



## REQUEST FOR ADR CONSENT ORDER

Date of request:

File No:

Applicant/Appellant: *(As per Originating Process)*

AND

Respondent: *(As per Originating Process)*

### THE PARTIES REQUEST THE COURT MAKES THE FOLLOWING ORDERS BY CONSENT:

By consent the order of the court is that: *(please select one and complete the orders you request the Court to make)*

- The parties agree to participate in and act reasonably and genuinely in, a Preliminary Conference before a Member/the Judicial Registrar at: *(insert time, date and location below)*

Time:

Date:

Location:

OR

- The parties, including their representatives and nominated experts, agree to participate in, and act reasonably and genuinely in, a court supervised mediation before:

Name of

Member /

the Judicial Registrar

for

days

commencing at:

Time:

Date:

Location:

OR

- The parties, including their representatives and nominated experts, agree to participate in and act reasonably and genuinely in, a court supervised mediation before a Convenor from the Land Court ADR Panel agreed to by the parties or, if the parties cannot agree, nominated by the Land Court Principal Registrar, at a time, date and location to be confirmed by the Convenor, but no later than:

Date: *(insert date)*

OR

- The parties, their representatives and nominated experts, agree to participate in and act reasonably and genuinely in, a mediation conducted by a Mediator agreed to by the parties at a date, time and location to be confirmed by the Mediator, but no later than:

Date: *(insert date)*



This direction is a referring order for the purpose of the *Civil Proceedings Act 2011*.

- Unless the Mediator and all parties agree otherwise, the parties must attend the mediation in person or be represented by a person who has the authority to deliver instructions and to execute terms of settlement.

By *(insert time)*  on *(insert date)*  each party must:

- Deliver to any other party a brief mediation statement which:
  - (a) sets out the issues they say arise in the case
  - (b) states how they would like the case resolved
  - (c) lists any documents they intend to specifically refer to in the mediation
  - (d) if those documents are not included in the Land Court's file, deliver copies of those documents to each other party.
- Deliver a copy of the statement and attachments to the Land Court Registry in a sealed envelope or by email marked "**Confidential to be opened only by Mediator, Land Court**".

- Providing a document by attaching it to a mediation statement is without prejudice to the parties' right to object to the admission into evidence of all or part of the document at a hearing.

- Yes  No (\* The parties must comply with *Land Court Practice Direction 2 of 2016*, [http://www.courts.qld.gov.au/\\_data/assets/pdf\\_file/0004/468013/lc-pd-2of2016.pdf](http://www.courts.qld.gov.au/_data/assets/pdf_file/0004/468013/lc-pd-2of2016.pdf) with the following changes:
- (a) the Registrar will deliver the Mediator with read-only access to the eCourtbook for the purpose of the mediation
  - (b) paragraphs 7 to 10 of *Land Court Practice Direction 2 of 2016* apply as if the words "the hearing" were replaced by the words "mediation".

*\* (If the case will be conducted as an eTrial).*

- Yes  No Unless otherwise agreed between the parties and the Mediator, the parties must share the costs of the mediation equally.

Other

- If the mediation is adjourned, and when the mediation ends, the Mediator must deliver a certificate in the approved form to the Land Court Registry.

- Unless all parties deliver prior written notice to the Land Court Registry that the case has resolved without the need for court orders, the case is listed for review at:

Time:  Date:



Signed by the Applicant / Appellant

Signed by Respondent

I have read and understood the Privacy Statement below.

**Privacy Statement**

The Land Court and Tribunal Registry (which forms part of the Department of Justice and Attorney-General) is collecting information provided on and with this form to assess the suitability of the matter for dispute resolution services.

Please ensure that the personal information you provide on this form is true and correct, including the information you provide about other parties.

Any information you provide will only be used by the Registry for the purpose for which it was provided. For more information about how DJAG manages personal information please refer to DJAG's [Privacy Guide](#).