

Supreme Court of Victoria

RedCrest e-Filing User Guide

January 2019



Supreme Court of Victoria

210 William Street

Melbourne Victoria 3000



Table of Contents

1 Introduction	3
1.1 Who can eFile?	3
1.2 When can documents be eFiled?	4
1.3 What is the cost of eFiling?	4
1.4 Court Seal and Service	4
1.5 What form of documents is required?	5
1.6 Commercial in Confidence and Sensitive Documents or Materials	6
1.7 Urgent Documents	6
1.8 When the Wrong Document is filed	7
2 Registering for electronic filing	8
2.1 Register Online	8
3 Log into Electronic Filing	11
4 My Filings page	12
4.1 Search My Filings	12
5 Create a New Case Request	15
5.1 Add Parties – Party 1	15
5.2 Select Fee Payer Category – Civil Proceedings	18
5.3 Add Documents	19
5.4 Remove Attachments	21
5.5 Filing Note	21
5.6 Finalising New Case Request	21
5.7 Filings not requiring Payment	23
5.8 Paying for Filings	24
6 Approval and Rejection of Filing	27
6.1 Approved Filings	27
6.2 Rejected Filings	27
7 Access Cases	29
7.1 Request Enhanced Access	29
7.2 Viewing the Case Page	31
7.3 Electronic Court File Documents	33
8 Managing Access to a Case	34

8.1 Enhanced Case Access	34
8.2 Departing Staff members	34
9 File a Subsequent Filing	35
10 Important Contacts	38
10.1 Procedural Assistance: Registry	38
10.2 Technical Assistance: RedCrest Help Desk	38
11 Annexure A: Specific Documents	39
11.1 Amending Documents	39
11.2 Affidavit and Exhibits	39
11.3 Subpoenas	39
11.4 Urgent Applications – Civil	40
11.5 Applications before Judge in Charge of List	40
11.6 Applications before Associate Judge or Judicial Registrar	41
11.7 Summons for Taxation of Costs	41
11.8 Judgment in Default of Appearance or Defence	41
11.9 Warrants of Execution	42
11.10 Receipts for payment of hearing fees	42
11.11 Application to Set Aside Statutory Demands	42
12 Annexure B: Naming Conventions	43
13 Annexure C: Tips and Tricks	44
13.1 Lodging Affidavits and Exhibits	44
13.2 Managing Large Filings	44

1 Introduction

All documents to be filed in the Supreme Court of Victoria in any proceeding in the Commercial Court, Common Law Division or Costs Court must be submitted in RedCrest, the electronic filing system in operation in the Court.

From 29 January 2019, electronic filing will be mandatory for all criminal proceedings within the Criminal Division through RedCrest, except for:

- (a) indictments;
- (b) trial exhibits;
- (c) any documents relating to applications under the:
 - *Australian Crime Commission Act 2002* (Cth);
 - *Corrections Act 1986* (Vic);
 - *Crime (Assumed Identities) Act 2004* (Vic);
 - *Independent Broad-based Anti-corruption Commission Act 2011* (Vic);
 - *Major Crime (Investigative Powers) Act 2004* (Vic);
 - *Service and Execution of Process Act 1992* (Cth);
 - *Surveillance Devices Act 1999* (Vic);
 - *Terrorism (Community Protection) Act 2003* (Vic);
 - *Witness Protection Act 1991* (Vic).

This User Guide describes the process for using RedCrest to electronically file (“eFile”) documents and to view electronic files.

Any reference to the “Chapter I Rules” in this guide is a reference to the *Supreme Court (General Civil Procedure) Rules 2015*. Any reference to the “Chapter VI Rules” in this guide is a reference to the *Supreme Court (Criminal Procedure) Rules 2017*.

Any reference to the “RedCrest Practice Note” in this guide is a reference to Practice Note SC GEN 19 - RedCrest Electronic Case Management System.

Please note that this User Guide should not be read in substitution for the Chapter I Rules, the Chapter VI Rules or any other rules governing the practices of the Supreme Court of Victoria. For the avoidance of doubt, this User Guide does not impact upon, modify or override any time limit imposed by any statutory provision.

1.1 Who can eFile?

Any individual that has registered and has been issued with a username (currently the email address the user registered with) and password may eFile in RedCrest. Each registered user agrees to the terms and conditions of use provided to them at the time of registration as a condition of being issued with a username and password.

The current terms and conditions of use provide that a registered user agrees to:

1. comply with any applicable rules of the Court and the RedCrest Practice Note as amended from time to time;

2. ensure that the issued username and password remain confidential, for the exclusive use of that registered user, or any person duly authorised to lodge on that user's behalf;
3. to comply with any condition or limitation of registration issued in relation to RedCrest;
4. to protect and maintain the confidentiality of any parts of a Court file in RedCrest deemed "confidential"; and
5. to pay court fees (if any) prescribed by the *Supreme Court (Fees) Regulations 2017*. Please note, there are no fees for proceedings filed in the Criminal Division.

1.2 When can documents be eFiled?

1.2.1 Hours of Operation

Documents can be submitted for filing in RedCrest 24 hours a day, 7 days a week.

All documents submitted for filing are subject to review by a Court Registry Officer during office hours (9.30 am to 4 pm). Documents submitted for filing are not automatically accepted. The Court will endeavour to accept all documents for filing as soon as practicable, and sometimes documents submitted for filing may be subject to overnight review.

1.2.2 Document time stamps

Generally, on being sealed, a document is taken to have been filed at the time and on the date it was first submitted in RedCrest for filing (see rule 28A.04(4) of the Chapter I Rules).

If a document has been rejected, a requisition raised and re-filed, it will generally continue to be marked with the time and date of the first submission of that document in RedCrest. However, exceptions may occur (see rules 28A.04, and 28A.04(4) of the Chapter I Rules).

1.3 What is the cost of eFiling?

The usual court fees apply and are payable via RedCrest. Where fees are payable, you will only be charged for documents which are accepted for filing and sealed by the Prothonotary. You will not be charged for any documents that are not sealed or that are rejected for filing. A full list of fees and charges are available at <https://www.supremecourt.vic.gov.au/forms-fees-and-services/fees>. PayPal will hold an authorisation while your filing is pending. Payment is not taken against the authorisation until the document is accepted. If a document is rejected the authorisation will be released.

Please note there will be no fees for eFiling in the Criminal Division.

1.4 Court Seal and Service

All documents eFiled in RedCrest will be sealed with the Court seal and the date and time of filing once they have been accepted for filing by the Prothonotary.

Once sealed, documents will need to be served in the usual way as required by the relevant Court Rules.

1.5 What form of documents is required?

1.5.1 Format and File Size?

All documents are required to be eFiled in a pdf format that supports optical character recognition (“OCR”) or is text searchable where possible, and cannot be larger than 24MB in size. Where a document is larger than 24MB, it should be split into a series of attachments not greater than 24MB each and filed together as one document type (totalling 72MB) – those documents will merge into one upon acceptance for filing.

To check if your pdf file is text searchable, using the keyboard hold down the CTRL key and the letter F key. In the search area of the document, enter a word that exists in the document. If the word is not found, then that file is not text searchable and is most likely an image.

OCR Text Recognition is a function that is available in some PDF applications, and is used to convert an image to a text searchable document.

1.5.2 Compliance with the Rules & Practice Notes

All documents submitted for eFiling in RedCrest must comply with the requirements of all relevant legislation, including any Acts, Regulations and Rules of Court as may apply. You should have particular regard to Order 28A of the Chapter I Rules which sets out the key rules for eFiling. This guide is not a substitution for any rules or legislation as may apply.

As well as ensuring compliance with all relevant legislation, please ensure that the requirements of all relevant Practice Notes have been satisfied where applicable. This extends to and includes the necessity in certain instances to:

- (a) ensure a specialist list is nominated in the heading of the proceeding upon initiation; and
- (b) obtain pre-approval for return dates and ensure that those approved hearing details are fully completed in the submitted documents prior to eFiling. Evidence of the pre-approval should also be attached.

The forms in current usage, prescribed or otherwise, continue to apply to all documents submitted for eFiling in RedCrest.

This user guide does not impact upon, modify or override any time limit imposed by any statutory provision.

1.5.3 Which documents can be eFiled?

Commercial Court, Common Law Division and Costs Court (“Civil Proceedings”)

All documents in any proceeding within the Commercial Court, Common Law Division or Costs Court which are required to be filed, must be eFiled, **except for:**

- (a) any appeal book;
- (b) any court book;
- (c) any documents produced in answer to a subpoena or public examination; or
- (d) for a Commercial Court Judge-managed matter, any document which is confidential between the parties.

