



Magistrates Court of Western Australia

PRACTICE DIRECTION 5 OF 2021

Summons to Produce Magistrates Court Records

The following procedure applies in the Magistrates Court of Western Australia where a party seeks a summons to produce documents rather than seeking to inspect and copy a Court record pursuant to s33 *Magistrates Court Act*.

1. Solicitors or self-represented litigants submitting a lawfully issued summons to produce Court records from a Federal Court, Federal Tribunal or State Tribunal must supply a covering letter or covering email with details setting out the reasons for the request. A Form 3a "Request to inspect a Court record" and an affidavit is not required.
2. Where a registry of the Magistrates Court of Western Australia receives such a summons to produce, the summons and the covering letter or covering email will be placed before a Magistrate for a determination as to the release of the records.
3. The lodging party will be advised if the Magistrate has determined that there should be an application to set aside the summons.

Dated the 9th day of July 2021

A handwritten signature in black ink, appearing to read "Steven Heath".

Steven Heath
Chief Magistrate