



APPLICATIONS FOR SILK 2007

Taking Silk

A person who is admitted to practise as a barrister and solicitor of the Supreme Court of Victoria and who practises exclusively or substantially as counsel, is eligible to apply to the Chief Justice of the Supreme Court of Victoria to be appointed to the office of Senior Counsel (S.C.), previously described as Queen's Counsel (Q.C.).

The designation of a practitioner as Senior Counsel is intended to recognize those whose standing and achievements justify an expectation on the part of the public and the judiciary that they will provide outstanding services, as counsel, to the administration of justice.

Senior Counsel must be, and be seen by the judiciary and by their peers to be, deserving of such recognition. Qualities required to a high degree for appointment as Senior Counsel are learning and skill, integrity and independence, maturity and a sense of public responsibility.

Applications for appointment in 2007 will close on Friday 24 August 2007.

Background

Following consultation in accordance with "The Appointment of Senior Counsel in Victoria; Summary of Current Process" of 21 February 2007*, the appointment of a person as Senior Counsel for the State of Victoria is made by the Chief Justice of the Supreme Court of Victoria. Senior Counsel appointed by the Chief Justice will be recognized by the Court as having full authority to do all things that Queen's Counsel or other Senior Counsel for the State of Victoria may do, and in the same manner or form.

* Available on the Supreme Court website – www.supremecourt.vic.gov.au

Appointments Process

In exercising responsibility for the appointment of Senior Counsel, the Chief Justice of the Supreme Court of Victoria will take advice from such persons as she considers appropriate, including judges and leaders of professional bodies. Where the applicant identifies the Federal Court of Australia, the Family Court of Australia or the County Court of Victoria or some other jurisdiction as being an area of substantial practice of that applicant, the Chief Justice will consult the Chief Justice, Chief Judge or other head of the particular jurisdiction(s) as the case might be. The Chief Justice will obtain opinions as to whether the applicant's work justifies appointment.

Applications for Silk 2007

1. Applications should be made in writing to the Chief Justice. Applications should be sent to:

Chief Justice's Chambers
Supreme Court of Victoria
210 William Street
Melbourne VIC 3000

No hand deliveries to the Supreme Court Police Desk will be accepted. Deliveries should be by post or to the Supreme Court Mailroom, ground floor, main building.

2. Applications should be of **no more than four pages in length** and should be received by the Supreme Court mail room **no later than 5.00pm on Friday 24th August 2007**.
3. Applications from previous years are **NOT** retained by the Court. They are destroyed after the application process to ensure confidentiality. Applicants should not seek to rely on information contained in previous years' applications.
4. Application should be made by letter addressed to the Chief Justice and provide the following particulars:

A. Formal Particulars (Mandatory Information):

- a. Applicant's full name.
- b. Date of Birth.
- c. Post Admission Legal education and relevant academic record.
- d. Date, month and year of admission in each jurisdiction in which the applicant is admitted to practise.
- e. Date of signing the Roll of Counsel (if applicable).
- f. Name of Counsel in whose chambers the applicant was a reader (if applicable).
- g. Preferred address for reply.
- h. Date and year(s) of previous applications (if any).

B. Practice Particulars:

- a. Experience in practice since admission.
- b. Type of matter in which the applicant usually practises, indicating the predominant areas of law and the jurisdiction or jurisdictions in which the applicant has a substantial practice.

C. References:

The names of two judges or judicial officers of superior courts or tribunals (State or Federal), in which the applicant usually appears, to whom the Chief Justice may make confidential reference. **Applicants should not approach the judges whom they propose to name before doing so.** The Chief Justice will explain to the judges nominated the circumstances and the purpose of the nomination. The judges so named are asked to give their opinion upon the question whether the applicant should obtain advancement; they are not asked to act as advocates for the applicant.

Applicants should list the cases and dates (or citations) upon which they appeared before their nominated judicial referee.

D. Any Other Relevant Information:

An applicant should provide any other relevant information and may support the application by letters of recommendation from judges or other informed persons.

This facility is chiefly, but not entirely, designed for the applicant whose principal areas of practice lie outside the superior courts. Any such letters **must accompany the application** and, should they be from judges, the writers must be judges other than those named as referees.



Vivienne Macgillivray
Executive Associate to the Chief Justice