

**MAGISTRATES COURT OF WESTERN AUSTRALIA
FACT SHEET 45**

REVIEW OF A COURT OFFICER'S DECISION

This fact sheet contains information on the procedure to be followed if you wish to apply for a review of an administrative decision made by a court officer.

What is an Application for Review of Court Officer's decision?

An inquiry into your alleged failure to comply with a time for payment order or an instalment order.

How do I apply?

This process **does not** cover decisions made by a magistrate or Justices of the Peace.

Where do I apply?

You apply by completing the Application for Review of a Court Officer's Decision form (Form 14), which is available from any court registry or online by visiting www.magistratescourt.wa.gov.au.

Is there a time limit to apply?

You must apply at the court registry where the original decision was made.

What if my application is late?

You must apply within seven days of the date of the court officer's decision.

What happens to my application?

You can apply to the Court for leave to proceed out of time using the same form. You should be prepared to explain why your application is being made outside of the seven-day period.

If you have applied within seven days of the original decision then a hearing date will be set for your application.

What happens at the hearing?

If you have applied outside of seven days the Court will consider your application to proceed out of time. If allowed to proceed you will be notified in writing of the hearing date for your application. If not allowed then the application will not proceed any further.

What if I don't attend the hearing?

You should attend the court hearing and give the magistrate reasons why the court officers decision should be set aside.

What if my application is not granted?

If you do not attend the hearing of your application the Court may dismiss it .

If a magistrate does not grant your application then the original decision made by the court officer stands.

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.