

Protocol for Applications

This protocol applies from Tuesday 30 March 2021 until further notice

In response to the Greater Brisbane three (3) day lockdown declared by the Chief Health Officer dated 29 March 2021 ([link here](#)), the following protocol applies until further notice.

Parties or practitioners appearing in Applications should only be attending, in person, at court if the matter is urgent, and cannot practicably be dealt with by telephone or video conference.

Any party or practitioner who does attend court in person must follow the “social distancing” and other guidelines issued by the Government, and keep up to date with those guidelines as they evolve.

Masks must be worn within the QEII Courts of Law building and may only be removed when making oral submissions in court.

The protocol is as follows:

1. Wherever possible parties are encouraged to take active steps to resolve matters by agreeing on orders that may be made by consent in a timely way (to avoid the need for any appearance) and otherwise to cooperate to narrow the scope of the issues in dispute (to facilitate a telephone or video appearance).
2. Any consent orders, including for adjournments, which are agreed prior to 9.00 am on the day a matter is listed are to be emailed, in Word format, to the associates to the judges listed in Applications in the week concerned, and copied to the applications list manager (apnmanager@justice.qld.gov.au). Such matters will be dealt with on the papers.
3. Where the parties consent to the orders, but the exercise of a discretion is required, in addition to the steps in [2] above, brief submissions must also be provided. Any other applications that can practicably be dealt with on the papers, for example, for sanction of a settlement, should also be dealt with in this way. The matter will remain in the list, but will be dealt with on the papers if possible. You should still telephone in for the call-over, unless advised by email by a judge’s associate that no appearance is required.
4. You can find out which judges are sitting in Applications [here](#).
5. If an appearance is required for an application, each party is required to provide details of the name of the person who will be appearing for that party by email to the judges’ associates, copied to the applications list manager, by 9.00am on the day the matter is listed.
6. The call-over will be conducted at 10.00 am, **by telephone**, using chorus call. Chorus call details will be published as part of the daily law list. Parties are to dial in at 9.55 am and remain on the phone line until their matter is called over. You are requested to take your phone off speaker, and also to mute your phone, until your matter is reached, to minimise background noise.
7. Short matters may be dealt with in the course of the call-over, or immediately after the call-over. All other matters requiring an oral hearing will be allocated a “not before” time.

8. Any matters which are reasonably capable of being heard by telephone will be heard in that way, using the same chorus call details referred to in [5] above, or an alternative number which will be provided to the parties, if the matter is to be heard in another court.
9. Otherwise, matters requiring an oral hearing will be dealt with by making arrangements for video conferencing (using PEXIP). Details about the PEXIP application can be found [here](#). You are encouraged to familiarise yourself with this technology.
10. For any applications requiring an oral hearing, parties and practitioners are encouraged to ensure submissions, affidavits and draft orders are provided by email, to the other party(ies) and the court, ahead of time.
11. Applications will only be dealt with by in person attendance at court if the matter is urgent, and cannot practicably be dealt with by telephone or video conferencing. Parties or practitioners who contend that personal attendance is required, must provide an explanation for this, in writing, to the senior judge listed in Applications in the relevant week, at least 24 hours before the matter is listed, so that a determination can be made.
12. The Court thanks all parties and practitioners for their cooperation with this protocol in the present circumstances.

Justice A Lyons

Senior Judge Administrator

29 March 2021