

# SUPREME COURT OF QUEENSLAND

## PRACTICE DIRECTION 2 OF 2005

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### EXPERT EVIDENCE: SUPREME COURT

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1. The attention of litigants and intending litigants is drawn to Part 5 Chapter II of the Uniform Civil Procedure Rules (“Expert evidence”).
2. In any proceeding, or intended proceeding, where expert evidence will or may be called, early consideration must be given to the requirements of the Rules, particularly as to the appointment of an expert to be the only expert witness on a particular substantial issue in the proceeding.
3. Costs sanctions may follow where multiple experts are needlessly retained in relation to an issue (r 429D).
4. Either before commencement of any such proceeding, or soon afterwards, a party intending to call expert evidence on a substantial issue should raise with all other parties the prospect of their jointly appointing an expert, who would become the only expert to give evidence on that issue (unless the court otherwise ordered) (rr 429G(1), 429H(6)).
5. As soon as it is apparent to a party that expert evidence on a substantial issue in a proceeding will be called at the trial or hearing, that party must file an application for directions. On the hearing of that application, that party must inform the court of steps taken or to be taken to conform with these Rules.
6. Paragraph 5 does not apply to a proceeding for a claim to which the *Motor Accident Insurance Act 1994*, the *Workers’ Compensation and Rehabilitation Act 2003* or the (repealed) *WorkCover Queensland Act 1996* applies.
7. If the parties agree on the orders to be made, including as to the identity of the expert, a consent order may be filed with the Registrar (clearly specifying that it is an “expert evidence case”). Such proposed order will be referred as a matter of routine to a Judge (designated by the Senior Judge Administrator), and will take effect subject to that Judge’s signifying agreement to the proposed order.
8. Enquiries about the operation of this direction, or administrative arrangements within the Registry in these matters, should be directed in the first instance to the Civil List Manager, at [CivilListManager@justice.qld.gov.au](mailto:CivilListManager@justice.qld.gov.au). E-mail communications are encouraged.
9. Attention is drawn to the related amendment of form 48 – “Request for trial date”. (For filing in the Supreme Court an additional paragraph will be required.)

**Paul de Jersey**  
**Chief Justice**  
12 April 2005