Improving procedures and practices and removal of obsolete, unnecessary or over-complex rules of procedure;

Reviewing the law of discovery;

Encouraging alternative methods of dispute resolution;

Reviewing the use of electronic communications including e-litigation and possibilities for making court documents (including submissions and proceedings) available or accessible on the internet;

Achieving more effective and less costly outcomes for court users, particularly vulnerable court users.

For all users of the present machinery (excepting small claims, and some District Court rules) for the implementation of some form of Dispute Resolution between two disputing private individuals or groups of individuals, the present Rules of Procedure and the statutory regulations and laws governing the process by which a dispute finally reaches the stage of being listed before a Judicial tribunal (eg; Courts established by the Constitution, and or other quasi-judicial tribunals established by the State) is to say the least couched in terms of language, (and latin phraseology) which is not easily understood or comprehensible to possibly 90+ percent of the reasonable ordinary everyday male or female population, who are going about their ordinary lives, [redacted]

Therefore the resulting procedural steps in the legal process which results in a Decision(judicial, quasi-judicial , or administrative) are often never understood, and [redacted]

point no 1; Do away with all latin terms written or spoken by civil servants, court clerks, registrars, Judges, Solicitors, and Barristers

point no. 2; do away with antiquated and arcane expressions to describe a Judicial Tribunal which derive from British law nomenclature, for example ,Chancery, [redacted] Call and list the case for what it is for example Interlocutory Application, Possession

point no. 3; separate Non Jury cases from Judicial Review cases. Do away with the term Non Jury, call and list the action for what it is; for example, Appeal from a Circuit Court order, Possession , Judicial review against State public official decisions, etc.

point no. 4; [redacted]

Point no. 5; no matter what form is used to commence a court action, prior to issuing of a Court action of Record, it should be compulsory for a PRE-LITIGATION NOTICE of

DISPUTE AND CLAIM to be sent to the opposing individual, entity, etc, by a potential Plaintiff, whether in the capacity of lay –litigant, Solicitor, and their instructed Counsel (if retained) on behalf of a client.
Within the NOTICE should be a Statement of Truth sworn under oath with full Disclosure of facts and corroborating documents which substantiate the Claim arising from the dispute. This Notice should be filed and issued from a separate administrative Pre-litigation office.
The opposing individual or entity should be allowed 30 days to respond to the NOTICE after Service of the NOTICE has been proven to have been duly completed. A form for an ANSWER to NOTICE of DISPUTE AND CLAIM, should be provided and sent for the purposes of convenience and standardization. This answer should include disclosure of facts and corroborating documents if contesting, or if partial or fully admitting and counterclaiming details of such, same to be filed with the pre-litigation office
No further action should be commenced until both sides have filed and disclosed all documents, so that arduous discovery is avoided. Upon filing both sides can ask for Dispute resolution by means of mediation if there are no other concurrent wrongdoers. If a concurrent wrongdoer is identified then, the other wrongdoer must be served the documents submitted to the Pre-litigation office and given 30 days to respond and file. Subsequent to this dispute resolution by mediation can commence. If new points of law or unconstitutionality are identified at pre-litigation stage, which the Mediator determines have never been answered by the Court, mediation must pause, and the Mediator must ask the Courts to make a judicial determination. Upon determination of the question raised Mediation can re-commence.
The whole purpose of point 5 is to avoid bringing to the Court disputes, which blossom out of control, and end up being litigated on nearly the same identical basis as countless other previous disputes, with the Court pronouncing again and again on cited Authorities. . A baseless waste of time, that only enriches the legal profession and wastes valuable Court time for genuine novel disputes.
Under point 5; lay litigants and vulnerable persons should be able to access Mackenzie friends or lay advocates if they are unable to qualify for legal aid or can not afford a Solicitor. [redacted] The framers and drafters of that section of the Solicitors Act 1954 were meaning, unqualified persons as referring to, ***" those holding themselves out deceptively to be in the character of a Solicitor***."

