



HIGH COURT OF AUSTRALIA

Information regarding filing a writ of summons

Part 27 of the *High Court Rules 2004* deals with Writs of Summons. Rule 27.01 provides that a Writ of Summons must be in Form 20 and must, among other things, contain either an indorsement setting out the nature of the claim made and the relief which the plaintiff seeks or a Statement of Claim.

Rule 27.04 deals with the required contents of a Statement of Claim. Please note that there is no prescribed form for a Statement of Claim, and it is generally included as part of the Writ of Summons.

Filing the documents

1. All documents are to be filed using the High Court's Digital Lodgment System Portal, which is available at dls.hcourt.gov.au.
2. You will need to register, using a valid email address, so that you may file your writ of summons.
3. The Court will communicate with you using the email address you use to register.
4. Information on how to file is available through the Digital Lodgment System Portal, once you have registered.
5. When filing a writ, it must be accompanied by the relevant filing fees (or application for fee exemption or for fee reduction based on financial hardship). If the matter is listed for hearing, a hearing fee may be collected. The current filing fee is \$4,145 (or \$1,380 for hardship), and a hearing fee of \$785 (or \$260 for hardship) may also be collected if the matter is heard.
6. The grounds for fee exemption include the plaintiff holding a current Commonwealth concession card, being in receipt of a grant of legal aid, being in prison or being under the age of 18 years.

Serving the documents

Once your Writ of Summons has been accepted for filing, you must serve it on each defendant (Rule 27.01(f)).

IMPORTANT

The above information is intended only as a procedural guide. It is recommended that intending plaintiffs seek legal advice before commencing proceedings. In any event, intending plaintiffs should familiarise themselves with the requirements of the *High Court Rules 2004*, in particular Rule 27 and Rule 1.08, which set out the requirements with respect to the preparation of documents generally.