Criminal Division (“Criminal Proceedings”)

All documents to be filed in a proceeding in the Criminal Division must be eFiled in RedCrest **except for:**

- (a) indictments;
- (b) trial exhibits;
- (c) any documents relating to applications under the:
 - *Australian Crime Commission Act 2002 (Cth)*;
 - *Corrections Act 1986 (Vic)*;
 - *Crime (Assumed Identities) Act 2004 (Vic)*;
 - *Independent Broad-based Anti-corruption Commission Act 2011 (Vic)*;
 - *Major Crime (Investigative Powers) Act 2004 (Vic)*;
 - *Service and Execution of Process Act 1992 (Cth)*;
 - *Surveillance Devices Act 1999 (Vic)*;
 - *Terrorism (Community Protection) Act 2003 (Vic)*;
 - *Witness Protection Act 1991 (Vic)*.

1.5.4 Hard copy documents

Hard copy documents are not required to be filed in addition to eFiled documents unless requested by a judicial officer or the Prothonotary or for some other process with the Court.

1.6 Commercial in Confidence and Sensitive Documents or Materials

Civil Proceedings

Parties should keep in mind that generally, once eFiled in RedCrest, documents are available for inspection immediately by the other party to the proceeding in RedCrest. Where eFiling material is commercial-in-confidence or otherwise sensitive, parties should consider seeking an appropriate order of the Court in advance of filing pursuant to rule 28A.06 of the Chapter I Rules. Parties should seek advice from the appropriate Registry before eFiling any such material. Rule 28.05 of the Chapter I Rules continues to set out the rules for inspection of documents in a proceeding that have been eFiled in RedCrest.

Criminal Proceedings

Where eFiling material that is confidential or otherwise sensitive, parties should seek advice from the Criminal Registry before eFiling any such material.

Rule 1.11(4) of the Chapter VI Rules continues to set out the rules for inspection of documents in a proceeding that have been eFiled in RedCrest.

1.7 Urgent Documents

If your document is of an urgent nature, or is required for a hearing in Court the following day, please contact the relevant Registry by telephone immediately after filing.

Civil Proceedings

Applications of a genuinely urgent nature should be brought in accordance with the process set out in Practice Note SC CC 1 – Commercial Court for Commercial Court matters (see <https://www.supremecourt.vic.gov.au/law-and-practice/practice-notes/sc-cc-1-commercial-court-first-revision>) or Practice Note SC CL 10 – Practice Court (Common Law) Practice Court Procedures (Common Law) (see <https://www.supremecourt.vic.gov.au/law-and-practice/practice-notes/sc-cl-10-practice-court-common-law>).

Criminal Proceedings

If a document required to be eFiled is of an urgent nature, or is required for a hearing the following day, a note should be inserted into the 'Filing Note' field in RedCrest at the time of submitting the document for filing and contact made with the Criminal Registry by telephone during business hours immediately after eFiling.

Unless otherwise directed, documents should not be emailed to an associate or the Criminal Registry directly or filed in hard copy in court.

Where a document is directed by judges' chambers to be emailed to the associate immediately before court or filed in hard copy in court, for example, an indictment or trial and plea exhibits, the associate will forward a copy to the Criminal Registry to be uploaded onto the court's electronic file.

1.8 When the Wrong Document is filed

Please refer to the RedCrest Practice Note for details regarding the process to remove an eFiled document from RedCrest. Contact the relevant Registry for further advice.

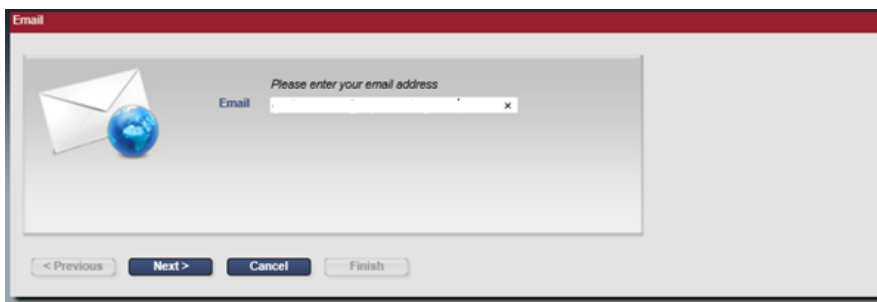
2 Registering for electronic filing

You will need to be registered before you can file electronically.

2.1 Register Online

1. Go to www.redcrest.com.au
2. Click **Register Here**

The Email window displays



3. Enter your email address and click **Next**

The Personal Information window displays



4. In the **Personal Information** window, fill out the following:

Field	Details
Password	<p>Must be over 8 characters long and contain a mix of:</p> <ul style="list-style-type: none"> • Upper case (A, B, C, D, E ...) • Lower case (a, b, c, d, e ...) • Number (1, 2, 3, 4, ...) • Non alpha-numeric (!, @, #, \$...) <p>Hint: A passphrase is easier to remember than a random grouping of letters and characters, e.g. Myp@ssw0rdisagood1</p>
Confirm Password	Must match Password.
Organization Name	Your practitioner firm name (if applicable)
First Name	Your first name.
Last Name	Your last name.
Address	Your business address.
City	City of your business.
State	State of your business.
Postcode	Postcode of your business.
Phone	Your work phone number.

5. Click **Finish**.

2.1.1 Confirm via Email

1. Go to your email Inbox.
2. Check for a verification email with RedCrest in the address.

Dear

Welcome to RedCrest, the Supreme Court of Victoria's electronic filing and case management system for judge-managed matters filed in the Commercial Court. From 2 July 2018, all documents for Common Law, Costs Court and Commercial Court matters will also be required to be electronically filed using RedCrest.

Complete your registration - Action Required

To complete your registration, [please click here to confirm your email address](#).

Terms and Conditions of Usage

Each registered user issued with a RedCrest username and password shall, as a condition of being issued with a username and password, agree to the following terms and conditions of use:

1. to comply with Order 28A of the *Supreme Court (General Civil Procedure) Rules 2015* and the RedCrest Practice Note;
2. to ensure that the issued username and password remain confidential, for the exclusive use of that registered user, or any person duly authorised to lodge on that user's behalf;
3. to comply with any condition or limitation of registration issued in relation to RedCrest;
4. to protect and maintain the confidentiality of any parts of a Court file in RedCrest deemed "confidential"; and
5. to pay court fees (if any) prescribed by the *Supreme Court (Fees) Regulations 2017*.

Once your registration has been approved, you will receive a confirmation email.

Yours sincerely,

Supreme Court of Victoria

Note: If you have not received the verification email shortly after registration:

- Check your junk mail folder and your email spam filter.
 - If you still cannot locate the email, contact the RedCrest Help Desk.
3. Read the Terms and Conditions of RedCrest use and then click **please click here to confirm your email address** link.

You will receive another email confirming your access is authorised.

3 Log into Electronic Filing

To access electronic filing:

1. Go to the Electronic Filing page: www.redcrest.com.au

The Home Page displays

2. Click **Sign in**.

The Login window displays

3. Enter your:

- **User Name** (your email address)
- **Password**

You will be redirected to the Electronic Filing Home Page which is a secure section of the system.

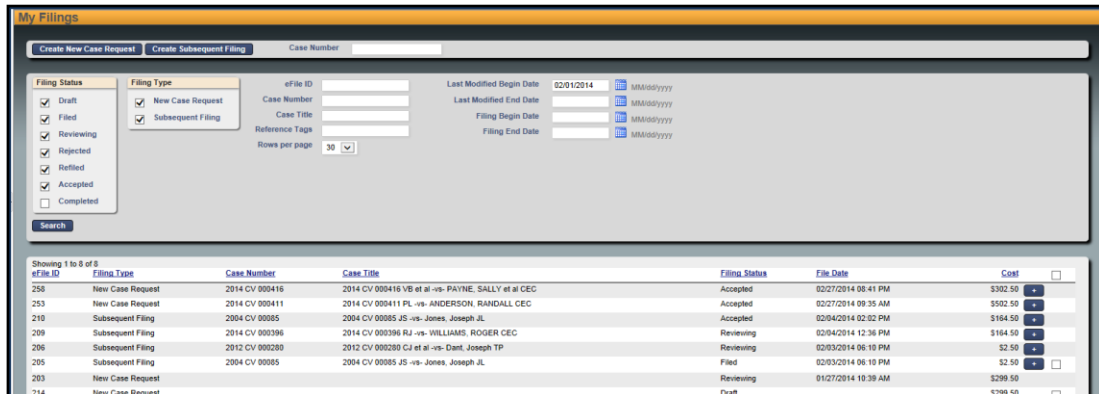
Case Number	Party Type	Case Type	Status	File Date
S ECI 2018 00013	Plaintiff	Commercial Court (Corporations)	Open	23/03/2018
S ECI 2018 00013	Defendant	Commercial Court (Corporations)	Open	23/03/2018

4 My Filings page



1. From the menu bar, click **eFile**.

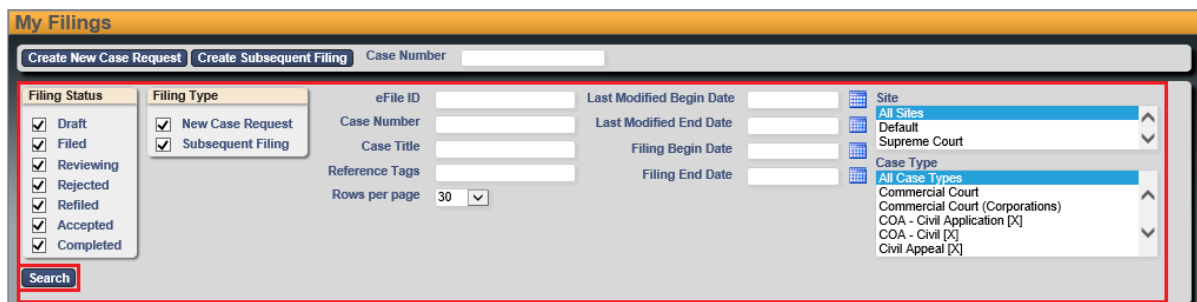
Your *My Filings* page will display.



