

ESSENTIALS PRECEDENT BANK

Precedent and Document List

Commercial

- 1-Page NDA
- Confidentiality Agreement
- Deed of Amendment
- Deed of Guarantee
- Deed of Novation
- Deed of Termination and Release
- OneNDA
- Services Agreement for a Single Client
- Terms of Business for Services

Website documents

- Privacy Policy
- Website Returns Policy
- Website Terms of Use

Company Secretarial

- Adoption or replacement of constitution (shareholder approvals package)
- Appointment of Company Officers (Director Approvals Package)
- Change of company name (shareholder approvals package)
- Constitution - proprietary company limited by shares
- Deed of Access and Indemnity
- Execution of documents (director approvals package)
- Power of Attorney - execution of documents
- Resignation of company officers (director approvals package)

Issue of securities

- Applications for new securities
- Certificates for newly-issued securities
- Issue of securities (director approvals package)

Sale/Purchase of securities

- New certificates for transferred securities
- Securities transfer forms
- Transfer of securities (director approvals package)

Co-ownership

- Partnership Agreement

Corporate

- Asset Sale Agreement
- Business Sale Agreement
- Deed of Accession
- Share or Unit Sale Agreement
- Shareholders' or Unitholders' Deed
- Simple Agreement for Future Equity

Court Forms

NSW UCPR

- Form 1 - General
- Form 2 - List of Parties
- Form 3A - Statement of Claim - filing party legally represented
- Form 3B - Statement of Claim - filing party acting in person or by authorised officer
- Form 4A - Summons - filing party legally represented
- Form 4B - Summons - filing party acting in person or by authorised officer
- Form 5 - Notice to Occupier
- Form 6A - Appearance
- Form 6B - Submitting Appearance
- Form 7A - Defence - filing party legally represented
- Form 7B - Defence - filing party acting in person or by authorised office
- Form 8 - Reply
- Form 9 - Statement of Cross-Claim
- Form 10 - Cross-summons
- Form 12 - Statement of issues
- Form 13 - Scott schedule
- Form 14 - Statement of particulars - personal injury proceedings
- Form 15 - Statement of particulars - compensation to relatives proceedings
- Form 16 - Notice to plead facts - money claims
- Form 21 - Interrogatories Form
- Form 22 - Statement of answers to interrogatories
- Form 23A - Notice of intention to elect trial by jury in defamation proceedings
- Form 23B - Requisition for trial by jury
- Form 24 - Notice to produce to court
- Form 25 - Subpoena to attend to give evidence
- Form 26A - Subpoena to produce with subpoena notice and declaration
- Form 27A - Subpoena to give evidence and produce with subpoena notice and declaration
- Form 29 - Order for production
- Form 30 - Consent to act as tutor
- Form 31 - Arbitrator award and registrar's notice
- Form 32 - Notice of motion - rehearing after arbitration
- Form 33 - Notice of discontinuance
- Form 34 - Notice of payment
- Form 35 - Acknowledgement of liquidated claim
- Form 36 - Notice of motion - default judgment on claim for possession of land
- Form 36A - Notice of motion
- Form 37 - Notice of motion - default judgment for detention of goods
- Form 38 - Notice of motion - default judgment for liquidated claim
- Form 39 - Notice of motion - default judgment for unliquidated damages
- Form 3A - Statement of Claim - filing party legally represented
- Form 3B - Statement of Claim - filing party acting in person or by authorised officer
- Form 40 - Affidavit
- Form 41 - Affidavit of Service
- Form 42 - Exhibit certificate
- Form 45 - Registration or filing of certificate of judgment or order
- Form 46 - Notice of motion to pay by instalments - individuals
- Form 47 - Notice of motion to pay by instalments - corporations
- Form 48 - Instalment order and notice
- Form 49 - Order refusing instalment application and notice
- Form 4A - Summons - filing party legally represented
- Form 4B - Summons - filing party acting in person or by authorised officer

