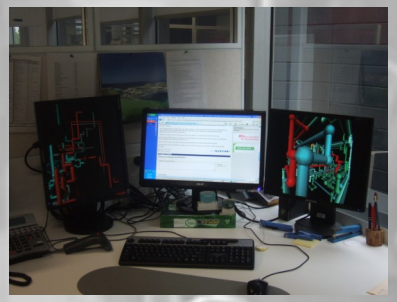
In order to keep up with such changes, and continue to provide the best service to beneficiaries, the Senior Master has invested in the latest software and technology. The SMO has developed a sophisticated in-house computerised database application and its own document imaging system. All documents produced or received by the SMO are now available electronically. To ensure that in-house and commercial software applications are used most efficiently, all staff have computers with multiple screens at their desk – a far cry from the ledgers and index cards of the past.



The SMO today. Using the latest computer technology to carry on a responsibility that is centuries old.

The Future

On 17 December 2008, the historic title of "Master" was removed when Masters were renamed Associate Judges. However, the Senior Master retains a historic link to the old term as he is now known as the "Associate Judge who is the Senior Master".

In December 2009, the SMO moved to modern, new offices at 469 La Trobe Street. The new offices have the latest technology, including video conferencing, and represent the direction in which the Court is moving in the 21st century.

Despite these changes, the SMO's focus remains the same as it has been always: to administer the funds in Court on behalf of, and act in the best interests of, the beneficiaries.

Our Mission Statement

To administer prudently and efficiently for and on behalf of the clients of the Senior Master's (Funds in Court) Office the funds in Court and assets purchased from them in a manner, consistent with the law, that is in their best interests.

Supreme Court of Victoria
Senior Master's (Funds in Court) Office
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Melbourne, Victoria
Postal Address: 210 William Street
Melbourne, Victoria 3000
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Produced by

Senior Master's (Funds in Court) Office

HISTORY OF THE SENIOR MASTER'S (FUNDS IN COURT) OFFICE

HISTORY OF THE SMO

The Senior Master's (Funds in Court) Office [SMO] is an office of the Supreme Court of Victoria. The SMO assists the Senior Master, who is also an Associate Judge of the Court, in administering funds paid into Court for people who are under a legal disability. A person is under a legal disability if he or she is under 18 years old, or has an intellectual or physical disability, or both.

Parens Patriae

Rule 77.01(a) of the Rules of Court confers upon the Associate Judges the power to "give any judgment or make any order … in the inherent jurisdiction of the Court". The inherent jurisdiction of the Court includes the exercise of the *parens patriae* power of the Sovereign for the protection of the person and property of mentally infirmed persons. It is this jurisdiction that is exercised by the Senior Master in administering the funds in Court for and on behalf of persons under disability.

The doctrine of *parens patriae* is one of the most basic and important Common Law concepts pertaining to minors and cognitively handicapped persons. The doctrine has been part of the Court's jurisdiction since its establishment.

The Supreme Court of Victoria

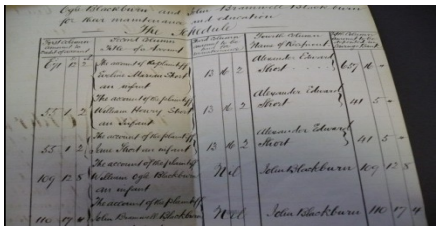
The Supreme Court of Victoria was established by an Act of Parliament in 1852. The first sitting in the District of Port Phillip occurred in 1841. The Court has occupied its current home at 210 William Street since 1884.

These above images of earlier Supreme Court buildings are from the collection of the State Library of Victoria

The Precursors of the SMO

The *Supreme Court Act* 1852 created the position of Master in Equity. The Master worked exclusively in the Court's equitable jurisdiction.

The Master in Equity undertook inquiries and investigations requested by the Court and managed financial issues arising in proceedings , including payments into Court by trustees or executors.



The document at left is from 1884. It is an order for the payment of past and future income for maintenance; the funds are to be paid to the Master in Equity and deposited in Trust in the Melbourne Savings Bank.

Amongst his other duties, from 1867 the Master in Equity was also responsible for administering the estates of persons who did not have capacity to manage them themselves.

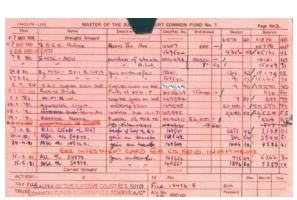
Some of the earliest Court records (like the ones pictured left) are applications to the Master for funds to purchase a suit and for a person's maintenance — not very different from today's applications to the SMO.

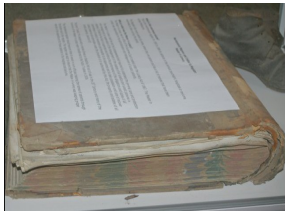
The *Master of the Supreme Court Act* 1948 created the role of the Master of the Supreme Court to replace the Master in Equity.

The Senior Master & the Funds in Court

The position of Senior Master of the Supreme Court was created in 1977; Master C. P. Jacobs became the first Senior Master. On 15 April 1983, the present Senior Master, K. J. Mahony, replaced Senior Master Jacobs.

When Senior Master Mahony was appointed, the SMO, as far as it existed, consisted of a handful of people using materials not so far removed from those used by their predecessors. Whilst they did not enter transactions in ledgers such as the one below, details of transactions on behalf of beneficiaries (as people for whom funds were held came to be known) were entered on ledger cards. An adding machine was the most advanced technology used at the time.





The ledger at right is from the early 20th century. It is displayed at the SMO's new office at 469 La Trobe Street.

The SMO Today

Since those "early days", the SMO has changed dramatically: the services provided, funds administered, number of beneficiaries and staff have all grown substantially. Furthermore, since 2004, funds awarded to people under disability by the County and Magistrates' Courts, and the Victims of Crime Assistance Tribunal are paid to the Senior Master.