2. From this screen, you can:
 - Create New Case Request – eFile a new proceeding.
 - Create Subsequent Filing on existing cases.
 - Save partially completed work to submit at a later time.
 - Monitor the status of filings.
 - Make corrections on filings that have not yet been reviewed by the Court.

4.1 Search My Filings

The top section of the My Filings page has a series of search options which enable you to search for specific records.



Field	Details
Filing Status	
<ul style="list-style-type: none"> • Draft 	Filing has been created but not yet submitted by the Filer.
<ul style="list-style-type: none"> • Submitted 	Filing has been submitted and is waiting for review by the Registry

		<p>The date and time submitted will become the electronic Time Stamp date and time once, or if, the Filing is Accepted by the Reviewer.</p> <p>The Filer can continue to modify a Filing in this status; however, doing so will change the filing date/time (time stamp date) of the Filing to the new date/time that the Filing was Refiled.</p>
	<ul style="list-style-type: none"> Reviewing 	Filing is being reviewed by the Reviewer and the Filing can no longer be modified by the Filer unless rejected by the Reviewer.
	<ul style="list-style-type: none"> Rejected 	<p>The Reviewer has not accepted the Filing and it is returned to the My Filings queue.</p> <p>Filings that have not been accepted and are then Refiled will be time-stamped with the original filed/submitted date/time if, or once, accepted by the Reviewer.</p> <p>If the filing has been rejected, no payment has been deducted and the hold on the filer's account will be released.</p>
	<ul style="list-style-type: none"> Refiled 	A previously Rejected Filing has been modified by the Filer and has been Refiled and is waiting for review by the Reviewer.
	<ul style="list-style-type: none"> Accepted 	<p>The Filing has been accepted by Reviewer.</p> <p>Filings are now electronically Time Stamped with the date submitted (or Refiled).</p> <p>The Payment process is completed.</p>
	<ul style="list-style-type: none"> Completed 	Filing has been completed, and the case has been created and/or, the filing has been added to the Court File.
Filing Type		
	<ul style="list-style-type: none"> New Case Request 	Filing a New Case request.
	<ul style="list-style-type: none"> Subsequent Filing 	Additional Filing on an existing proceeding.
eFile ID		The eFile number generated when the document was submitted for filing.
Case Number		The court allocated number specific to the Case. This field is case sensitive and must be entered <u>exactly</u> as it appears on the confirmation stamp (eg. S CI 201x 0xxxx or S ECI 201x 0xxxx).
Case Title		A combination of Case Number and Party Name.
Reference Tags		Practitioner's internal reference number.
Rows per page		How many records to display per page.
Site		The Court site where the file was lodged (note, this will default to Supreme Court).
Case Type		The Division of the proceeding and/or List descriptor e.g. Common Law (General), Commercial Court (Judge managed) or (Non Judge Managed) etc.

To search for an eFile:

1. In the relevant fields, tick and enter the required search criteria.
2. Click **Search**.

The Search results that fall within the search criteria display in the bottom section of the screen.

eFile ID	Filing Type	Case Number	Case Title	Filing Status	File Date	Cost	
258	New Case Request	2014 CV 000416	2014 CV 000416 VB et al -vs- PAYNE, SALLY et al CEC	Accepted	02/27/2014 08:41 PM	\$302.50	<input checked="" type="checkbox"/>
253	New Case Request	2014 CV 000411	2014 CV 000411 PL -vs- ANDERSON, RANDALL CEC	Accepted	02/27/2014 09:35 AM	\$502.50	<input checked="" type="checkbox"/>
210	Subsequent Filing	2004 CV 00085	2004 CV 00085 JS -vs- Jones, Joseph JL	Accepted	02/04/2014 02:02 PM	\$164.50	<input checked="" type="checkbox"/>
209	Subsequent Filing	2014 CV 000396	2014 CV 000396 RJ -vs- WILLIAMS, ROGER CEC	Reviewing	02/04/2014 12:36 PM	\$164.50	<input checked="" type="checkbox"/>
206	Subsequent Filing	2012 CV 000280	2012 CV 000280 CJ et al -vs- Dant, Joseph TP	Reviewing	02/03/2014 06:10 PM	\$2.50	<input checked="" type="checkbox"/>
205	Subsequent Filing	2004 CV 00085	2004 CV 00085 JS -vs- Jones, Joseph JL	Filed	02/03/2014 06:10 PM	\$2.50	<input checked="" type="checkbox"/>
203	New Case Request			Reviewing	01/27/2014 10:39 AM	\$299.50	<input type="checkbox"/>
214	New Case Request			Draft		\$299.50	<input type="checkbox"/>

4.1.1 Display Approved Filings

By default, approved Filings, which are on the Cases page, will not display in My Filings queue.

To see these filings:

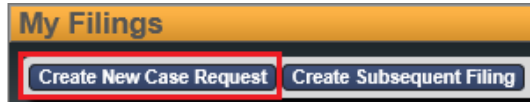
1. In the **Filing Status** search field, check the **Completed** checkbox
2. Click **Search**.

The completed filings will now be visible.

eFile ID	Filing Type	Case Number	Case Title	Filing Status	File Date	Cost	
3714	New Case Request	S ECI 2018 00013	S ECI 2018 00013 In the matter of Smith and Co.	Completed	23/03/2018 02:38 PM	\$0.00	<input checked="" type="checkbox"/>

5 Create a New Case Request

1. Click **eFile** to access **My Filings** page.



2. Click **Create a New Case Request**

The New Case Request screen displays.

Note: All fields with an asterisk * must be filled in.

3. Enter the following:

Field	Details
Practitioner/Bar Roll Number	Type your firm's number issued by the Legal Services Board.. Note: If an error appears, try tabbing out of the field and entering it again after selecting Case Type. If the error continues, leave the field blank.
Reference Tags	Enter a Reference tag, if required. Note: This is not a mandatory tag but can be used to record your firm's internal case reference number.
Site *	Pre-filled for the Supreme Court.
Case Type *	Select the Division of the proceeding and/or List descriptor e.g. Common Law (General), Commercial Court (Judge managed) or Criminal Application etc.
Initiating Action *	Select the case claim. For example, Corporations – Bankruptcy & Insolvency.

5.1 Add Parties – Party 1

Note: The **New Case Request** screen displays data fields for two parties. These instructions apply to both Party 1 and Party 2 and any additional parties you may need to add. Please note all party names should be entered using upper and lower case letters, rather than all capital letters.

1. Under **Parties**, in the **Party 1** section, enter the following:

Field	Details
Party Type *	Select the Party Type e.g. Plaintiff, Defendant etc. Please note that “Corporation” as a party type should only be used for Corporations List proceedings
Role Type	Select the Role Type e.g. Estate Agent, Guarantor, Guardian etc. Note: Not currently required for the Supreme Court.
Legal Representative	Tick this box if the Party will be represented by a Solicitor. Note: Please do not add the firm as a party.
On Behalf Of *	Tick this box to select your Fee Payer Category Note: This is further described in section 5.2, below.
Last Name * First Name * Middle Name	Type the last name, first name and middle name (optional) of the Party as it appears on the originating document. Note: You can either enter a name or a company – not both. Further Note: if the party sues or is being sued in a representative capacity (e.g. as executor, litigation guardian, liquidator etc.) enter into the Company field.
Post Nominals	Select from Junior or Senior. Note: Not currently required for the Supreme Court.
Company *	Type the name of the Company as it appears on the originating document. Note: You can either enter a name or a company – not both. Further Note: if the party sues or is being sued in a representative capacity (e.g. as executor, litigation guardian, liquidator etc.) enter into the Company field.
Address Type	Select the Address Type e.g. Business, Home etc.
Address City State	Enter the address corresponding to the Address Type. Note: If commencing by solicitor, enter firm address.