- Form 5 - Notice to Occupier
- Form 50 - Notice of motion - objection to instalment order or order refusing instalment application
- Form 51 - Examination notice - individual
- Form 52 - Examination notice - corporation
- Form 53 - Notice of motion - examination order
- Form 54 - Examination order
- Form 55 - Registrar's examination - Individual
- Form 56 - Registrar's examination - Corporation
- Form 58 - Arrest warrant
- Form 59 - Notice of motion - writ for possession of land
- Form 60 - Writ of possession
- Form 61 - Notice of motion - writ for restitution
- Form 62 - Writ of restitution
- Form 64 - Writ of delivery
- Form 65 - Notice of motion - writ for the levy of property
- Form 66 - Writ for levy of property
- Form 67 - Judgment creditor's notice
- Form 68 - Notice of sale
- Form 69 - Notice of motion - garnishee order
- Form 6A - Appearance
- Form 6B - Submitting Appearance
- Form 70 - Garnishee order for debts
- Form 71 - Garnishee order for wages or salary
- Form 71B - Garnishee order for rent
- Form 72 - Garnishee's statement that no debt due or accruing or no wage or salary payable
- Form 73 - Notice of motion - charging order
- Form 74 - Charging order
- Form 76 - Notice of change of address for service
- Form 78 - Notice of removal of solicitor
- Form 79 - Notice of intention to file notice of ceasing to act
- Form 81 - General form (Part 50 appeal)
- Form 83 - Notice of contention (Parts 49 or 50)
- Form 84 - Summons commencing an appeal or Summons seeking leave to appeal (Part 50)
- Form 85 - Summons (Judicial Review)
- Form 82 - List of parties (Part 50 appeal)
- Form 93 - Possession of land coversheet
- Form 91 - Request for service abroad of judicial documents and certificate
- Form 92 - Summary of the document to be served
- Form 102 - List of parties (Court of Appeal)
- Form 103 - Notice of intention to appeal (Court of Appeal)
- Form 106 - Notice of contention (Court of Appeal)
- Form 107 - Summons (Supervisory Jurisdiction)
- Form 160 - Indemnity Certificate (Suitors Fund Act 1951)
- Form 161 - Service outside of jurisdiction
- Form 162 - Consent to act as proper defendant

Victorian County Court

- Form 1 - Notice to a defendant
- Form 2 - List of Parties
- Form 2 - 2G - Abandonment of appeal: Children, Youth and Families Act 2005
- Form 2 - 9N - Interlocutory application for referral to arbitration
- Form 2 - 9P - Subpoena to attend for examination
- Form 2 - 9Q - Subpoena to produce documents

- Form 3 - Notice to a witness
- Form 4 - Referral to transfer a proceeding Courts (Case Transfer) Act 1991
- Form 4A - Certificate of overarching obligations
- Form 4B - Certificate of proper basis
- Form 5B - Originating motion between parties
- Form 6 - Application by a plaintiff to transfer a proceeding to the Magistrates' Court of Vic.
- Form 8A - Notice of appearance
- Form 11A - Notice to a third party
- Form 29C - Notice to produce
- Form 42A - Subpoena to attend to give evidence
- Form 42AA - Subpoena for production to a registrar
- Form 42B - Subpoena to produce
- Form 42C - Subpoena both to attend to give evidence and to produce
- Form 43A - Certificate identifying exhibit
- Form 46A - Summons
- Form 82A - Notice of an application for a suppression order: civil matters
- Application by addressee for leave to produce physical material
- Application for permission to publish details otherwise prohibited by the Judicial Proceedings Reports Act 1958
- Application for special hearing by judge alone
- Application for trial by judge alone
- Application to be deemed a non-prohibited person
- Application to cancel drug & alcohol treatment order (DATC)
- Affidavit: Civil matters
- Affidavit of service of a subpoena on a solicitor
- Affidavit of service of a writ on company
- Beneficiary details form
- Checklist - Addressee of a subpoena
- Checklist for appointments to view subpoenaed material
- Complaint form
- Credit card authorisation form
- Defence
- Defence and counterclaim
- Directions hearing application form: Common Law Division
- Draft orders to refer a matter to arbitration: Civil Procedure Act 2010
- Mediation decision sheet - Commercial
- Mediation decision sheet - Common Law
- Mediation position paper
- Minutes of consent
- Notice of a solicitor ceasing to act
- Notice of a change of email address for service
- Notice of address for service - arbitration list
- Notice of discontinuance
- Notice seeking a review of a decision of a judicial registrar
- Offer of compromise
- Payment form for a videolink booking fee credit or debit payment
- Pre-trial information form
- Reply to request for further and better particulars
- Request for an interlocutory determination before a judicial registrar: Commercial Division
- Request for further and better particulars
- Request for interlocutory determination
- Request to enter a list
- Statutory declaration
- Summons date application form: Common Law Division

