



**Magistrates Court of Western Australia**

**WARDEN'S COURT**


**Practice Direction Number 1 of 2022**

1. All previous Practice Directions applicable to the Warden's Court or the Warden sitting administratively, in Perth, are revoked.
2. This Practice Direction applies only to matters listed in the Warden's Court and to matters where the Warden is sitting administratively, as it sits in Perth, Western Australia. It does not apply to other fields.
3. The purpose of this Practice Direction is to assist in the efficient, expeditious and fair determination of disputes in the jurisdiction.

**Mention Lists**

4. Mention lists are held every week, usually on a Friday if not otherwise advised.
5. Mention lists are for programming and directions only.
6. In general will be called in the following order:
  - a) Consents on their first to fourth mentions;
  - b) Consents on their fifth to ninth mentions;
  - c) Contested directions on their first to fourth mentions;
  - d) Contested directions on their fifth to ninth mentions;
  - e) Any other mention number;
  - f) Any other matter of complexity.
7. Parties attending Mention days should attend with a Minute of Proposed Orders, and conferral having occurred between the parties as to the appropriate course of action.
8. Where no orders have been agreed competing Minutes will be provided to the Warden's Court by close of business two days prior to the listing, ie, if the listing is on a Friday, Minutes are required by Wednesday evening.
9. Standard Orders will be sought to be imposed upon matter, in terms of Annexure A.
10. Mention lists will be utilised in an effort to prepare matters for management of the list, and trial allocation preparation.

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11. In general, in the event that a matter is unable to be resolved within four adjourned mentions, the parties are to provide programming orders for the completion of particulars, particulars and submissions to enable the matter to be moved into the trial allocation list.
  12. Save where there is a good reason not to, matters which have had four mention hearings, where there have been simple adjournments for periods of three months each, will then be moved towards programming and determination of the matter by way of hearing.
  13. Following the completion of the programming orders in terms of evidence, particulars and submissions, the matter will be referred to a trial allocation date, which will occur once a month.
  14. In general, no leave will be granted for audio or video link attendance at mentions, for practitioners who reside or practice within the Perth metropolitan area, without good reason.



Steven Heath  
**Chief Magistrate**

Dated: 4/4/22

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### **List of Standard Orders to be applied to Draft Minutes**

Shorthand references of Amendments to Draft Minutes. Rather than hand annotating the Minutes, the Perth Warden will annotate by reference to the addition of the Standard Orders below.

<b>Order Number</b>	<b>Detail</b>
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|----|---|
| 1. | Orders made in terms of the Minute.   |
| 2. | Orders made in terms of the Amended Minute.   |
| 3. | Parties are directed to appear on the next occasion if the matter is not resolved.  |
| 4. | Parties are to provide programming orders in advance in the next appearance addressing the provision of: <ul style="list-style-type: none"><li>a. Particulars;</li><li>b. Evidence;</li><li>c. Submissions.</li></ul> |
| 5. | Parties are to provide their unavailable dates for hearing for the 6 months from the next mention date.   |
| 6. | Matter listed in the next Trial Allocation Date.  |
| 7. | Matter adjourned for 3 months to the next available date after the date of this Minute.   |