Postcode	
Phone Type	Select the Phone Type e.g. Business, Home etc.
Phone	Enter the phone number corresponding to the Phone Type.
Email	<p>Enter the email of the Case Manager. The Case Manager is the practitioner or party responsible for the conduct of the proceeding whose details appear in the 'tram tracks' on the document being submitted for filing.</p> <p>Note: For Judge managed proceedings in the Commercial Court only, Notifications of Electronic Filing for your party in this particular proceeding will be sent to this email address. Notifications of Electronic Filing will not be sent in other proceedings.</p>

5.1.1 Add Parties - Party 2

- Follow the steps in **Add Parties – Party 1**

! **Important** Do not enter the email address for any defendant/s or respondent/s.

5.1.2 Add Additional Parties

To Add Additional Parties:

- Click **Add Party**

The screenshot shows the 'Party 2' form with the following fields and sections:

- Party 2:** Party Type (dropdown), Role Type (dropdown), Legal representative (checkbox), On Behalf Of (checkbox), Last Name (text), First Name (text), Middle Name (text), Post Nominals (dropdown), Company (text).
- Contact Information:** Address Type (dropdown), Address (text), City (text), State (dropdown), Postcode (text), Phone Type (dropdown), Phone (text), Email (text). A 'Delete' button is located next to the Email field.
- Affiliation/Alias:** Add Affiliation/Alias (button).
- Bottom:** Add Party (button, highlighted with a red box).

The Party 3 window displays.

The screenshot shows a form titled "Party 3" with two main sections. The left section contains fields for "Party Type *", "Role Type", "Legal Representative" (checkbox), "On Behalf Of" (checkbox), "Last Name *", "First Name *", "Middle Name", "Post Nominals" (dropdown), and "Company *". The right section is titled "Contact Information" and includes "Address Type", "Address" (multiple lines), "City", "State" (dropdown), "Postcode", "Phone Type" (dropdown), "Phone", and "Email". A "Delete" button is located at the bottom right of the Contact Information section, and an "Add Contact Information" button is at the bottom center.

2. Follow the steps in **Add Parties – Party 1**
3. Continue to follow instructions in **Add Additional Parties** until all parties are entered.

Note: In a proceeding initiated within the Corporations List Case Types, three parties will be required before you can continue with your filing, being the Plaintiff, Defendant and the Corporation.

! Important Do not enter the email address for any defendant/s or respondent/s.

5.2 Select Fee Payer Category – Civil Proceedings

1. Select the **On Behalf Of** check box next to the party you are filing on behalf of. If filing on behalf of multiple parties, select **On Behalf Of** the highest fee paying party (you cannot select more than one Party).

The Fee Category selection displays.

The screenshot shows a form titled "Party 1". The "Party Type" is set to "Plaintiff". The "On Behalf Of" checkbox is checked. The "Fee Category" is set to "Corporate". The "Last Name" is "Smith" and the "First Name" is "John".

! Important The Fee Category will automatically default to 'Corporate' – all fees will be charged at a Corporate rate, unless this category is changed.

- To change the fee category, use the Fee Category drop down box -

! Important Proceedings in the Criminal Division shall select Not Applicable – Criminal Division.

Note: Further information on Fee Payer Categories and fees may be found at <https://www.supremecourt.vic.gov.au/forms-fees-and-services/fees>

5.3 Add Documents

- Under **Documents**, in the **Document 1** section enter the following:

Field	Details
Document Type *	Select the document type e.g. Commence Case - ... or Subsequent Filing - ...
Filing Fee	This fee will automatically generate, depending on the Document Type and needs to be paid via PayPal when the Filing is submitted. See Paying for Filings . Note: Fees can also differ based on Fee Category selection and Case Type selection (that is, the Division of the Court)
Document Note	Enter the title of the document (in line with the Annexure B, at the rear of this guide). E.g. 'Writ filed by the Plaintiff.'

- To upload your PDF file, under **Attachments**, click **Browse**.

The Choose File to Upload window displays.

! Important

If the file is too large, a message will display **File is too large to attach**.

Large documents can be broken up into 3 x 24 Mb document attachments. There is a maximum of three files per Document Type.

- Navigate to the required PDF document and double-click to attach.
- To view the document you attached, click on the **File Name** link.

! Important

Double check the document before you click **Continue with Filing**.

- To add more documents, click **Add Document** within the same eFiling ID.

! Important

Remember to upload Affidavits and exhibits as separate document types and attachments.

5.3.1 Add Fee Category Documentation (only for Civil Proceedings)

'Document 2 - Supreme Court Application for Court Fees' will automatically display upon selecting the fee categories –

- Concession;
- Standard - Deceased Estate;
- Standard - Not for profit;
- Standard - Less than \$200,000; or
- Waiver.

The screenshot shows a web interface for 'Document 2'. On the left, there is a 'Document Type' dropdown menu set to 'Supreme Court Application For Court Fees' and a 'Document Note' text area. On the right, there is an 'Attachments' section with an 'Upload Attachment' button and a 'Browse...' button. A note next to the 'Browse...' button indicates '(PDF 24000 KB max)'.

Note: If applying for a Concession payment or one of the Standard categories listed above, upload a completed [Application for Standard or Concession Court fees](#).

If applying for a Waiver, upload a completed [Application for Waiver of Court fees](#).

(Both forms available from the Supreme Court website).

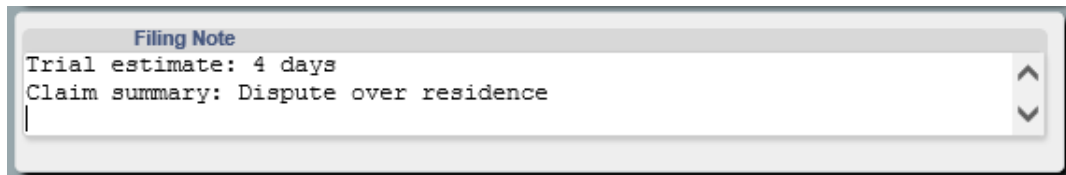
- To upload and attach the form, follow steps 2 to 4 under **5.3 Add Documents**.

Note: Further information on Fee Payer Categories and fees may be found at <https://www.supremecourt.vic.gov.au/forms-fees-and-services/fees>

5.4 Remove Attachments

To remove an attached document, click **Delete** to the right of the document name.

5.5 Filing Note



Filing Note

Trial estimate: 4 days
 Claim summary: Dispute over residence

In the **Filing Note** field, you may wish to enter the following:

- If the case is urgent (please ensure you have contacted the relevant Registry by telephone), see **Urgent Documents**;
- Any related cases;
- Trial Estimate (minimum to maximum days); or
- Any additional information.

5.6 Finalising New Case Request

1. Check all the entered information is correct.
2. Check the Added Documents are complete and correct.
3. Check the Filing Fee is correct.

The Filing Fee is displayed in the cost section.

Convenience Fee	\$.00
Document Fee	\$1,065.10
Total	<u>\$1,065.10</u>
Paid	\$.00
Owed	\$1,065.10

Cancel Save Continue with Filing

4. Click **Continue with Filing**.
 - This saves the data entered and displays a summary page with the New Case Request eFile ID.
 - Quote this number when contacting the relevant Registry to discuss any queries relating to your filing requests.

New Case Request 6751

Filer	Test FilerOne Test Filer One Company	Last Modified	28/06/2018 04:52 PM
Status	Draft		
Site	Supreme Court		
Case Type	Commercial Court (Non Judge-managed)		
Initiating Action	Commercial Building Disputes - Breach of Contract		

Parties

Party 1

Party Type	Plaintiff	Email	casemanageremail@mail.com
Legal Representative	<input checked="" type="checkbox"/>		
Last Name	Smith		
First Name	John		

Party 2

Party Type	Defendant
Company	Test Corporation Pty Ltd (ACN 000 000 000)

Documents

Document 1

Document Type	Commence Case - Writ filed	Attachments	
Filing Fee	\$1,065.10	File Name	Page Count
Page Count	1	Writ.pdf	1
Document Note	Writ filed by the Plaintiff.		
		Date Uploaded	1 28/06/2018 04:52 PM
		Walver Request Fee Waiver Application Form.docx	

Document 2

Document Type	Subsequent Filing - Affidavit	Attachments	
Page Count	1	File Name	Page Count
Document Note	Affidavit of John Smith, sworn 01-06-2018. Filed by the Plaintiff.		
		Affidavit.pdf	1
		Date Uploaded	1 28/06/2018 04:52 PM

Document 3

Document Type	Subsequent Filing - Exhibit/s filed	Attachments	
Page Count	1	File Name	Page Count
Document Note	Exhibit to the Affidavit of John Smith, sworn 01-06-2018. Filed by the Plaintiff.		
		Exhibits.pdf	1
		Date Uploaded	1 28/06/2018 04:52 PM

Filing Note Urgent - statute of limitation applies.

Convenience Fee	\$0.00
Document Fee	\$1,065.10
Total	\$1,065.10
Paid	\$0.00
Owed	\$1,065.10

[Return](#) [Modify](#) [Add to Cart](#)

- Or, alternatively, click one of the following:

Action	Details
Cancel	Returns you to the My Filings work queue and cancels any additions or changes made to the New Case or Subsequent Filing request. Information entered on your screen will NOT be saved if you select this option.
Save	Saves any additions or changes made to the New Case or Subsequent Filing request. Your filing will be saved as a Draft and will be viewable on the My Filings page.

