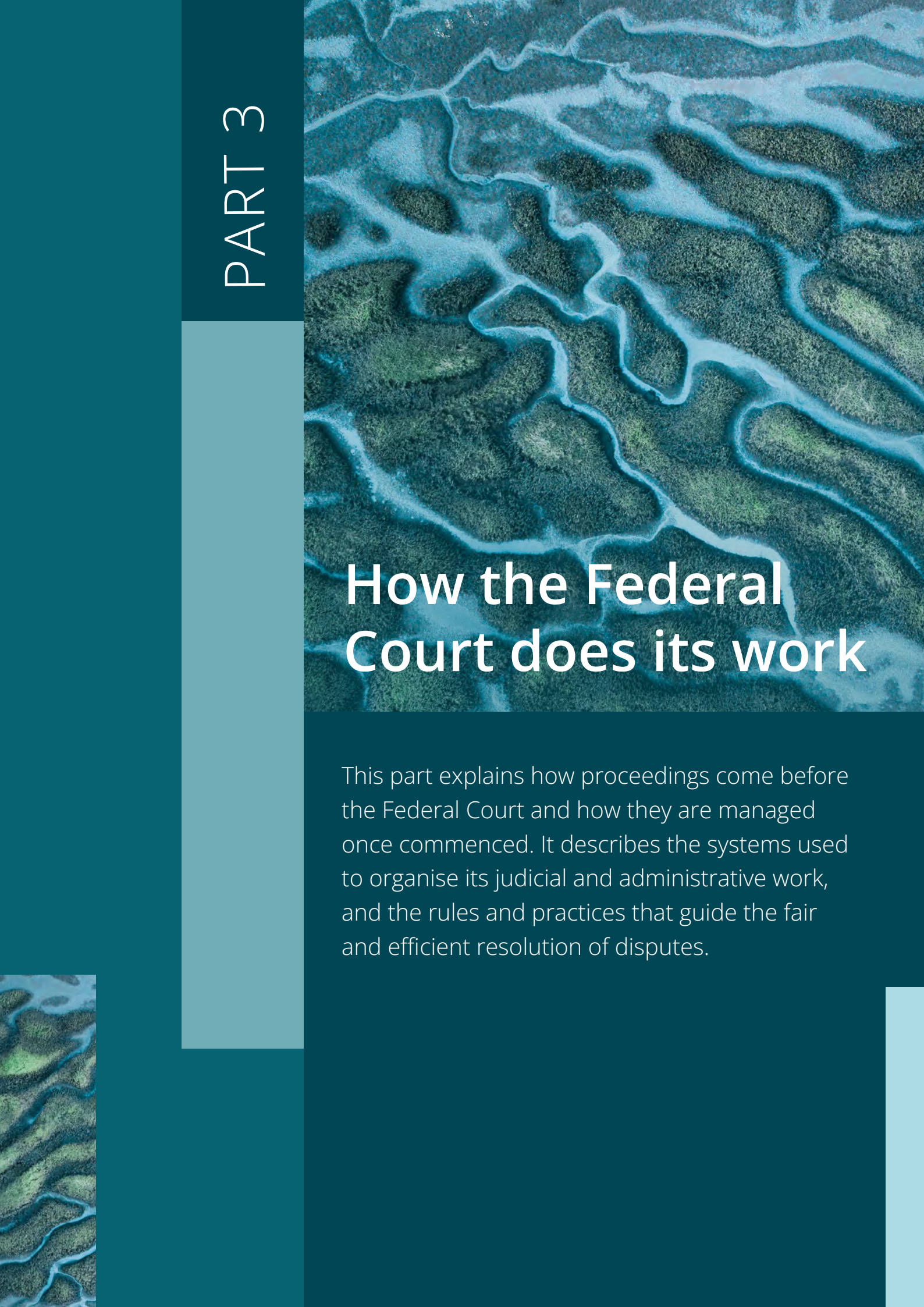


An aerial photograph of a wetland landscape, showing a complex network of winding water channels and dense, dark green vegetation. The water channels are light blue, contrasting with the dark green of the land. The overall pattern is organic and flowing.

PART 3

How the Federal Court does its work

This part explains how proceedings come before the Federal Court and how they are managed once commenced. It describes the systems used to organise its judicial and administrative work, and the rules and practices that guide the fair and efficient resolution of disputes.