- Summons for an attachment of earnings
- Writ

Victorian Court Forms (Shared)

- Form 44A - Expert witness code of conduct

QLD UCPR

- Form 1 - Blank general title form
- Form 2 - Claim
- Form 2A - Employment claim (Magistrates Court)
- Form 2B - Claim starting a representative proceeding under part 13a of the Civil Proceedings Act 2011
- Form 5 - Originating application
- Form 6 - Notice of intention to defend
- Form 6A - Notice of intention to defend an employment claim
- Form 7 - Conditional notice of intention to defend
- Form 9 - Application
- Form 10C - Notice to defendant served outside of jurisdiction
- Form 14 - Third party notice
- Form 16 - Statement of claim
- Form 17 - Defence
- Form 27 - Notice of discontinuance
- Form 41 - Subpoena for production
- Form 42 - Subpoena to give evidence
- Form 43 - Subpoena for production and to give evidence
- Form 44 - Request for subpoena
- Form 46 - Affidavit
- Form 58 - Judgment or order
- Form 59 - Order
- Form 89C - Certificate of judgment
- Form 100 - Probate title

Dispute Resolution

- Deed of Settlement and Release
- Statutory Demand

Employment

- Employee Handbook
- Employee Option Plan
- Employee Option Plan Offer Letter
- Employment Contract
- Independent Contractor Agreement

Estate Planning

Advance Health Directives & Enduring Guardianships

- Advance Care Directive - NSW
- Advance Care Directive - SA
- Advance Health Directive - QLD
- Advance Health Directive - WA
- Appointment of Enduring Guardian - NSW
- Enduring Power of Guardianship (long-form) - WA
- Enduring Power of Guardianship (short-form) - WA
- Health Direction - ACT

- Instrument Appointing Enduring Guardian – TAS

Enduring Powers of Attorney

- Advance Personal Plan – NT
- Enduring Power of Attorney – ACT
- Enduring Power of Attorney – NSW
- Enduring Power of Attorney – QLD
- Enduring Power of Attorney – SA
- Enduring Power of Attorney – TAS
- Enduring Power of Attorney – VIC (Public Advocate Form)
- Enduring Power of Attorney – VIC (Statutory Form)
- Enduring Power of Attorney – WA
- Revocation of Enduring Power of Attorney – NSW
- Revocation of Enduring Power of Attorney – QLD

Last Will and Testament

- Codicil to a Last Will and Testament
- Express Mirror Wills
- Express Will – All to Children
- Last Will and Testament (long-form)
- Last Will and Testament (short-form)

Retail wills (Self-service only)

- 1 x Simple Will
- 1 x Smarter Will (All to Children)
- 1 x Standard Will (All to Children)
- 2 x Smarter Mirror Wills (for couple)
- 2 x Standard Mirror Wills (for couple)

Letters of administration

- Letters of administration (NSW)

Medical Directions (Victoria Only)

- Advance Care Directive – VIC
- Advance Care Directive (Someone Signing On Your Behalf) – VIC
- Appointment of medical treatment decision maker – someone signing on your behalf (short form) – VIC
- Appointment of medical treatment decision maker (long form) – VIC
- Appointment of medical treatment decision maker (short form) – VIC
- Appointment of Support Person – VIC
- Appointment of Support Person (someone signing on your behalf) – VIC

Probate

- Probate Kit ACT
- Probate Kit NSW
- Probate Kit QLD
- Probate Kit VIC
- Probate Kit WA

Family

- Binding Child Support Agreement
- Deed of Gift
- Parenting Orders
- Property Orders

