



# FAMILY COURT OF WESTERN AUSTRALIA

## PRACTICE DIRECTION

(No. 2 of 2018)

### ADMINISTRATIVE RELEASE OF DOCUMENTS PRODUCED PURSUANT TO SUBPOENA

1. This Practice Direction applies to subpoenas filed after 1 January 2019.
2. Practice Direction 1 of 2016 is revoked.
3. To the extent there is any inconsistency between Chapter 8 of the Case Management Guidelines of the Court and this Practice Direction, this Practice Direction will prevail.
4. Documents produced pursuant to a subpoena will be retained until the proceedings are finalised, and then on the expiration of 42 days, returned or destroyed in accordance with the request from the named person, unless the Court makes an order to the contrary.
5. Where leave has been given to file a subpoena, it must be accompanied by a letter addressed to the Principal Registrar, marked for the attention of the 'Subpoena Officer', and must contain the following information:
  - (a) the date of the order granting leave; and
  - (b) confirmation that the letter has been sent contemporaneously to each other party to the proceedings, or their lawyer, including the Independent Children's Lawyer.
6. Effective 1 January 2019 the following forms have been modified and are approved for use in Western Australia:
  - (a) Form 14 Subpoena; and
  - (b) Notice of Request to Inspect.

Interactive and electronic copies of these documents are available on the Court's website at [www.familycourt.wa.gov.au](http://www.familycourt.wa.gov.au) and paper copies are available from the Registry.

A handwritten signature in blue ink, appearing to read 'S. Thackray'.

**STEPHEN THACKRAY**  
CHIEF JUDGE

**FAMILY COURT OF WESTERN AUSTRALIA**  
27 December 2018