What the Federal Court does and does not control

The Federal Court's function is to decide disputes brought before it that fall within its jurisdiction; however, it does not choose the proceedings it hears. Proceedings are commenced by parties and are driven by legislation, government decisions, economic activity, and the actions of individuals and organisations.

This distinction is important in understanding the Federal Court's work. It explains why the volume, type and complexity of proceedings vary over time, and why the Federal Court must manage its workload within constraints that are largely outside its control.

Within these constraints, the Federal Court uses established frameworks and processes to manage its judicial and administrative work, helping to ensure that disputes are resolved fairly, consistently and efficiently according to law. These arrangements support public confidence in the administration of justice by promoting accessibility, reliability and effective management of proceedings before the Federal Court.

Management of administrative affairs of the Federal Court

The National Court Framework

The National Court Framework (NCF) is the way the Federal Court organises and manages its work nationally. It brings together the National Practice Areas (NPAs), the national allocation of judicial work, national practice notes, the national duty system, and the individual docket system. These arrangements provide the structure for how proceedings are categorised, allocated, managed and progressed across the Court, and support the Federal Court's operation as a contemporary national court capable of handling significant federal law proceedings across Australia.

Why the NCF matters

The NCF matters because it enables the Federal Court to deal with a national workload in a way that is consistent, practical and responsive to the needs of each proceedings. Its key functions are to:

- organise the Federal Court's work nationally by reference to the main subject areas (NPAs) of federal law, so that proceedings are managed in the manner that reflects the nature of the dispute,
- match judicial and registrar resources to the needs of different proceedings, including by drawing on relevant expertise and responding to changes in workload across registries and practice areas,

- support the just, efficient and timely resolution of disputes by promoting consistent practice, early case management, and the effective use of the Federal Court's national resources.

The main components of the NCF are outlined in the following sections.

National Practice Areas

Under the Framework, proceedings heard by the Federal Court are categorised into nine NPAs. The NPAs provide the subject-matter structure for the Federal Court's national work. This allows the Federal Court to organise its work by reference to the main areas of federal law that come before it. Dividing the Federal Court's work in this way promotes national consistency, while preserving the flexibility needed to manage different types of proceedings according to their particular nature, urgency and complexity.

Each NPA reflects an established area of law, with some including sub-areas:

- Administrative and Constitutional Law and Human Rights (ACLHR) NPA (incl Migration (MIG))
- Admiralty and Maritime (A&M) NPA
- Commercial and Corporations (C&C) NPA which consists of six sub-areas:
 - Commercial Contracts, Banking, Finance and Insurance
 - Corporations and Corporate Insolvency
 - General and Personal Insolvency
 - Economic Regulator, Competition and Access
 - Regulator and Consumer Protection
 - Commercial Arbitration
- Employment and Industrial Relations (E&IR) NPA
- Federal Crime and Related Proceedings (CRIME) NPA
- Intellectual Property (IP) NPA which consists of three sub-areas:
 - Patents and associated Statutes
 - Trade Marks
 - Copyright and Industrial Designs
- Native Title (NT) NPA
- Taxation (TAX) NPA and
- Other Federal Jurisdiction (OFJ) NPA, which consists of one sub-area and all 'other' OFJ proceedings:
 - Defamation

This subject-matter structure is important because the Federal Court's work spans a broad range of disputes, from specialist commercial and intellectual property proceedings to migration, native title, taxation, employment, human rights and other federal law proceedings. Organising proceedings through NPAs helps court users understand where their matter fits within the Federal Court's work and assists the Federal Court to manage proceedings with the benefit of relevant judicial and registrar experience. The NPA structure is not simply a filing label. It provides a national way of grouping proceedings by subject matter, so that the Court can manage different types of federal law disputes with appropriate judicial and registrar expertise, practice guidance and oversight.

Judges are allocated to NPAs having regard to their expertise and the Federal Court's workload. This means, for example, that judges with expertise in taxation law will be assigned to hear proceedings categorised into the Taxation NPA. The high volume of some proceedings before the Federal Court, for example migration proceedings, requires the Federal Court to devote more judicial resources to determining them.