Binding Financial Agreement

- Binding Financial Agreement - Before A De Facto Relationship (AUS ex-WA)
- Binding Financial Agreement - Before De Facto Relationship - WA
- Binding Financial Agreement - Before Marriage
- Binding Financial Agreement - During A De Facto Relationship (AUS ex-WA)
- Binding Financial Agreement - During De Facto Relationship - WA
- Binding Financial Agreement - During Marriage
- Binding Financial Agreement - After A De Facto Relationship (AUS ex-WA)
- Binding Financial Agreement - After Divorce
- Binding Financial Agreement- After De Facto Relationship - WA

Family Court of Western Australia

- Application for Consent Orders (WA)

Federal Circuit and Family Court of Australia

- Acknowledgement of Service (Divorce)
- Acknowledgment of Service
- Affidavit – Family law and child support proceedings
- Affidavits of Service (Divorce)
- Application for Consent Orders (Australia ex-WA)
- Application For Divorce
- Balance sheet
- Financial Questionnaire
- Financial Statement
- Genuine Steps Certificate
- Initiating Application (Family Law)
- Notice of Child Abuse, Family Violence or Risk
- Notice of Objection to a Subpoena
- PPP cases financial summary
- Subpoena

Federal Court of Australia

- Form 4 - Notice of Acting – Appointment of Lawyer
- Form 5 - Notice of Acting – Change of Lawyer
- Form 6 - Notice of Termination of Lawyer's Retainer
- Form 7 - Notice of Intention to Cease to Act
- Form 8 - Notice of Ceasing to Act
- Form 10 - Notice of address for service
- Form 11 - Respondent's Genuine Steps Statement
- Form 12 - Urgent Application Before Start of a Proceeding
- Form 13 - Application by Interested Person
- Form 14 - Originating Application by Prospective Applicant for Order for Discovery
- Form 15 - Originating Application
- Form 16 - Applicant's Genuine Steps Statement
- Form 17 - Statement of Claim
- Form 18 - Notice of a Constitutional Matter
- Form 127 - Bill of Costs

Finance

- Division 7A Loan Agreement
- General Security Deed
- Loan or Loan Facility Agreement

- Promissory Note Deed

Intellectual Property

- Consent to Use of Quote, Image or Recording
- Deed of Assignment of IP
- End User Licence Agreement (EULA)
- IP Licence Agreement

Property

- Commercial Lease (non-retail)
- Transfer of Lease

Conveyancing

- Client Authorisation for Conveyancing
- Disclosure Statement – Residential Off-The-Plan Contracts (NSW)
- Special Conditions (Generic)
- Special Conditions (NSW)
- Special Conditions (QLD)
- Special Conditions (VIC)
- Special Conditions (WA)

Trusts

- Family Trust Deed
- Unit Trust Deed

Notices

- Notice of resignation (appointor)
- Notice of resignation (trustee)
- Revocation of nomination of successor appointor

Appointor resolutions

- Nomination of successor appointor
- Resolution to appoint additional appointor
- Resolution to appoint additional trustee
- Resolution to remove appointor
- Resolution to remove trustee
- Resolution to replace appointor
- Resolution to replace trustee
- Trustee approval to add, remove and exclude beneficiaries

Trustee resolutions

- Exclusion of beneficiary at their request
- Resolution to add, remove or exclude beneficiary
- Resolution to change the name of a trust
- Resolution to distribute the income of a trust

Smarter Drafter also includes tools to assist in marketing your law firm to potential clients.

Law Firms

- Legal Services Agreement

Law Firm Marketing

- Business Legal Essentials Guide
- Commercial Lease (non-retail) Guide for Clients
- Independent Contractors Legal Guide for Clients
- Premium Wills Guide for Clients
- Privacy Policy GDPR Update – Client Alert
- Startups Legal Guide for Clients

Legal Health Check

- Legal Health Check
- Legal Health Check – Business only
- Legal Health Check – Personal only (excl. Estate Planning)

Client Intake

- Estate Planning New Client Questionnaire
- Family Law New Client Questionnaire
- New Client Information Form

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