5.7 Filings not requiring Payment

Where there is no prescribed fee for the filing of a document you should follow this process (otherwise proceed directly to **section 5.8 – Paying for Filings**):

1. Check all of the information you entered is correct and click **Submit Filing**.
Your My Filings page will display with the New Case Request listed awaiting approval.

- Or, alternatively, click one of the following:

Action	Details
Return	Returns to My Filings queue (this saves the efile ID as a draft. To delete go the <i>My Filing</i> page, tick the tick box and click delete).
Modify	Make changes or modifications to your filing.

5.8 Paying for Filings

When the Document Type requires payment, the filing fee will display both underneath the Document Type and in the Total at the bottom of the screen.

1. Click **Add to Cart**.

Documents

Document 1

Document Type: Commence Case - Writ filed
Filing Fee: \$1,065.10
 Page Count: 1
 Document Note: Writ filed by the Plaintiff.

Attachments

File Name	Page Count	Date Uploaded
Writ.pdf		1 28/06/2018 04:52 PM

Waiver Request: [Fee Waiver Application Form .docx](#)

Document 2

Document Type: Subsequent Filing - Affidavit
 Page Count: 1
 Document Note: Affidavit of John Smith, sworn 01-06-2018. Filed by the Plaintiff.

Attachments

File Name	Page Count	Date Uploaded
Affidavit.pdf		1 28/06/2018 04:52 PM

Document 3

Document Type: Subsequent Filing - Exhibit/s filed
 Page Count: 1
 Document Note: Exhibit to the Affidavit of John Smith, sworn 01-06-2018. Filed by the Plaintiff.

Attachments

File Name	Page Count	Date Uploaded
Exhibits.pdf		1 28/06/2018 04:52 PM

Filing Note: Urgent - statute of limitation applies.

Convenience Fee	\$.00
Document Fee	\$1,065.10
Total	\$1,065.10
Paid	\$.00
Owed	\$1,065.10

[Return](#) [Modify](#) [Add to Cart](#)

The Filing Cart window displays.

Filing Description Fees

[New Case Request 6751](#) \$1,065.10

Case Type: Commercial Court (Non Judge-managed)
 Initiating Action: Commercial Building Disputes - Breach of Contract
 Payment by: Credit Card Fee Total \$1,065.10

[Return to My Filings](#) [Submit Filings and Pay Now](#) [Remove from Cart](#)

2. Click **Submit Filings and Pay Now**.

You will be redirected to a PayPal payment screen.

PayPal \$4,163.60 AUD

Pay with PayPal

Email address

Password

Stay logged in for faster checkout ?

Log In

Having trouble logging in?

or

Pay With Credit or Debit Card

New. Faster. Easier.

Welcome to the new PayPal checkout. The security you rely on – now even faster. It's everything checkout should be.

Terms Privacy © 1999-2018

PayPal helps protect your privacy and security. For more information regarding the PayPal service, read our [User Agreement](#), [Combined Financial Services Guide and Product Disclosure Statement](#) and [Privacy Policy](#).

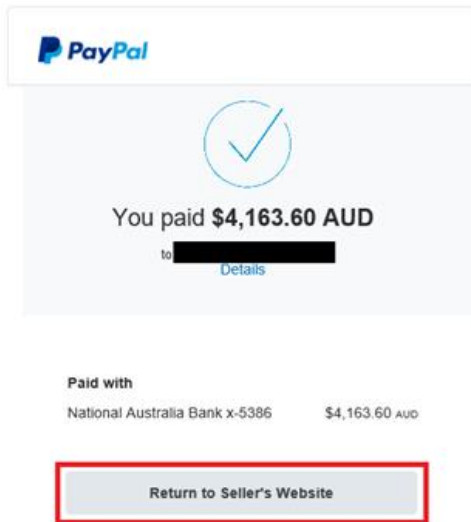
Copyright© 1999-2018 PayPal PayPal Australia Pty Limited ABN 93 111 195 389 (AFSL 304962). Any general financial product advice provided in this site has not taken into account your objectives, financial situations or needs.

3. From this screen you have two options:

- Log into PayPal and pay using your (or your organisation's) PayPal account.
- Pay with a credit card or a debit card.

4. Follow the PayPal prompts to make a payment.

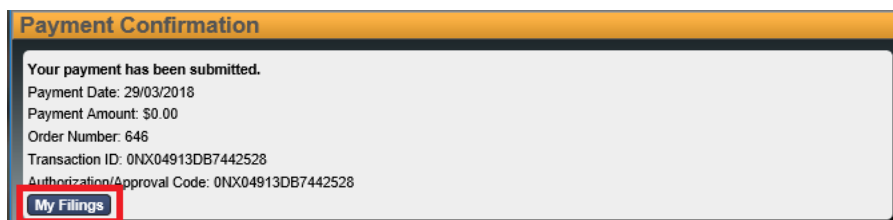
The payment summary page displays.



! Important Keep a copy of the PayPal receipt for your records.

5. From the payment summary page, click **Return to Seller's Website**.

The RedCrest Payment Confirmation window displays.



6. Click **My Filings**.

The filed document displays in your My Filings Queue with status Submitted.

eFile ID	Filing Type	Case Number	Case Title	Filing Status	File Date	Cost
6751	New Case Request			Submitted	28/06/2018 05:34 PM	\$1,065.10

[Delete](#)

Note: Your payment will be **Pending** (the pending payment is only an authorisation) until the Court accepts your Filing(s) and will then complete your payment with PayPal. You will receive an email confirming that your document has been submitted for filing.

5.8.1 Failed Payment

- If your payment fails to process, check the card limit/restrictions or contact your merchant.
- If your payment has been processed and the document has been accepted by the court but you haven't received a receipt from the Court, please contact the relevant Registry.

6 Approval and Rejection of Filing

All documents submitted for filing are subject to review by the relevant Registry. For New Case Requests, your submission won't be given a Case Number until it has been assessed and approved by the relevant Registry.

6.1 Approved Filings

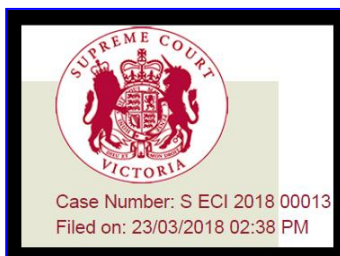
Once approved by the relevant Registry, the document will appear in the **Court File** as the most recently filed document.

Documents appear in date order, from oldest to newest.

For **Commercial Court Judge-managed proceedings only**, a **Notification of Electronic Filing** email will be sent to the Case Manager of all parties advising that a document has been added to the Court File.

You will then need to attend to service of the filed document in the usual way.

Note: You can also download a copy of your filed document stamped with the Supreme Court seal, along with the Case Number and the date and time of filing by clicking on the link in the acceptance email. Alternatively, the Case Manager can download the document from the case page in their *My Cases* list on RedCrest.



6.2 Rejected Filings

If the Registry Reviewer rejects your filing, in your **My Filings** queue, the **Filing Status** will display in red as **Rejected**. The reason for rejection will be outlined in the email and can be viewed by clicking on the Filing in RedCrest.

To view and amend a Rejected Filing:

1. Open the record by clicking on the Filing. Alternatively, you can click on the link contained in the rejection email.

eFile ID	Filing Type	Case Number	Case Title	Filing Status	File Date	Cost	<input type="checkbox"/>
6757	New Case Request			Rejected	29/06/2018 12:18 PM	\$1,065.10	<input type="checkbox"/>

Each section has a *Reviewer Comments* field which allows for specific instructions to the Filer.

The screenshot shows the 'Add Document' interface. At the top is a 'Filing Note' field. Below it is a 'Reviewer Comments' field, which is highlighted with a red border and contains the text: 'All documents filed with the Court are required to include an email address in the tram tracks, pursuant to Rule 27.03(11)(b) of the Supreme Court (General Civil Procedure) Rules 2015.' Below the comments is a fee summary table:

Convenience Fee	\$0.00
Document Fee	\$1,065.10
Total	\$1,065.10
Paid	\$1,065.10
Owed	\$0.00

At the bottom of the interface are three buttons: 'Cancel', 'Save', and 'Continue with Filing'.

Certain fields flagged by the Reviewer may also be highlighted in yellow.

2. Update the Filing as instructed by the Reviewer.
3. After making the required changes, click **Continue with Filing**.
Click **Submit Filing**.

6.2.1 Time-stamps on Rejected and Refiled Filings

If a Rejected and Refiled Filing has...	Then...
Been re-filed in accordance with the requisitions raised only and refiled within a reasonable period of time	Generally, the document will be time-stamped with the original date and time that the Rejected Filing was Submitted for filing.
Been re-filed with substantive changes beyond those raised in the requisitions such that the filing would be irregular or an abuse of process and/or not refiled within a reasonable period of time	Generally, the document will be time-stamped with the date and time the substantively changed document was Refiled .