Each NPA is managed and overseen by National Coordinating Judges and National Coordinating Registrars, who are familiar with the appropriate body of legal knowledge and legal and procedural issues in the practice area. Their role supports consistency of practice, engagement with the profession and the ongoing development of the Court's work in each practice area.

In **Part 4** you can find a report from each of the National Coordinating Judges on developments in the NPAs this reporting period, breaking down the types of legal disputes falling under each NPA and engagement between the Federal Court and the legal profession in relation to them.

National allocation of judicial work

Within the NCF, the allocation of judicial work is managed nationally. This means that proceedings are allocated by reference to the needs of the proceeding and the parties, including the subject matter, urgency, location and available expertise.

When a proceeding is filed, the parties nominate the relevant NPA and, where applicable, sub-area. That nomination assists the Court but is not determinative.

The Federal Court promptly reviews the proceeding and identifies the appropriate NPA by reference to its dominant character. Proceedings are then generally allocated in rotation to judges in the relevant NPA, having regard to the registry in which the matter was filed, judicial availability, workload and the character of the proceeding. The individual docket system remains central to this approach: once a proceedings is allocated, the docket judge generally manages it through to final resolution.

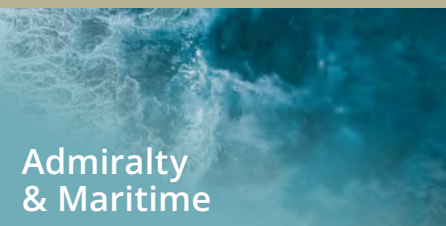
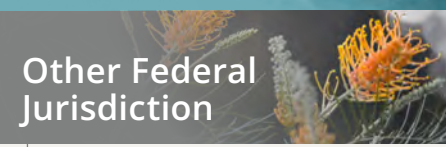
Some proceedings are managed through specific allocation lists or procedures that reflect their subject matter or urgency. For example, regular Judge Corporations List arrangements enable certain commercial applications to be heard quickly in the relevant location. The Federal Court also maintains regular Judicial Registrar lists for matters registrars are delegated to determine, supporting judges by directing appropriate work to judicial registrars. The role of judicial registrars is discussed further later in this Part and in subsequent Parts of this Report.

This national allocation system helps the Federal Court respond to changes in workload across registries and practice areas. It also helps ensure that proceedings are not treated as isolated registry-based proceedings, but as part of the Federal Court's national responsibility to administer justice under federal law.

It also allows proceedings of particular importance, public interest or complexity to be considered carefully for allocation to a judge with the appropriate experience and capacity to deal with the proceedings with suitable expedition.

In practical terms, this means the Federal Court can manage its judicial work as a single national institution rather than as separate registry-based lists. This matters because it supports fairer distribution of work, better use of judicial expertise and more timely management of proceedings, particularly where a proceedings is urgent, is complex or raises issues of broader significance.

The operation of the NCF is supported nationally by National Coordinating Judges and National Coordinating Registrars for each NPA, together with the Deputy Principal Registrar and Senior Judicial Registrar—Original Jurisdiction and the National Operations Team. These roles support the coherent operation of the NCF, including workload analysis, allocation and reallocation of judicial work, national judicial support and engagement with the profession on practice area issues.

 Taxation	 Administrative & Constitutional Law & Human Rights (incl Migration)	 Native Title
 Federal Crime & Related Proceedings	 Employment & Industrial Relations	 Commercial & Corporations
 Admiralty & Maritime	 Intellectual Property	Commercial contracts, banking, finance & insurance
 Other Federal Jurisdiction	Patents & associated statutes	Corporations & corporate insolvency
	Trade marks	General & personal insolvency
	Copyright & industrial designs	Economic regulator, competition & access
		Regulator & consumer protection
		Commercial arbitration

National duty system

The NCF is also supported by a national duty system for urgent applications. The system provides a nationally consistent pathway for urgent proceedings to be brought before the Federal Court, whether the application arises in a new proceeding or in an existing proceeding already docketed to a judge.

The process for urgent applications is set out in the Court's Duty Practice Note. Applicants are required to provide the information the Federal Court needs to assess urgency, including by filing a Certificate of Urgency. Duty judge and duty registrar arrangements are published by the Federal Court and support access to urgent judicial attention during business hours and, where necessary, after hours.