Point 6; [redacted] It is nigh impossible at the best of times to hear what is being said by Counsel, and at time the Judge. [redacted]
It would be more civilized and effective if a digital screen was placed outside the Court room identifying the number and name of each to be called, possibly in batches of 10 list nos. with a posted time for the parties to enter the Court. After each case is finished the parties should exit the Court immediately. 2 minutes prior to the 8th case being called anew screen shot can list the numbers of the cases to be called, and repeated at the 18th, 28th, 38th cases etc. etc. All applications for non consent adjournments should be notified in advance to the Registrar in writing at 10am. with reasons outlined, and same applications should be sent into the Judges chambers, and dealt with prior to the list being called.
All cases that are settled or withdrawn on consent should be notified in writing to the

Registrar at 10am. and same sent to the Judges chambers. Any case that is to be made a rule of Court, or is for mention should be dealt with after the published list is finished.
Point 7; Discovery could be at the front end of any proceedings. Everything should be front and centre pre-litigation process. If Court litigation commences the Tribunal can read the pre-litigation file, get to the nub and kernel of the dispute, and if the parties are in disagreement on facts and issues, interrogatories can be allowed if necessary from both parties.
Point 8; Establish a dedicated Judicial Review and Administrative Law Court in two Civil divisions for judicial review eg;

a. review of all administrative public officials decisions in the domain of public law involving private persons having dispute with Government, shorten by rules of Court the [redacted]

Eliminate leave to bring judicial review.
All reviews should be done by a quasi-judicial independent Administrative mediator. Both sides to make submissions on corroborated identified facts and issues, with mandatory disclosure to the independent Administrative mediator, pre-mediation process. Only resort to Judicial Courts for judicial review on novel point of law, or identified abuse of process, ultra – vires decisions, and/or denial of right to be heard, or being a judge in ones own cause.

b. Review of Decisions of Judges, or Quasi-judicial government appointees established pursuant to the Constitution to be implemented under the Auspices of a new President of the Administrative Court to be totally independent in his function and power from all other Courts established under the Constitution. This would in effect be a collateral Court dealing with issues of bias, ultra-vires, bad-faith, excess of and/or no jurisdiction. Its President also having power over the appointment of independent Judges, and quasi-judicial independent Administrative mediators as previously mentioned in paragraph a.

Point 9; Access to obtain the DAR is un-necessarily curtailed and leading to massive delays and expense to persons who require same. It is a waste of time for a party to proceedings to be required to make application to a Judge for what is in effect a document of public record, which establishes what was said and recorded in the public domain.
It would be more practical for a Certificate to be issued from the appropriate Court office confirming for example;
Mr. Kelly was a Plaintiff in this case on this day in Court 4 , the name of the case is ---.
It was heard by Judge--- at approx. --- and was listed at no.--- on the list.
Mr. Kelly is entitled to take up the DAR in the form of an Audio CD, and/or a certified transcript.
Mr. Kelly will pay for it, and /or the Court will pay for it.
Signed by the Registrar and date stamped with the office stamp.
Point 10. No case should be heard on foot of purported service of a Notice of Motion having been served unless it can be proven on Affidavit that the Motion was personally served on the Defendant, or Registered post service has been effected by proof contained in the Track and Trace that the documents have been delivered and not returned to the sender. Service should not be deemed good otherwise, and the Motion should be automatically adjourned, until it is proven that the recipient has the documents.
Point 11. only one Counsel is necessary for any high Court proceeding, and Solicitor should be allowed move Motions if they are able.. Only one Counsel should be allowed in Court of Appeal, and Solicitor should be allowed Motions if they are able.
Point 12; Elderly persons are not email and IT knowledgeable. Many ordinary persons can not afford Internet costs, many rural location are without internet access. It should be a requirement that persons who are opting for postal notifications are facilitated to

the greatest extent, and not inhibited from exercising their constitutional rights. It flies in the face of reality , that if the Courts Judges, and Central office, and other Court offices requires all paper documents and paper notifications, that users of the Courts who seek to vindicate their rights should not be discriminated against by being forced to obtain Notice of hearings or listings if they do not have Internet through no fault of their own. After all Court users are paying steep fees in the form of Revenue stamp duty.
Point 13; change the name of Summary Summons, to the topic for which it is being issued eg; legal Court Action for Debt, legal court action for trust, etc. etc.
Change name of Special summons to the topic for which it is being used eg. legal court action for administration of ---. Etc etc.
Change the name of Plenary Summons to the topic for which it is being used eg. legal court action for fraud, legal court action for nuisance, legal court action for infringement of patent etc. etc. Further require that documentation evidencing pre-litigation Notice procedure has been completed, and a Statement attesting to belief in probable cause to commence litigation has been settled and signed by Counsel, or litigant in person, be filed to the record prior to issuance of Court action.