7 Access Cases

Parties and their legal representatives will be able to have access to an electronic file for their proceedings:

- (a) where the proceeding is a Judge-managed Commercial Court proceeding which was initiated in RedCrest;
- (b) where it was commenced after 2 July 2018 in the Common Law Division, Costs Court or Commercial Court non-Judge managed proceedings; or
- (c) where the proceeding is a Criminal Division proceeding which was initiated in RedCrest.

The **Case Manager** is the legal practitioner responsible for the conduct of the proceeding, or the party themselves (where self-represented) as identified in the tram tracks for the first document filed on behalf of a party in a proceeding (or as otherwise updated from time to time.)

Case Managers are required to register for access to RedCrest. Should the Case Manager not be registered for RedCrest, access will instead be granted to the filer.

Civil Proceedings

Access to new proceedings will be automatically granted to the Case Manager for each party to the proceeding, upon them eFiling the first document for that party in the relevant proceeding.

Criminal Proceedings

Rule 1.11(4) of the Chapter VI Rules states that documents filed in the criminal jurisdiction are not open for inspection unless the Registrar so directs.

On approval by the Criminal Registry, parties and their representatives will be able to view a limited number of documents through RedCrest. Currently, those documents will be limited to charge sheets, chronologies, openings and responses, court orders, statements of facts and applications for bail, in addition to their own eFiled documents. At this stage, no other eFiled documents will be able to be viewed.

7.1 Request Enhanced Access

Should any party or legal representative for a party (in addition to the Case Manager) require access to the electronic file of the proceeding, they will need to request Enhanced Access for each Case.

Civil Proceedings

Should any party or legal representative for a party (in addition to the Case Manager) require access to the electronic file of the proceeding, they will need to request Enhanced Access for each Case.

To get **Enhanced Access for a Case**:

1. From the Toolbar, click **Search**.

The Search window displays.

2. Click the **Case Number Search** tab. This field is case sensitive and must be entered exactly as it appears on the confirmation stamp (eg. S ECI 201x 0xxxx or S ECR 201x 0xxxx).
3. In the **Case #** field, type the **Case Number**.
4. Click **Search**.

The Search Results window displays.

	Case Number	Party Type	Case Type	Case Status	File Date
eFile	★ S ECI 2018 00015	Defendant	Commercial Court (Corporations)	Open	27/03/2018
eFile	★ S ECI 2018 00015	Plaintiff	Commercial Court (Corporations)	Open	27/03/2018

The search will bring up multiple results for the same proceeding number, just with a different party type. Clicking on any of the options will take users to the same case.

5. Click the star next to the Case Number(s) and then click the Case Number link.

The Request Enhanced Access details display.

S ECI 2018 00015 In the matter of Smith Corp

Case Type Commercial Court (Corporations)	Initiating Action: CORPS Bankruptcy & Insolvency
Case Status Open	Status Date: 27/03/2018
File Date 27/03/2018	Case Judge: Elliott, J
DCM Track:	Next Event:

★ eFile [Request Enhanced Access](#)

All Information

6. Click **Request Enhanced Access** to send your request to the RedCrest Help Desk for approval.

*A notification **Waiting on clerk for enhances access approval** displays.*

★ eFile Waiting on clerk for enhanced access approval. Requested Date: 28/03/2018 02:08 PM

7. The Case Manager for your party then needs to **send an email to the RedCrest Help Desk** confirming you should be granted access to the electronic file/case page.
8. When the RedCrest Help Desk receives confirmation from the Case Manager, you will be granted access to the case page.





Criminal Proceedings

The Case Manager for a party should email the Criminal Registry requesting access for a person they nominate.

Any other person wishing to seek access to the electronic file must contact the Criminal Registry. Rule 1.11(4) of the Chapter VI Rules states that documents filed in the criminal jurisdiction are not open for inspection unless the Registrar so directs.

7.2 Viewing the Case Page

Once you have requested Enhanced Access for a Case, it will be added to your case list.

Case Status	Symbol
Approved Enhanced Access has a lightning bolt symbol.	
Waiting for approval has a circular arrow symbol.	

To view the Case:

1. From the Toolbar, click the **Cases** tab.

A list of Cases displays. Cases with a lightning bolt symbol have Enhanced Access.



- Click the required Case Number to open the Case page.

The Case details display.

S ECI 2018 00013 In the matter of Smith and Co.

Case Type: Commercial Court (Corporations)
 Case Status: Open
 File Date: 23/03/2018

Initiating Action: CORPS Bankruptcy & Insolvency
 Status Date: 23/03/2018
 Case Judge: Elliott, J
 Next Event:

eFile Enhanced access is available for this case. Authorized Date: 23/03/2018 02:49 PM

All Information | **Event** | Case Log

Events

Date	Session	Locality	Location	Type	Event Judge	Result
27/03/2018 10:30 AM	Admiralty List		Courtroom 2 - SC Melb (William St)	First Directions	Elliott, J	

Case Log Information

Case Log Date	Case Log	Case Log Text	Image Avail.
23/03/2018	Affidavit in Support filed	Affidavit in Support filed Affidavit filed by plaintiff eFiling submission date: 23/03/2018 02:38 PM	Image
23/03/2018	Exhibit/s filed	Exhibit/s filed Exhibit filed by plaintiff eFiling submission date: 23/03/2018 02:38 PM	Image



- A **Case Page** contains general information about your case including the:

- Case Number
- Case Type
- Case Status
- File Date
- Initiating Action
- Case Judge
- Next Hearing Date
- Events
- Case Log Information
- Electronic Court File Documents

Note: The majority of information is extracted from the details provided by the Plaintiff at the time of initiation and, subsequently, from other filed documents like the Notice of Appearance.

7.3 Electronic Court File Documents

All of the documents filed by the Court and other parties into the Case are viewable to the parties in the proceeding (apart from sensitive/confidential documents filed in accordance with the relevant Registry's instructions).

Case Log Information			
Case Log Date	Case Log	Case Log Text	Image Avail.
23/03/2018	Affidavit in Support filed	Affidavit in Support filed Affidavit filed by plaintiff eFiling submission date: 23/03/2018 02:38 PM	 Image
23/03/2018	Exhibit/s filed	Exhibit/s filed Exhibit filed by plaintiff eFiling submission date: 23/03/2018 02:38 PM	 Image

To view the Court File Documents:

1. Under **Case Log Information**, locate the required Case.
2. Under **Image Avail.** click on the Image icon next.

The document opens. It may take a while to load.

8 Managing Access to a Case

8.1 Enhanced Case Access

The Case Manager is responsible for notifying the RedCrest Help Desk of any additional people who should be granted Enhanced Case Access for a case page.

This should be done via an email to the RedCrest Help Desk at the time the user has requested Enhanced Case Access through RedCrest.

If a party is self-represented, only the party is able to be given access to the case.

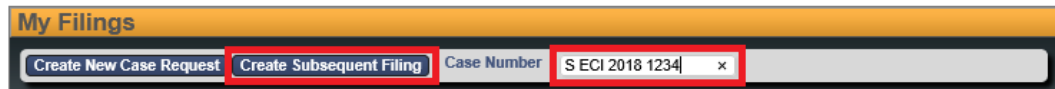
In Criminal proceedings Enhanced Case Access to a specific case will be revoked following a period of 12 months of inactivity.

8.2 Departing Staff members

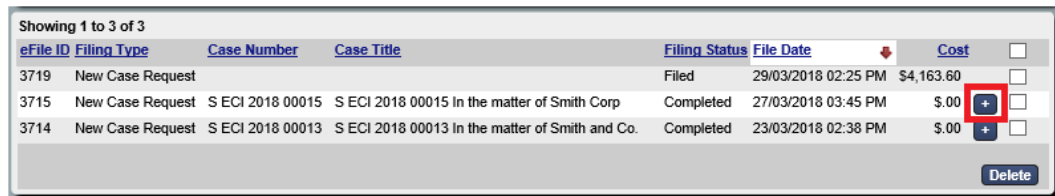
- The Case Manager is responsible for ensuring only appropriate users have access to the case page. This includes updating access when legal practitioners leave a firm or new counsel is briefed.
- We recommend that access to RedCrest be incorporated into your legal firm HR policies, particularly your staff exit policy and procedures.
- In circumstances where the departing staff member is also a RedCrest Case Manager, then they should transfer that status to a nominated staff member prior to their departure.
- In both instances the RedCrest Help Desk must be notified, by email, of the staff member's departure so that their system account can also be deactivated.

9 File a Subsequent Filing

- From the Toolbar, click the **eFile** tab.
- Use one of the following options to add a Subsequent Filing:
 - In the **Case Number** field type the **Case Number**. This field is case sensitive and must be entered exactly as it appears on the confirmation stamp (eg. S CI 201x 0xxxx or S ECI 201x 0xxxx).