The duty system operates across defined regions and streams, reflecting the nature of the Federal Court's urgent work. In some registries, separate General Duty and Commercial and Corporations Duty streams operate; in others, a combined duty stream applies. Judges and judicial registrars are rostered to be available to hear urgent applications or assist with their management, so that urgent proceedings can be directed promptly to the appropriate judicial or registrar officer.

Where an urgent application arises in an existing proceeding, the first point of judicial consideration will generally be the docket judge, or the judge otherwise managing the proceeding, if that is possible and appropriate. If that judge is unavailable, or if the nature of the application means another judge should hear it, the duty system provides a pathway for the matter to be considered by a rostered duty judge.

The National Duty System matters because urgent disputes can arise at short notice and may require immediate procedural directions or interim orders. A national duty system supports accessibility and consistency across registries, while enabling the Federal Court to respond promptly where the circumstances of a proceeding require it.

Region 1

New South Wales and
Australian Capital Territory

Two streams of duty:

- General Duty
- Commercial and Corporations
Duty (C&C Duty)

Region 2

Victoria, Queensland and Tasmania

Two streams of duty:

- General Duty
- Commercial and Corporations
Duty (C&C Duty)

Region 3

Western Australia, Southern
Australia and Northern Territory
Single combined duty roster



Figure 3.1: The Federal Court's National Duty System regions

Individual docket system

Proceedings are allocated under an individual docket system. A judge's 'docket' is the list of proceedings which they are responsible for managing and seeing through to resolution. Each proceedings is allocated to a judge shortly after it is filed, with the intention that it remains with that judge until a final resolution is reached. The system was adopted by the Federal Court nationally in 1997, following consultation with the legal profession and consideration of case management and listing practices in Australia and overseas. It remains an integral feature of the management of the Federal Court's work under the NCF.

The Federal Court is one of the only courts in Australia to utilise this system. The purpose of the system is to encourage the just, orderly and expeditious resolution of disputes and to make the Federal Court's processes more transparent for parties and court users.

This approach:

- provides parties with consistency by ensuring the same judge manages the proceeding throughout and develops familiarity with the facts, legal issues, and the parties,
- saves parties and the Federal Court time and money by limiting the need for multiple hearings and duplicated explanation of issues,

- promotes consistency of approach throughout the history of the proceeding,
- minimises unnecessary 'interlocutory' disputes (disputes that arise between the parties part-way through the proceeding), which are generally secondary to the overall legal issue, encouraging parties to focus on the core dispute,
- assists in identifying opportunities for early resolution, including through alternative dispute resolution (ADR) such as mediation, and
- supports earlier settlement where possible, or otherwise narrows the issues requiring hearing and determination.

This means the docket judge will generally be the one present at each 'hearing'—being the formal event at which the parties present information for the judge's consideration. A docket judge typically holds a 'case management hearing' shortly after filing to establish how the matter will progress, including to deal with timelines and procedural next steps. This gives parties an opportunity to proactively communicate with each other and with the Federal Court to resolve issues about how a proceeding should be managed, before those issues escalate.

Role of judicial registrars

Judicial registrars play an important role in supporting the Federal Court's judicial work and the efficient operation of the Federal Court, as part of the broader NCF. They exercise statutory and delegated functions in appropriate matters, including case management, mediation and other ADR processes, and certain specialist registrar lists.

Further detail on the role of judicial registrars is set out in **Part 5** of this Report, and the work of judicial registrars is addressed in **Part 4** of this Report.

Rules and practices guiding the Federal Court's resolution of proceedings

A range of legislation, rules, practice notes and practical guidelines govern the commencement and conduct of proceedings in the Federal Court, providing order, consistency and transparency for parties and court users.

Overarching purpose

The Federal Court's practices and procedures in civil proceedings are guided by an 'overarching purpose', to facilitate the just resolution of disputes according to law as quickly, inexpensively and efficiently as possible. This purpose underpins the NCF, the individual docket system, the *Federal Court Rules 2011* (Cth) (the Federal Court Rules) and the practice notes described in this Part.

This purpose is set out in sections 37M and 37N of the Federal Court Act. Parties and their legal representatives have a legally enforceable duty to cooperate with the Federal Court and among themselves to assist in achieving a resolution in a time- and cost-effective way. They must from the earliest opportunity work collaboratively and collegially to identify the real issues that they disagree about and deal with those issues efficiently.

