepared the court book must provide a USB flash drive or CD or DVD containing the eCourt Book to the Associate to the Judicial Registrar of the Common Law Division.
  2. For cases heard in Melbourne, paper Court Books are not needed for a witness as there is a screen in the witness box for the witness to view documents from the eCourtBooks.

## Filing of eCourtBooks

* 1. If a proceeding has been pre-allocated to a judge, then the eCourtBooks must be filed no later than 4.00pm on the weekday immediately preceding the date of trial by email to the Judge’s [chambers inbox](https://www.countycourt.vic.gov.au/contact-us/judicial-contacts).
  2. If a proceeding is listed in the daily Reserve List, then the eCourtBooks must be filed no later than 4.00pm on the weekday immediately preceding the date of trial by email to [civilreservelist@countycourt.vic.gov.au](mailto:civilreservelist@countycourt.vic.gov.au).

# Virtual hearings

* 1. In response to restrictions imposed due to COVID-19, since March 2020, the Court has heard directions hearings and trials as remote hearings.
  2. Parties and practitioners are directed to the [Common Law Division: arrangements and expectations during coronavirus (COVID-19) restrictions](https://www.countycourt.vic.gov.au/practice-notes?filters%5bkeyword%5d=arrangements%20and%20expectations%20during%20coronavirus%20(COVID-19)%20restrictions&filters%5bdivision%5d=1) as to the requirements for such remote virtual hearings. For further practical assistance, see also the [Common Law Division Hearings by Zoom information Sheet](https://www.countycourt.vic.gov.au/practice-notes?filters%5bkeyword%5d=hearings%20by%20zoom&filters%5bdivision%5d=1).

# eSubpoenas

* 1. In response to COVID-19, the Court has established a process to enable subpoenas to be filed and inspected electronically. The practitioners are directed to the [Electronic inspection of subpoenaed material: instruction manual for parties and practitioners](https://www.countycourt.vic.gov.au/practice-notes?filters%5bkeyword%5d=Electronic%20inspection%20of%20subpoenaed%20material:%20instruction%20manual&filters%5bdivision%5d=1) and [Notice to parties and practitioners: Electronic inspection of subpoenaed material](https://www.countycourt.vic.gov.au/practice-notes?filters%5bkeyword%5d=Notice%20to%20parties%20and%20practitioners:%20Electronic%20inspection%20of%20subpoenaed%20material&filters%5bdivision%5d=1).

1. Optical Character Recognition (OCR) is a process which converts scanned documents, PDF documents, and/or image documents into documents which are editable and searchable [↑](#footnote-ref-1)