

Law to give court procedures modern make-over

Court processes will be streamlined and modernised, including the use of electronic technology, through legislation recently introduced into Parliament.

The Judicature Modernisation Bill implements the Government's response to the Law Commission review of the Judicature Act 1908.

Changes include:

- introducing a panel of judges in the High Court with particular expertise to hear specialised types of commercial cases
- repealing the High Court Commercial List
- increasing the limit of the District Court's civil jurisdiction from \$200,000 to \$350,000 (this would open up the cheaper District Court option to more cases)
- raising the maximum financial penalty for some offences against the District Court (such as disobeying a witness summons)
- increasing the ability of all Courts to make orders restricting vexatious litigants
- requiring Judges to publish information relating to the delivery of reserved judgments, recusal from cases, the suitability of Judges holding employment or other office, and all final written judgments unless good reason exists not to
- making judicial review more accessible by, for example, modernising the language and providing for the procedure in a stand-alone Act
- introducing a single statutory system for the award of interest on money claims, and
- facilitating the use of electronic technology in court and tribunal proceedings. As currently drafted, all paper-based requirements in existing courts and tribunals could be interpreted as allowing electronic processes.

Chapman Tripp comment

The changes should help to provide certainty regarding procedure, timeframe and cost. The further facilitation of electronic operations will help promote timeliness and efficiency regarding filing and record-keeping.

Our thanks to
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