

Form 2.38 Certificate of readiness for trial

Court Procedures Rules 2006

(see r 1306 (Certificate of readiness for trial—generally))

In the *[Supreme/Magistrates] Court of the Australian Capital Territory

No *[SC/MC] of (year)

(name)
Plaintiff

(name)
Defendant

We certify that this proceeding is ready for trial.

(comments to be brief and, where appropriate, answer 'yes' or 'no')

	Plaintiff's comments	Defendant's comments	*(other party's) comments
1. All pleadings have been completed and filed, and pleadings have closed (Yes/No)			
2. All particulars requested have been provided (Yes/No)			
3. Discovery of documents has been made (Yes/No)			
4. Inspection of documents has taken place (Yes/No)			

Filed for the (party) by:

(the party's address for service and telephone number (if any) or, if the party is represented by a solicitor and the solicitor is the agent of another solicitor, the name and place of business of the other solicitor)

	Plaintiff's comments	Defendant's comments	*(other party's) comments
5.	Interrogatories have been served (Yes/No)		
6.	All required answers to interrogatories have been provided (Yes/No)		
7.	All necessary medical examinations have taken place (Yes/No)		
8.	Further medical examinations are required before the trial (Yes/No)		
9.	Medical reports have been served (Yes/No)		
10.	Expert reports on liability have been served (Yes/No)		
11.	Counsel has been briefed (Yes/No)		
12.	Counsel's advice on evidence has been obtained (Yes/No)		
13.	All witnesses will be available at the trial (Yes/No)		
14.	The estimated length of the hearing is:		
15.	Offers of compromise have been made (Yes/No)		
16.	The prospects of settlement are:		
17.	Details of witnesses—in the ACT—		
	(a) number of experts:		
	(b) number of non-experts:		

- | | Plaintiff's
comments | Defendant's
comments | *(other party's)
comments |
|-----|--|---------------------------------|--------------------------------------|
| 18. | Details of witnesses—
outside the ACT— | | |
| | (a) number of experts: | | |
| | (b) number of non-experts: | | |
| 19. | The directions required are: | | |
| 20. | Other relevant facts about
setting the hearing date are: | | |
| 21. | The shortest notice on
which party would be ready
to start hearing is: | | |
| 22. | The issues to be determined
at trial are: | | |

If the proceeding is brought under the Domestic Relationships Act 1994:

23. The parties have sought the assistance of mediation or arbitration facilities under the Act, pt 2 (Yes/No)
24. Affidavit of financial circumstances has been filed and served (Yes/No)
25. Affidavit evidence has been filed and served (Yes/No)
26. Valuations have been filed and served (Yes/No)

If the single expert rule under the Civil Law (Wrongs) Act 2002, ch 6 applies to the proceeding:

27. The parties have agreed on a single expert (Yes/No)
28. Application has been made for the court to appoint an expert or additional expert (Yes/No)

- | | Plaintiff's
comments | Defendant's
comments | *(other party's)
comments |
|---|---------------------------------|---------------------------------|--------------------------------------|
| 29. The expert*[s] *[has/have] been briefed with all relevant reports and other documents or information (Yes/No) | | | |

If the proceeding relates to a building dispute:

30. A Scott schedule has been completed by the parties and filed (Yes/No)

Date:

(signature of plaintiff/plaintiff's solicitor)
(name of plaintiff/plaintiff's solicitor)

Date:

(signature of defendant/defendant's solicitor)
(name of defendant/defendant's solicitor)

Date:

(signature of other party/other party's solicitor)
(name of other party/other party's solicitor)

Endorsement in relation to category A, category B or category D proceedings

(see r 1308 (Directions hearing—category A, category B and category D proceedings))

If this certificate is not completed and signed by you and returned to the party serving the certificate within 21 days after the day the certificate was served on you, an application may be made to the Court for a directions hearing.

**omit if, or whichever is, inapplicable*