



## **Magistrates' Court Victoria**

### **Practice Direction**

#### **No. 2 of 2017**

### **Mediation Programme**

#### **Background**

Practice Direction 6 of 2007 created a mediation pilot programme for certain defended civil proceedings at the Magistrates Court of Victoria (the Court) at Broadmeadows. The purpose of this Practice Direction is to extend the civil mediation program to the Court at Bairnsdale.

#### **Directions**

1. From the 27 February 2017, the Court will commence a mediation programme at Bairnsdale (the Programme) for all defended civil disputes where the amount sought in the complaint is less than \$40,000 or where the dispute is under the Associations Incorporation Act 1981 (irrespective of the amount of dispute). These proceedings will be referred to mediation pursuant to section 108 of the Magistrates' Court Act 1989 unless the Court determines otherwise, on application by any party.
2. The Programme will involve only those proceedings where a notice of defence is filed at the Court at Bairnsdale on or after 27 February 2017.
3. In addition to serving upon a defendant the complaint and two notices of defence, a plaintiff in a proceeding will serve upon the defendant a document entitled "Information About Court-Annexed Mediation", which is set out in the appendix of this Practice Direction.
4. Where a defendant seeks to defend a complaint and files and serves a notice of defence in order to do so, that person must return to the Magistrates' Court at Bairnsdale at the same time as the notice of defence is filed a completed Section A, which is contained in the "information About Court-Annexed Mediation".

This Practice Direction commences from 27 February 2017.

Peter Lauritsen  
Chief Magistrate  
Date: 2 February 2017