Federal Court Rules

The Federal Court Rules establish the procedural framework for proceedings and are publicly accessible on the Federal Register of Legislation website. They provide guidance to parties about requirements for commencing proceedings, filing documents and complying with timeframes.

The Federal Court Rules also provide the Federal Court with powers to actively manage proceedings to support efficiency and fairness. From time to time, the judges of the Federal Court decide collectively to amend the Federal Court Rules to ensure that the Federal Court's procedures are working at their best, keeping pace with contemporary changes, and are meeting the needs of court users.

When they are amended, the Federal Court aims to ensure the legal profession is kept informed.

During the reporting period, the *Federal Court Amendment (2026 Measures No. 1) Rules 2026* (Cth) were developed and came into effect on 11 June 2026.

These amendments modernise the Federal Court Rules and aid in achieving the right to a fair and timely hearing in several ways. By way of overview, they:

- regulate applications for leave to institute proceedings where a direction is in place that an application is not to be filed without the Federal Court's leave,
- make express provision for livestreaming of hearings and replace the definition of 'recording device' with 'recording tool',
- alter the process relating to appeals other than in relation to those which were instituted before the commencement of the amended rules,
- update the Federal Court Rules to reflect the provisions of the *Administrative Review Tribunal Act 2024* (Cth), and
- provide for an increase in the legal costs allowable for work done and services performed by legal representatives, consistent with the recommendations of the 18th Report of the Joint Cost Advisory Committee, effectively increasing the costs recoverable by a successful party.

For more information on the update, refer to the Federal Court Rules.

Practice notes

Practice notes provide additional guidance to parties about how proceedings are to be managed. They are published on the Federal Court's website, and fall into four categories:

- **The Central Practice Note** is the core practice note for all court users to be aware of, which addresses overarching principles applicable to all proceedings brought before the Federal Court. One of its main aims is to ensure that the way the Federal Court manages proceedings is not rigid, but flexible and adaptable to the circumstances of a particular proceedings—with parties and lawyers being encouraged and expected to take a commonsense and cooperative approach to reduce time and cost.
- **NPA Practice Notes**, details practice area-specific proceedings management principles. Because each NPA deals with a unique area of law, involving different kinds of parties with different kinds of interests, these practice notes serve to meet their unique needs—for example, allowing for expedited or simplified processes for hearings and for preparing written materials to argue a proceeding. The Federal Court allows for flexibility by permitting, where appropriate, parties to adopt procedures set out in one NPA Practice Note for a proceedings in another NPA.

- **General Practice Notes** apply across different areas of law and types of proceedings. Each of them relates to a specific topic, for example **Working with interpreters (GPN-INTERP)**, or **eBooks (GPN-eBOOKS)**, which informs parties how to prepare digital materials to provide to the Federal Court (such as court books which compile all the evidence the parties rely upon).
- **Appeals Practice Notes** provide guidance specific to preparing proceedings in the appellate jurisdiction.

Practice notes promote consistency while allowing flexibility to respond to the needs of individual proceedings. Some substantive changes made to practice notes during the reporting year are discussed in **Part 4** of this Report. The Federal Court also publishes guidelines and other information on its website to help court users understand its practices, procedures and requirements.

Judicial governance and administration

This section explains how the Federal Court's judges contribute to the institutional arrangements that support the Federal Court's judicial work. While the preceding sections describe the frameworks that govern how proceedings are heard and determined, this section focuses on the governance and administrative structures that help the Federal Court operate effectively, consistently and sustainably. These arrangements matter because they support judicial independence, strengthen institutional decision-making, and assist the Federal Court to respond to changing demands while continuing to deliver fair, timely and accessible justice.

Judicial committees

Judicial committees and their responsibilities, comprising judges and Federal Court staff representatives, make an important contribution to institutional decision-making. An overarching Operations and Finance Forum provides advice to the Chief Justice on the management of the Federal Court's finances and budget. Other committees support the management of key administrative areas, including judicial education and wellbeing, court security, media engagement, digital practice, international cooperation, library and archival services, remuneration, workplace conduct, judgment publication and the development of the Federal Court Rules.

