

## **Issuing of Summonses and the Inspection of Summoned Documents by Unrepresented Litigants**

### **Scope of Practice Direction**

1. The operation of this Practice Direction is limited to:

(i) applications for the issue of a summons to attend and/or to produce documents and also the inspection of summonsed documents, where the party making the application is not represented by a legal practitioner who is on the record of the Court proceedings as acting for the applicant at the time of the application for the issue of the summons or the request for inspection of the summonsed documents, as the case maybe (an unrepresented party), and

(ii) when the proceedings are protection proceedings under the Children and Community Services Act (2004) or proceedings under the Restraining Order Act (1997).

### **Practice Direction**

1. A summons shall not be issued on the application of an unrepresented party in proceedings to which this Practice Direction applies without the leave of the Court.

2. Inspection of summonsed documents by an unrepresented party in proceedings to which this Practice Direction applies shall not be allowed without the leave of the Court.

3. Applications for the leave of the Court as required by this Practice Direction may be heard by a Magistrate of the Court in Chambers.

4. A Magistrate of the Court may require the applicant seeking leave as required by this Practice Direction to file an affidavit(s) in support of the application and to do so within whatever time period the Magistrate thinks fit, to enable the Magistrate to determine the application for leave.

Dated this 21st day of July 2014

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**JUDGE D J REYNOLDS**

**PRESIDENT OF THE CHILDREN'S COURT OF WESTERN AUSTRALIA**