



Magistrates' Court Victoria

Practice Direction

No. 4 of 2016

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 Benalla.

Directions

1. From 1 July 2016, the Court will commence a mediation programme at Benalla (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 or matter 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 Benalla on or after the 1 July 2016.
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 Benalla 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 1 July 2016.

Peter Lauritsen
Chief Magistrate
Date: 20 May 2016