

**MAGISTRATES COURT OF WESTERN AUSTRALIA
CIVIL JURISDICTION
FACT SHEET 14A**

MINOR CASE STATUS CONFERENCE

This fact sheet is intended to help people in preparing themselves for a status conference.

What is a status conference?

The purpose of a status conference is to give the parties an opportunity to settle the case.

An essential part of the Court's objectives is to bring the parties to a settlement that will prevent the need for going to trial.

At the status conference, the parties should be in a position to explore settlement.

The status conference further allows for the management of a case.

When will a status conference be listed?

If a defendant lodges a response, with an intention to defend a claim, a registrar must list the case for a status conference on the next available date.

The registrar will notify all parties of the status conference in writing.

Who attends the status conference?

All parties must attend a status conference in person.

If a party is a corporation, it may be represented by one of its officers whom it has authorised to do so.

A party to proceedings may be entitled to be represented or assisted by a subrogated insurer if the subrogated insurer is authorised by the party in writing to do so.

If a party's attendance is likely to cause undue expense or the party is of ill health, a party may apply prior to the status conference for the hearing to be conducted by audio-link.

What happens if I do not attend a status conference?

If you do not attend a status conference, the magistrate may give default judgment against you.

Role of a magistrate at a status conference

The primary role of the magistrate at a status conference is to attempt to bring the parties to a settlement.

At the status conference, the magistrate may:

- Determine what facts, if any, are agreed by the parties
- Order the parties to lodge and serve lists of documents the parties may tender in evidence at the trial and exchange any other documents or information;
- Order the parties to attend a pre-trial conference or mediation;
- List the case for a further status conference;

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| | <ul style="list-style-type: none"> - Make any other orders necessary to facilitate settlement or ensure the case is ready for trial |
| Offers of settlement | <p>Any party may make an offer (or a number of offers) to settle the dispute.</p> <p>Any attempt to settle a case at a status conference is taken to be said or done without prejudice.</p> |
| What happens if the parties settle? | <p>The magistrate may make orders at the status conference reflecting the terms of the settlement.</p> |
| What happens if the parties do not settle? | <p>The magistrate may make orders for parties to complete further documentation, attend a further status conference, attend a pre-trial conference, attend a mediation or list the matter for a trial.</p> |
| Confidentiality | <p>A status conference is conducted in private 'without prejudice' and is confidential. Matters discussed at the status conference, or any admissions made, cannot be used outside of the conference.</p> |

This is a guide only. The content is subject to change. If you are unsure about any of the information in this fact sheet, contact your nearest registry or seek legal advice.