

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
FEDERAL MAGISTRATES COURT

**Question No. 161**

**Senator Ludwig asked the following question at the hearing on 24 May 2007:**

- a) Is there a breakdown available for target workloads which magistrates are expected to perform their various roles (i.e. sitting on trials, writing judgements, etc.)?  
i) If not, why not?  
ii) If so, please provide for 2002-03, 2003-04, 2004-05, 2005-06, 2006-07 and 2007-08 (to date).
- b) Is there a breakdown available for the average workloads which magistrates are expected to perform their various roles (as above)?  
i) If not, why not?  
ii) If so, please provide for 2002-03, 2003-04, 2004-05, 2005-06, 2006-07 and 2007-08 (to date).

**The answer to the honourable senator's question is as follows:**

- a) No breakdown is available for the average workloads which Federal Magistrates are expected to perform in their various roles such as sitting on trials and writing judgments. Target workloads are not set for individual Federal Magistrates. The Court does not record the time spent by Federal Magistrates performing their various roles. The Court as a whole has, however, adopted performance targets which are, along with details of its actual performance in relation to them, published each year in the Court's Portfolio Budget Statement and Annual Report. The courtwide performance targets include that the time taken from filing to disposition is to be less than six months in 90% of cases. In addition, the Court has adopted a protocol setting a benchmark for the handing down of reserved judgments within three months of hearing or receipt of written submissions.
- i) Each Federal Magistrate is responsible for the management of all cases allocated to his or her individual docket and allocates such time for the first court dates, directions, motions, interlocutory hearings, trials and writing judgments as required from time to time for that purpose, taking into account the courtwide performance target and reserved judgment benchmark mentioned above. This will vary considerably from docket to docket. It will depend on a range of factors including the types of cases in the docket (family law, general federal law or a mix of both), the complexity of the cases and rate of settlement in the docket from time to time and the rate of filing in particular locations from time to time. The number of resident Federal Magistrates and/or the number of Federal Magistrates available to provide assistance to a location is also relevant. Federal Magistrates are nominally allocated 25 days each year for judgment writing.
- ii) Not applicable.
- b) i) As set out in the answer to a)i) above, no breakdown is available for the average workloads which Federal Magistrates are expected to perform in their various roles such as sitting on hearings and writing judgements. Nor does the Court record the time spent by Federal Magistrates performing their various roles.
- ii) Not applicable.