Committee responsibilities

The Federal Court's judicial committees support the Chief Justice and the Federal Court by providing advice, oversight and recommendations across key areas of administration, judicial support and court operations. Their responsibilities include:

Digital practice—engaging with judges and registrars and making recommendations on issues, opportunities and risks associated with the Federal Court's use of technology as part of its digital practice.

International cooperation—assisting the Chair in overseeing international programs conducted by the staff of the Federal Court's International Programs Unit.

Judicial education—designing and delivering judicial education programs to assist the Chief Justice in ensuring that arrangements are in place to provide judges with appropriate access to continuing judicial education.

Judgment publication and style guide—considering issues relating to the Federal Court's style guide for the publication of judgments as they arise.

Judicial wellbeing—developing initiatives to optimise the health and longevity of judges, with an emphasis on mental clarity in the performance of judicial work.

Judicial workplace conduct—recommending and coordinating education and programs for judges in relation to their workplace responsibilities.

Library and archives—reviewing library services and supporting the maintenance and preservation of archival records for the Federal Court.

Operations and finance—providing advice to the Chief Justice on the management of the Federal Court's finances and budget.

Media—providing practical guidance and advice to the Chief Justice, judges and staff on supporting media reporting on the Federal Court to promote open and accessible justice, and on other media-related matters.

Social media—considering and making recommendations on issues, opportunities and risks associated with the Federal Court's use of social media, and promoting awareness of its benefits within the judiciary to support high-quality, informed and appropriate content.

Remuneration—assisting in the discharge of the Federal Court's institutional function by seeking to ensure that judges and their staff are properly remunerated.

Rules—reviewing, amending and updating the Federal Court Rules to take account of legislative changes and identifying areas for improvement through case law and feedback.

Project groups

Project groups provide a more flexible mechanism for addressing issues that do not require the establishment of an ongoing committee. Unlike standing committees, which support continuing areas of court administration and judicial governance, project groups are generally formed to respond to matters that are evolving, time-limited or require focused consideration at a particular point in time. They allow the Chief Justice and judges to draw on the specialised skills and knowledge of judges, registrars and staff to examine specific issues, develop new approaches to case management or Federal Court processes, and progress work in areas such as information technology, library management and data collection. Project groups are often formed following discussion at judges' conferences and may report back to judges for further consideration, decision or endorsement.

Judges' conferences

Judges' conferences provide a forum for discussion and decision-making on matters affecting the Federal Court's operation and development. They enable judges to consider emerging issues, share experience and contribute collectively to the Court's future direction. They also provide an important point of connection between the Federal Court's committees, project groups and the judges of the Federal Court: committees and project groups report back on their work, and judges consider, discuss and make relevant decisions about proposals, recommendations and initiatives that require collective judicial input or endorsement.

In the reporting year, an online conference took place on 26 November 2025 and an in-person conference took place from 30 March to 1 April 2026. One of the topics considered and determined by the judges was the Federal Court's approach to the use of artificial intelligence by the legal profession and the judiciary. Those discussions contributed to the finalisation of the Federal Court's new Practice Notice, **Use of generative artificial intelligence (GPN-AI)**, described in **Part 4**.

From 4 to 5 November 2025, the Federal Court held a Recently Appointed Judges Workshop, bringing together many judges appointed within the previous three years. The workshop supported newer judges in managing workload demands and provided a peer-to-peer forum for gaining insights from more senior colleagues on workload management, judicial practice and the experience of judicial office.

Participation in committees, conferences and project groups is one way that judges contribute to the administration of justice at an institutional level. Through these arrangements, innovations can be carefully designed, collectively considered and endorsed by judges, implemented by the Court and evaluated over time. An example is the Litigants in Person Practice Note described in **Part 4**.

Together, these arrangements show how the Federal Court supports the effective administration of justice beyond the hearing and determination of individual proceedings. They provide practical mechanisms for considering emerging issues, coordinating institutional responses and improving the way the Federal Court works. This benefits the legal profession by promoting clearer procedures, more consistent practices and better engagement with developments affecting litigation. It also benefits the broader community by supporting a Federal Court that is accessible, responsive and able to deliver the fair, consistent and timely resolution of proceedings within its jurisdiction.