

**NORTHERN TERRITORY OF AUSTRALIA**

**SUPREME COURT (SENIOR COUNSEL) RULES 2007**

As in force at 16 January 2008

**Table of provisions**

1	Citation .....	1
2	Purpose .....	1
3	General principles governing the exercise of statutory powers.....	1
4	Attributes required for appointment as Senior Counsel .....	1
5	Application for appointment .....	2
6	Consultation.....	2
7	Notification of decision.....	3

**ENDNOTES**



# NORTHERN TERRITORY OF AUSTRALIA

---

As in force at 16 January 2008

---

## SUPREME COURT (SENIOR COUNSEL) RULES 2007

### Rules under the *Supreme Court Act*

#### **1 Citation**

These Rules may be cited as the *Supreme Court (Senior Counsel) Rules 2007*.

#### **2 Purpose**

These Rules state the principles on which the Chief Justice will exercise the power to appoint Senior Counsel under section 21 of the *Legal Profession Act*.

#### **3 General principles governing the exercise of statutory powers**

- (1) The Chief Justice will not appoint Queen's Counsel.
- (2) Except in exceptional cases, appointment as a Senior Counsel will be confined to practising advocates.

#### **4 Attributes required for appointment as Senior Counsel**

The following attributes are required for appointment as a Senior Counsel:

- (a) exemplary knowledge and understanding of the law;
- (b) a high level of skill as an advocate;
- (c) integrity and trustworthiness;
- (d) commitment to the best traditions of the bar and to the administration of justice;
- (e) maturity of judgment acquired from substantial experience in legal practice.

---

## **5 Application for appointment**

- (1) A legal practitioner who holds an unrestricted practising certificate may apply to the Chief Justice to be considered for appointment as Senior Counsel.
- (2) The application must be made in writing no later than 31 August.
- (3) The application must:
  - (a) provide evidence the applicant has the attributes required for appointment; and
  - (b) include any undertaking required by the Chief Justice.
- (4) Immediately after the closing date for applications, the Chief Justice must provide a list of the names of all the applicants to the following:
  - (a) the Attorney-General;
  - (b) the President of the Law Society;
  - (c) the President of the Northern Territory Bar Association.
- (5) A person to whom the list is given under subrule (4) may make it available for inspection by anyone else.

## **6 Consultation**

- (1) For the purposes of section 21(2)(b)(iii) of the *Legal Profession Act*:
  - (a) the President of the Law Society must, in each year, nominate to the Chief Justice at least one solicitor to represent the Society; and
  - (b) the President of the Northern Territory Bar Association Incorporated must, in each year, nominate to the Chief Justice at least one barrister to represent the Association.
- (2) The nominations must be made in writing no later than 31 July.
- (3) The consultation required under section 21(2)(b) of the *Legal Profession Act* is to be conducted as the Chief Justice considers appropriate.
- (4) The Chief Justice may (but is not obliged to) refer adverse comments made about an applicant to the applicant for a response.
- (5) If the Chief Justice refers an adverse comment to the applicant, the Chief Justice is not obliged to disclose the source of the comment.

---

**7 Notification of decision**

- (1) The Chief Justice must notify an applicant of the Chief Justice's decision regarding the applicant's application.
- (2) The Chief Justice is not obliged to give reasons for the decision.

## ENDNOTES

### 1

### KEY

Key to abbreviations

amd = amended

app = appendix

bl = by-law

ch = Chapter

cl = clause

div = Division

exp = expires/expired

f = forms

*Gaz* = *Gazette*

hdg = heading

ins = inserted

lt = long title

nc = not commenced

od = order

om = omitted

pt = Part

r = regulation/rule

rem = remainder

renum = renumbered

rep = repealed

s = section

sch = Schedule

sdiv = Subdivision

SL = Subordinate Legislation

sub = substituted

### 2

### LIST OF LEGISLATION

#### *Supreme Court (Senior Counsel) Rules 2007 (SL No. 43, 2007)*

Notified 16 January 2008

Commenced 16 January 2008