

Supreme Court (Resident Judges Appointment Requirements) Determination 2026 (No 1)

Notifiable instrument NI2026–161

made under the

Supreme Court Act 1933, section 4AA (Requirements of appointment – Resident Judges)

1 Name of instrument

This instrument is the *Supreme Court (Resident Judges Appointment Requirements) Determination 2026 (No 1)*.

2 Commencement

This instrument commences on the day after it is notified.

3 Revocation

This instrument revokes the *Supreme Court (Resident Judges Appointment Requirements) Determination 2010* [NI2015-683].

4 Determination

The Executive determines—

- (a) for the selection of a person as a resident judge of the ACT Supreme Court – either selection process mentioned in schedule 1; and
- (b) for the criteria that apply to the selection of a person for appointment as a resident judge – the criteria mentioned in schedule 2.

Schedule 1 Selection Process

Division 1.1 – selection process – expressions of interest

The Attorney-General must seek expressions of interest for the position of Resident Judge by public notice and write to key ACT stakeholders, inviting them to suggest or nominate people who are suitably qualified for appointment.

The selection process must be based on a consideration of possible candidates by the Attorney-General having regard to the selection criteria stated in this determination.

Before recommending an appointment of a new Chief Justice to the Executive, the Attorney-General may consult with the current Chief Justice about possible appointees.

Before recommending an appointment of a Resident Judge (not being the Chief Justice) to the Executive, the Attorney-General must consult with the Chief Justice about possible appointees.

Division 1.2 – selection process – direct recommendation of Attorney-General

The Attorney General may directly recommend to the Executive the appointment of a person (the *proposed appointee*) as a resident judge if the proposed appointee—

- (a) in the opinion of the Attorney-General, satisfies the selection criteria; and
- (b) By reason of their standing and experience has the endorsement of:
 - (i) the ACT Bar Association; and
 - (ii) the ACT Law Society; and
 - (iii) the Chief Justice; and
- (c) has been consulted and accepted the nomination.

Schedule 2 Selection criteria

Intellectual capacity:

- Appropriate knowledge of the relevant law and its underlying principles and the ability to acquire new knowledge
- High level of expertise in your chosen area or profession
- Ability to quickly absorb and analyse information
- Litigation experience or familiarity with court processes, including alternative dispute resolution

Personal qualities:

- Integrity and independence of mind

- Sound judgement
- Decisiveness
- Objectivity
- Diligence
- Sound temperament
- Ability and willingness to learn and develop professionally and adapt to change

An ability to understand and deal fairly:

- Impartiality
- Awareness of and respect for the diverse communities which the courts serve and an understanding of, and sensitivity to, differing needs
- Commitment to justice, independence, public service and fair treatment
- Willingness to listen with patience and courtesy
- Commitment to respect for all court users

Authority and communication skills:

- Ability to explain the procedure and any decisions reached clearly and succinctly to all those involved
- Ability to inspire respect and confidence
- Ability to maintain authority when challenged
- Ability to communicate orally and in writing in clear standard English

Efficiency:

- Ability to organise time effectively and work at speed and under pressure
- Ability to produce clear reasoned judgments expeditiously
- Ability to work constructively with others

Leadership and Management Skills:

- Ability to form strategic objectives and to provide leadership to implement them effectively
- Ability to engage constructively and collegially with others in the court, including courts administration

- Ability to represent the court appropriately including to external bodies such as the legal profession
- Ability to motivate, support and encourage the professional development of others in the court
- Ability to manage change effectively
- Ability to manage available resources

Tara Cheyne MLA
Attorney-General

13 March 2026

Andrew Barr MLA
Chief Minister

26 March 2026