

I have two suggestions:

First, increase the Disputes Tribunal to, say, \$100,000 (as in the MVDT) but establish a separate list for claims in excess of the present limit of \$30,000. Claims in the separate list would be tried by practitioners of seven plus years' standing appointed to a panel of part time referees (also as in the MVDT). If the referee assessed the claim to be too difficult for unrepresented parties it could be transferred to the District Court. There could be enhanced rights of appeal to the District Court for cases in this list.

Second, establish a debt collection list in the District Court (according to Kate Davenport debt collection proceedings dominate DC filings). Cases in this list would require the plaintiff (usually a debt collection agency or its solicitors) to plead its case according to a specified protocol (contractual basis, invoices, statements showing all invoices and payments, communications relating to the debt, etc together with disclosure of all documents referred to). Defences would also have to be accompanied by all relevant documents. Cases in the list could then be tried with no interlocutory steps such as discovery. Cases with affirmative defences or counterclaims might be transferred out of the list as unsuitable for the expedited procedure. Again, this list could be tried by deputy District Court judges who will be practitioners of seven plus years' standing. I do not support the title "recorder" because it would be meaningless to NZ litigants and, in any event, is in England and Wales a part time High Court judge.

These suggestions are only an outline at this stage because there would be no point in spending my time getting into detail if they are of no interest to the Rules Committee. However, if these suggestions are of interest then I would be pleased to elaborate.

**Chris Chapman**  
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