- Click **Create Subsequent Filing**.
- OR



- (If you have created a case) From your **My Filings** queue, click the **+** sign to the right of the required Filing.

The Subsequent Filing page displays.



- (Optional) Enter the following:

Field	Details
Practitioner/Bar Roll Number	Type your firm's number. Note: If an error appears, try tabbing out of the field and entering it again after selecting Case Type. If the error continues, leave the field blank and enter the number in the Filing Note field.
Reference Tags	Enter a Reference tag, if required. Note: This is not a mandatory tag but can be used to record your firm's internal case reference number.

- Select the **On Behalf Of** check box next to the party you are filing on behalf of. If filing on behalf of multiple parties, select **On Behalf Of** the highest fee paying party (you

cannot select more than one Party). The details in the filing will be applied to all relevant parties.

The Fee Category selection displays.

! Important The Fee Category will automatically default to ‘Corporate’ – all fees will be charged at a Corporate rate, unless this category is changed.

If you have already selected a Fee Category for a previous filing in the proceeding, your selection will carry over.

- To change the fee category (where applicable), use the Fee Category drop down box -

Note: Further information on Fee Payer Categories and fees may be found at <https://www.supremecourt.vic.gov.au/forms-fees-and-services/fees>

! Important Proceedings in the Criminal Division shall select Not Applicable – Criminal Division.

5. The next steps are the same as Create a New Case Request:

Step	Action
Add a new Party	<ul style="list-style-type: none"> Click Add Party. <p>Note: This should only be completed in limited circumstances (e.g. adding creditor as an ‘other party’ to a proceeding.) In most instances, an order is required</p> <ul style="list-style-type: none"> Follow the steps in Add Parties – Party 1 (if applicable).
Add Documents	<ul style="list-style-type: none"> Follow the steps in Add Documents.
Add Fee Category Documents	<ul style="list-style-type: none"> Follow the steps in Add Fee Category Documents (if you are required to submit fee category documentation)

Remove Attachments	<ul style="list-style-type: none"> • Follow the steps in Remove Attachments.
Filing Note	<ul style="list-style-type: none"> • Follow the steps in Filing Note.
Finalising your Subsequent Filing	<ul style="list-style-type: none"> • Follow the steps in Finalising New Case Request. <p>Note: There may be additional fees for Subsequent Filings.</p>
Additional Fees for Subsequent Filing	<ul style="list-style-type: none"> • Follow the steps in Paying for Filings. <p>Note: Print the PayPal receipt for your records.</p> <p>Note: Your payment will be Pending until the Court accepts your Filing(s) and will then complete your payment with PayPal.</p>

10 Important Contacts

10.1 Procedural Assistance: Registry

For enquiries or requests for procedural assistance, please contact the relevant Registry on:

Commercial Court Registry:

(Judge-managed proceedings in the Commercial Court):

Phone: (03) 9603 4105

Email: commercialcourt@supcourt.vic.gov.au

Principal Registry:

(Common Law Division, Costs Court and Commercial Court (non-Judge managed proceedings):

Phone: (03) 9603 9300

Self-represented Litigant enquiries:

Phone: (03) 9603 9240

Email: unrepresented@supcourt.vic.gov.au

Criminal Division Registry:

Phone: (03) 9603 9300, Option 9

Email: criminaldivision@supcourt.vic.gov.au

10.2 Technical Assistance: RedCrest Help Desk

For all initial inquiries or requests for technical assistance regarding RedCrest, please contact the RedCrest Service Desk by email: redcrest@supcourt.vic.gov.au

Please provide the following details:

- Your name
- Contact information
- Nature of the inquiry or incident;
- Case Number and/or eFile ID (if appropriate); and
- Screenshots of the problem you are experiencing.

11 Annexure A: Specific Documents

Requirements for specific documents eFiled in RedCrest:

11.1 Amending Documents

All amendments will take the form of a new document and will be checked by the Prothonotary for compliance with the Court Rules or the order of the Court granting leave to amend. When an amended document is filed, a reason must be stated in the filing notes section of RedCrest for the amendment (for example, by leave of a Judge) as well as endorsed on the title of the document itself [see **Order 36** of the Chapter I Rules].

11.2 Affidavit and Exhibits

Civil Proceedings

Affidavits and exhibits are required to be submitted for filing in RedCrest as separate documents (each has its own content type). Exhibits may be filed together as a bundle. See 13.1 Lodging Affidavits and Exhibits.

An exception to this is for –

- affidavits and exhibits in support of approval of compromises; and
- affidavits in support of s596 of the *Corporations Act 2001* (Cth)

where the affidavit and exhibits are to be filed as **one document**, using the appropriate document selection.

Criminal Proceedings

Affidavits and exhibits are required to be submitted for filing in RedCrest as one document.

11.3 Subpoenas

Civil Proceedings

Subpoenas eFiled in Forms 42A, 42B, 42C and 42AA must contain a date for service and a date, time and place for production before being submitted. The date for production and/or attendance relating to a Form 42A, 42B or 42C subpoena must be the first date of trial [refer to **rule 42.03(6)** of the Chapter I Rules]. The date for production of documents relating to a Form 42AA subpoena must be at least five business days after the last date for service [see **rule 42.03(8)(a)** of the Chapter I Rules] (or 14 days, where the addressee is to be served outside of Victoria). The nominated date for service and production must also fall on business days (that is, when the Office of the Court is open, see **rule 3.01** of the Chapter I Rules).

Criminal Proceedings

Subpoenas eFiled in Forms 6-1A, 6-1B and 6-1C must contain a date for service and a date, time and place of hearing before being submitted. The date for attendance must be the first date of trial [refer to **rule 1.12** of the Chapter VI Rules and **42.03(6)** of the Chapter I Rules]. The nominated date for service and production must also fall on business days (that is, when the Office of the Court is open, see **rule 3.01** of the Chapter I Rules).

Multiple subpoenas filed in the Criminal Division shall also be uploaded to RedCrest in one PDF document.

11.3.1 Service of Subpoenas

Once a subpoena has been accepted, a sealed copy of the Subpoena must be printed for service.

Note: When service of a subpoena outside of Victoria is required, ensure that the *Service and Execution of Process Act 1992* (Cth) (SEPA) Form 2 is attached to the document.

11.3.2 Short service of subpoenas

To eFile a subpoena using **Form 42A, 42B or 42C** (civil) or **Form 6-1A, 6-1B or 6-1C** (criminal) for production of documents and/or attendance at the trial of the proceeding, where less than 5 business days remain before the beginning of trial (or 14 days, where the addressee is to be served outside of Victoria), an order of a Judge abridging the time for service must be obtained before eFiling and subsequently attached to the eFiled document.

Please contact the Trial Judge's Associate to arrange an order, or contact the relevant Registry for more information.

11.3.3 Inspection of documents produced under subpoena – Civil

As noted in section 1.5.3, documents produced in response to a subpoena cannot be eFiled.

If a party has issued a subpoena using **Form 42AA**, that party must eFile an Affidavit of Service, using the Document Type '*Subsequent Filing – Affidavit of Service of Subpoena*' [see **rule 42A.04** of the Chapter I Rules.]

The requisite fees to inspect subpoenaed documents cannot be paid via RedCrest; payment must be made in person at the Prothonotary's office on the day of your appointment for inspection.

Appointments to inspect subpoenaed documents may be made by phoning (03) 9603 9300 or by email to subpoenas@supcourt.vic.gov.au.

11.4 Urgent Applications – Civil

A summons and affidavit in support must be eFiled via RedCrest (with initiating document if the application is not made in an existing proceeding). Practitioners and parties must have first sought direction from the relevant registry.

Please refer to the:

- Commercial Court Registry, for queries with respect to any urgent hearings before the Commercial Court Duty Judge; or
- Practice Court Coordinator on 9603 9288, for queries with respect to any hearings before the Practice Court (Common Law).

Also see the Supreme Court website for further information at - <https://www.supremecourt.vic.gov.au/forms-fees-and-services/registry-services/advice-on-urgent-matters>.

11.5 Applications before Judge in Charge of List

An originating document requiring a hearing date or a summons and affidavit in support must be eFiled in RedCrest. Filing parties must have sought approval for a hearing date, attached

the approval email and inserted the approved date of hearing in the summons before attempting to eFile.

Please consult the Practice Notes on the Supreme Court website for instructions on how to apply for a hearing date, noting that there might be specific instructions for the list your proceeding has been entered into –

<https://www.supremecourt.vic.gov.au/law-and-practice/specialist-areas-of-law>.

11.6 Applications before Associate Judge or Judicial Registrar

An originating document requiring a hearing date or a summons and affidavit in support must be eFiled in RedCrest. Practitioners and parties must have sought approval for a hearing date, attached the approval email and inserted the approved date of hearing in the summons before attempting to eFile.

