



DELAYED JUDGMENT PROTOCOL

1. The purpose of this Protocol is to set out the process for legal practitioners to inquire about a delay in the delivery of a reserved decision in the Local Court.
2. The Local Court aims to deliver each judgment within three months from the date on which the judgment was reserved unless the presiding judge has indicated otherwise.
3. Despite this benchmark and protocol, some judgments may be delivered outside that timeframe. There are a number of reasons why delivery of a judgment may take some time following hearing of the matter, or may otherwise be delayed. In some matters the legal and/or factual issues involved are highly complex. Fresh issues will sometimes arise during the drafting of reasons and it becomes necessary to seek further submissions from the parties. Priority is given to criminal matters (particularly in cases where the accused is in custody) and to other matters which may have a direct and immediate bearing on personal liberty. Resourcing issues will sometimes contribute to delay.
4. If a legal practitioner wishes to inquire about a delay in the delivery of a reserved judgment in a case in which that legal practitioner is acting, the legal practitioner may write to the Chief Executive Officer of the Law Society Northern Territory.
5. If it appears to the Chief Executive Officer that the judgment has been outstanding for at least three months, the Chief Executive Officer will write to the Chief Judge of the Local Court regarding the judgment.
6. The inquiry to the Chief Judge will not disclose the identity of the legal practitioner who has made the inquiry.
7. The Chief Judge will then consult with the Judge who has reserved judgment and advise the Chief Executive Officer of the date when it is anticipated that the reserved decision will be delivered.
8. The Chief Executive Officer will then write to the legal practitioner who made the inquiry and to the other party or parties (or their legal representatives) advising of the outcome of the inquiry.

Dated 24 February 2023



Chief Judge Morris