

Procedural Fact Sheets (Civil) – Supreme and District Courts

Appearing at an interlocutory application

- The applicant and respondent must appear at the application hearing in person, or by their legal representative if they are represented.
- Check the [daily law list](#) on the evening before, or the morning of, the hearing to identify the courtroom where the hearing will take place.

Agreeing to consent orders

- If the applicant and respondent(s) reach an agreement on appropriate orders, they should ask the court to make those orders by consent prior to the hearing.
- Agreeing on orders saves time and costs for the parties, and for the court, and avoids the stress of a court appearance.
- The parties should email both a signed consent ([form 59A](#)) and a draft order ([form 59](#)) to the Applications List Manager ApnManager@justice.qld.gov.au (Supreme) or dc-civillistmanager@justice.qld.gov.au (District) before the application hearing date, requesting that the order is made by consent and that the hearing is “vacated” (that is, removed from the list). *

Preparing for an interlocutory application

- Carefully read the application and ensure you understand what it is about. It will list the orders that the applicant is asking the court to make.
- Try to reach an agreement with the opposing party about the orders to be made by the court.
- Prepare an affidavit containing the evidence on which you intend to rely at the hearing of the application.
- File and serve the affidavit on the opposing party. The applicant’s affidavit material should be filed and served at least three clear business days before the hearing.
- Prepare a written outline of argument, stating the orders you submit the court should make, and explaining why the orders should be made.
- Some useful information about [drafting an outline](#) is available from [LawRight](#), an independent, community legal centre that coordinates pro bono legal services for individuals and community groups involved in current or potential proceedings in Queensland courts. Depending on your circumstances, LawRight may be able to provide you with legal advice and assistance.

Appearing at an interlocutory application

Parties must appear at the hearing, by their legal representatives if they are represented, or in person if they are self-represented.

- If a legal representative or a self-represented litigant is unable to appear in person, e.g. if they are located at some distance from the courthouse or are unable to travel, they may ask the

court for leave to appear by telephone or video conference by emailing the Applications List Manager ApnManager@justice.qld.gov.au (Supreme Court) or dc-civillistmanager@justice.qld.gov.au (District Court) well before the hearing date. The request will be referred to the judge.*

- If a party fails to attend at the hearing, the court may make orders in their absence at the request of the opposing party.

What to wear

A court hearing is a formal process, so wear a suit or formal business attire, if possible. Dress neatly and conservatively, and wear closed-in shoes.

What to bring

If you are the applicant, you must bring every document you intend to rely on in proving that the orders you ask the court to make should be made. If you are the respondent, you should bring any documents you intend to rely on in showing that the orders should not be made:

- Documents should be organised; arranged neatly in a folder and clearly labelled.
- Be clear about how each document assists in proving your position.
- If you intend to rely on any documents that have not yet been filed, including an outline of argument, bring several copies of the document to the hearing: one for your own use, one for the court, and one for each of the opposing party or parties.
- You must supply your own writing materials.

Using an interpreter

If you, or any of your witnesses, have difficulty in speaking or understanding spoken English, you should arrange for an interpreter to attend the hearing to assist:


- Find a suitable independent interpreter with NAATI (National Accreditation Authority for Translators and Interpreters) certification via NAATI's [online directory](#).
- Well before the hearing date, email the opposing party and the Applications Manager ApnManager@justice.qld.gov.au (Supreme) or dc-civillistmanager@justice.qld.gov.au (District) to notify them of your intention to use an interpreter at the hearing—the opposing party has the right to object.*
- The court will decide whether the interpreter will be permitted to assist at the hearing.

Access needs

If you, or any of your witnesses, have a disability and require special access to the court building or facilities, email the Applications List Manager ApnManager@justice.qld.gov.au (Supreme) or dc-civillistmanager@justice.qld.gov.au (District) well ahead of the hearing date. The List Manager will assist with any concerns about access.*

Before the hearing

Check the [daily law list](#) the evening before, or the morning of, the hearing to identify the courtroom where the hearing will take place.

- Arrive at least 15 minutes before the listed time for the hearing.
 - Switch off your mobile phone.
 - Do not eat or drink in the courtroom.
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- If you are unsure whether you are in the right place, approach the bailiff and request their assistance. You will recognise the bailiff by their uniform.
- Appearance slips will be available at the bar table. The bar table is the long table located towards the front of the courtroom and facing the bench, where the judge sits, and the associate's table, where the associate and the bailiff sit. If you can't find an appearance slip, request one from the bailiff. Complete the slip by entering the name and court file number of your matter, your full name, and whether you are the applicant or the respondent. Hand the completed slip to the bailiff.
- There will likely be more than one application listed for hearing in the courtroom that day. The judge will conduct a "callover" to determine the order in which the applications will be heard by the court.
- During the callover, the bailiff calls the name of each matter. When each matter is called, the parties, or their legal representatives if they are represented, step forward and stand behind the bar table.
- The judge asks each party, or their legal representative, what the application is about, and how long the hearing of the application is likely to take. This assists the court in deciding the order in which the applications should be heard.
- At the end of the callover, the judge announces the order of hearing of the applications.
- Wait quietly outside the courtroom until it is time for your application to be heard. The court may provide you with a "not before time". This means that you may leave the Law Courts Complex, should you wish to do so, and return at the appointed time.
- When it is time for your hearing, the bailiff will call the name of your matter.
- In the Supreme Court, see [Practice Direction 12/2022](#), which explains the process for hearing of interlocutory applications.

During the hearing

When the name of your matter is called by the bailiff, enter the courtroom, and sit or stand at the bar table. Hand your appearance slip to the bailiff. They will provide the slip to the judge.

- Drinking water will be available at the bar table.
- Each party will be required to present their case to the court. The applicant will present their case first. The judge may ask questions of the parties.
- Be courteous in all interactions in the courtroom:
 - Bow towards the judge when entering and leaving the courtroom and whenever the judge enters or leaves.
 - Address the judge as "Your Honour".
 - Stand up whenever the judge speaks to you or when you are invited to speak—otherwise remain quietly seated. If you have difficulty standing, you may ask the judge for permission to remain seated.
 - If you refer the judge to a document during the hearing, slowly say the name of the document and the page and paragraph number to which you refer.
 - Listen carefully to any questions the judge may ask and answer carefully and clearly.
 - If the meaning of a question is unclear to you, advise the judge and request that they repeat or rephrase the question.
 - Do not interrupt the judge, or another party, when they are speaking.
 - Do not speak to the opposing parties during the hearing.
 - Direct all responses, comments, or questions to the judge.



Support persons

In court, parties must represent themselves or be represented by lawyers.

- If you are a self-represented party, you may ask the court for leave for another person to assist you at the hearing. This person is known as a “McKenzie friend”. They may be permitted to sit with you at the bar table, prompt you, take notes, and provide emotional support, but may not address the court or present your case.
- You may also arrange for a support person to attend court with you. They may be a relative, colleague, or friend. They will not be permitted to speak to the judge or to represent you in any way and must sit at the back of the courtroom, in the area reserved for members of the public.

** These email contacts are for officers in the Brisbane registry. If your proceeding is in another district, request relevant contact details from that [regional registry](#).*