Where your matter has been entered into a specialist list, please follow the relevant Practice Note for instructions on how to obtain a hearing date. For all interlocutory applications not dealt with in a specialist area, as well as the hearing or management of matters in the original jurisdiction of the Associate Judges or Judicial Registrars, please see the Supreme Court website for instructions on how to apply for a hearing date at -

<https://www.supremecourt.vic.gov.au/about-the-court/our-judiciary/associate-judges-jurisdiction>

11.7 Summons for Taxation of Costs

11.7.1 Party Party Taxations

A summons for taxation of costs, itemised bill of costs (or disbursement invoices and undertaking to pay said invoices in relation to Bills under \$30,000), document authorising the taxation of costs (for example, an order) and the Costs Court – Party Party Taxation Information Form must be eFiled. Filing parties must have sought approval for a hearing date, attached the approval email and completed Information Form and inserted the approved date of hearing in the summons before attempting to eFile. Please consult the most recent Costs Court Practice Note, Notices to the Profession and further instructions on how to apply for a hearing date at -

<https://www.supremecourt.vic.gov.au/law-and-practice/areas-of-the-court/costs-court>

11.7.2 Solicitor Client Taxations

A summons for taxation of costs and itemised bill of costs (or invoices) relating to a Solicitor Client Taxation and Costs Court – Legal Profession Legislation and Other matters Taxation Information Form must be eFiled. Practitioners must have inserted the next callover hearing date in the summons before attempting to eFile. Please consult the Supreme Court website for the list of callover dates at -

<https://www.supremecourt.vic.gov.au/law-and-practice/areas-of-the-court/costs-court>

11.8 Judgment in Default of Appearance or Defence

Where the Prothonotary has power to enter a judgment in default, an affidavit in support and exhibits may be eFiled in accordance with **Order 21** of the Chapter I Rules and the judgment is entered online.

All documentation in support of the default judgment application (including the appropriate form and the following documents if appropriate – search for an appearance, affidavit of service, where judgment is for debt, an affidavit of solicitor outlining the interest calculations and, where the judgment is in default of defence, an affidavit of non-service of defence), should be electronically filed as single attachments in the one filing submission.

Please ensure that all sections of the applicable default judgment form are completed and that the 'date entered' reflects the date of lodgement in RedCrest.

Please note that default judgments may not be accepted for filing on the same day that they are eFiled, see section 1.2.

For **Commercial Court Judge-managed** proceedings, please contact the Commercial Court Registry, by email, prior to filing. This type of application (all material mentioned above) must be referred to the relevant managing Judge to seek approval to enter administrative judgment.

The Court will indicate to the filing party when to proceed with filing the material via RedCrest. Please refer to SC CC 1 Commercial Court Practice Note at - <https://www.supremecourt.vic.gov.au/law-and-practice/practice-notes/sc-cc-1-commercial-court-first-revision>

11.9 Warrants of Execution

Where parties are seeking a warrant of execution, the affidavit in support and exhibits must be eFiled. Upon acceptance by the Court, a sealed copy of the warrant should be forwarded to the Sheriff's Office.

Please ensure that all sections of the warrant are completed and that the 'date filed' reflects the date of lodgement in RedCrest.

Unexecuted warrants may not be re-issued until the original warrant has been returned to the Court. Returned warrants *cannot* be eFiled and should be delivered to the Principal Registry.

11.10 Receipts for payment of hearing fees

All hearing, jury and mediation fees shall be eFiled with an accompanying receipt. A sample receipt form may be found at <https://www.supremecourt.vic.gov.au/forms-fees-and-services/forms>.

If required to file a Notice of Trial in Form 48A or 48B, the document selection will generate payment of the setting down fee or payment of jury fee with setting down fee, where appropriate.

11.11 Application to Set Aside Statutory Demands

Applications under s459G of the *Corporations Act* 2001 (Cth) to set aside a statutory demand must be brought to the attention of Registry as soon as they are filed to ensure the application is processed ungenerally and within the statutory time limits.

12 Annexure B: Naming Conventions

Please see recommended text within the 'Document Note' field, detailed below:

The screenshot shows the 'Documents' section of the RedCrest e-filing system. Under 'Document 1', there is a 'Document Type' dropdown menu and a 'Document Note' text area, which is highlighted with a red rectangular box. To the right of the 'Document Note' field is an 'Attachments' section with an 'Upload Attachment' button, a file selection field, and a 'Browse...' button. Below the 'Document Note' field is a 'Reviewer Comments' section.

Document type	Document Note field text
Commence Proceeding-(all types of initiating process)	<i>[Document Name]</i> filed by <i>[party type]</i> .
Subsequent Filing – Affidavit (all types)	Affidavit of <i>[deponent]</i> sworn <i>[insert date]</i> , filed by <i>[party type]</i> .
Subsequent Filing – Affidavit of Service of Subpoena	Affidavit filed by <i>[party type]</i> , served on <i>[served party/addressee]</i> . Subpoena addressed to <i>[insert addressee]</i> .
Subsequent Filing – Exhibits	Exhibits <i>[or list exhibit number]</i> to the Affidavit of <i>[deponent]</i> sworn <i>[insert date]</i> , filed by <i>[party type]</i> .
Subsequent Filing – Amended Document (all types)	Amended <i>[Document type]</i> , filed pursuant to Order of <i>[insert Judicial Officer]</i> made on <i>[date of Order]</i> . OR Amended <i>[Document type]</i> , filed pursuant to Rule <i>[insert Rule]</i> of the Supreme Court (General Civil Procedure) Rules 2015.
Subsequent Filing – Expert Report	Expert Report of <i>[insert expert]</i> , filed by <i>[party type]</i> .
Subsequent Filing – Notice of Contribution	Notice claiming contribution against <i>[party type]</i> , filed by <i>[party type]</i> .
Subsequent Filing – Notice of Ceasing to Act	Notice of Ceasing to Act filed by <i>[firm name]</i> , ceasing to act for <i>[party type]</i> .
Subsequent Filing – Receipt for Hearing Fee	Receipt for Hearing Fee - <i>[insert day]</i> of trial.
Subsequent Filing – Receipt for Jury Fee	Receipt for Jury Fee - <i>[insert day]</i> of trial.
Subsequent Filing – Subpoenas (all types)	Subpoena filed by <i>[party type]</i> . Addressed to <i>[insert addressee]</i> .
Subsequent Filing – Witness Statement (all types)	Witness Statement of <i>[insert witness]</i> , filed by <i>[party type]</i> .
*All other documents	<i>[Document Name]</i> filed by <i>[party type]</i> .

13 Annexure C: Tips and Tricks

13.1 Lodging Affidavits and Exhibits

Document 1		Attachments	
Document Type	Subsequent Filing - Affidavit	File Name	Page Count Date Uploaded
Page Count	1	Affidavit.pdf	1 06/12/2018 06:32 PM
Document Note	Affidavit of John Smith sworn 1 December 2018. Filed by the Plaintiff.		

Document 2		Attachments	
Document Type	Subsequent Filing - Exhibit/s	File Name	Page Count Date Uploa
Page Count	10	Exhibits(1).page.pdf	2 06/12/2018 (
Document Note	Exhibits JS1 to JS7 to the Affidavit of John Smith sworn 1 December 2018. Filed by the Plaintiff.		
		Exhibits(2).page.pdf	2 06/12/2018 (
		Exhibits(3).page.pdf	6 06/12/2018 (

Unless otherwise directed, Affidavits and Exhibits must be submitted through RedCrest as separate document selections. To do so, under the Documents Header, select your appropriate Affidavit under Document Type. Click Add Document to add your Exhibits, using the Document Type selection. The example above shows an Affidavit and exhibits as Document 1 and Document 2.

- Please *do not* add a new document for each new exhibit; they should be scanned and uploaded as one document (or multiple attachments in the one document type, explored in section 13.2).
- Please *do not* attach your Exhibits underneath your uploaded Affidavit (under 'Attachments'); this will merge the Affidavit and Exhibits if accepted for filing; an example is shown below.

Documents		Attachments	
Document 1		File Name	Page Cou
Document Type	Subsequent Filing - Affidavit	Affidavit.pdf	
Page Count	5	Exhibits(1).page.pdf	
Document Note	Affidavit of John Smith sworn 1 December 2018. Filed by the Plaintiff.		
		Exhibits(2).page.pdf	

13.2 Managing Large Filings

Large documents, particularly exhibits, can be split into 3 x 24MB filings within the one document selection, by splitting the PDF and clicking Browse... under 'Attachments'.

Documents		Attachments	
Document 1		File Name	Page Count
Document Type	Subsequent Filing - Exhibit/s	Exhibits(1).page.pdf	2 06/12/2018
Page Count	10	Exhibits(2).page.pdf	2 06/12/2018
Document Note	Exhibits JS1 to JS7 to the Affidavit of John Smith sworn 1 December 2018. Filed by the Plaintiff.		
		Exhibits(3).page.pdf	6 06/12/2018

The example above shows one merged exhibit filing, by splitting three larger attachments.