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Mediation in the Magistrates' Courts

In line with current trends throughout Australia in alternative dispute resolution, the NT Magistrates' Courts are developing services which provide users with some choice about how their civil matters are dealt with.

Mediation is becoming a widely used method of resolution of disputes. As it grows in popularity, so does the range of definitions used to describe it. The National Alternative Dispute Resolution Advisory Council released the following definition in March 1997:-

Mediation is a process in which

the parties to a dispute, with the assistance of a neutral third party (the mediator), identify the disputed issues, develop options, consider alternatives and endeavour to reach an agreement. The mediator has no advisory or determinative role in regard to the content of the dispute or the outcome of its resolution, but may advise on or determine the process of mediation whereby resolution is attempted.

Mediation often reduces the cost, time and stress of traditional court procedures, thereby providing an attractive alternative to parties and

courts. It is important to remember that it is a voluntary process, useful only when all parties are willing to try to negotiate a settlement of their dispute.

Mediation is available for matters within the jurisdiction of the Magistrates' Courts, subject to the availability of mediators. There are three trained mediators at Nichols Place: Vivien Holmes and Tanya Fong-Lim, Judicial registrars, and the Registrar of the Local Court, Karen Dey.

Please contact Karen Dey on 08 8999 6360 if you require further information about mediation and the courts.

- Office of Courts Administration

Other Rules

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The new Crimes (Victims Assistance) Rules are a marriage of the relevant Local Court rules and the present practice direction dealing with these matters and should hold no surprises for practitioners.

The Justices Act (Criminal Procedure) Rules are intended to formalise and improve existing practices. They will provide for a case management regime for the Court of Summary Jurisdiction with an emphasis on early and continuous disclosure.

Technological Advances in the Courts

Video conferencing facilities are now available in Courts 5 and 11 of the Supreme Court in Darwin, Courts 2 and 7 of the Local Court in Darwin, and Courts 1 and 4 in Alice Springs. The facilities are operational and available for use in hearings and criminal trials. To arrange to use these facilities you should speak to the following people:

1. Marianne (Mickey) Warren at the Supreme Court
tel: 8999 7930
2. Judy Finn, Civil Registry at the Local Court, Darwin
tel: 8999 6216
3. Jason Reid, Criminal Registry Court of Summary Jurisdiction, Darwin
tel: 8999 6416
4. Peter Campbell, Alice Springs Court House
tel: 8951 5717.

The costs of using these facilities will be as follows:

1. \$200 per hour site fees

2. \$25 per 15 minutes

3. Telecom transmission costs which could be between \$15 - \$40 per hour depending on the distance.

That is, if you use the facility for two and a half hours then you will be charged \$400 plus \$50 and transmission costs. If you use the facility for three hours you will be charged \$600 plus transmission costs.

These fees are competitive and practitioners are encouraged to use these facilities.

Internet

Practitioners are also advised that the daily cause list of the Supreme Court at Darwin is available on the Internet. The address is:

<http://www.nt.gov.au/oca>

It is also intended to put the Magistrates' Courts lists on the Internet in the near future.

If you have any queries about technology in the courts, please contact Kevin McShanag on 8999 6289.

- Information Technology Committee of the Office of Courts Administration



Have you joined the Qantas deal yet?

For further information contact the Law Society