

Family Law Alert

October 2007, Revised April 2008

Family Dispute Resolution Centres

Are you having difficulty agreeing about what is best for your children now you have separated?

The answer may be Family Dispute Resolution.

What is Family Dispute Resolution?

Family Dispute Resolution (FDR) is a form of mediation/conciliation to assist separating parents make appropriate decisions about the care, welfare and development of their children. It must be conducted by independent persons to your situation and be with a view to resolving disagreements you may have about the children. For example, if you cannot agree on whom they should live with or how often each parent should spend with the child/children. Note however, that marriage counseling is not FDR for the purposes of the Family Law Act.

By now, most people are aware that it is a requirement under the Act to attempt to reach an agreement about your children and their care before proceeding to court. This is detailed in Section 60I of the Act and became effective 1 July 2007. In fact, before initiating court proceedings you must prove to the court that you have attempted dispute resolution by providing them with an appropriate certificate stating the outcome of the dispute resolution. There are exceptions to attendance at dispute resolution and one of these is violence. You are also not required to attend dispute resolution if you agree and are able to sign consent orders reflecting that agreement.

There are various ways of fulfilling this compulsory requirement. However, you must ensure you attend upon a registered provider. A registered provider will have completed the appropriate training and be included on the Family Dispute Resolution Registrar. These providers can be in the community, part of government funded organisations or operate in private practice.

In response to this obligation, the Australian Government has established Family Dispute Resolution Centers (FDRC). These Centers form part of the Government's reforms to the Family Law System. A FDRC can provide you with advice on a whole range of parenting/family issues, but also provide advice about separation to assist you to make the best decisions for you and your children by focusing on their needs. A desirable outcome would be reaching agreement on all of the issues pertaining to the care of your children. This advice can be provided via the telephone or in personal one on one or group sessions.

The Federal Government is planning to establish a total of 65 centers nationwide by July 2008. The cost of attending upon a provider varies. Some FDRC will provide assistance of up to three hours with no charge.

If you wish to organise dispute resolution for you and your partner, listed below are the FDRC currently operating in Queensland. You may also wish to contact the Family Relationship Advice Line on 1800 050 321. The line operates from 8.00 am to 8.00 pm Monday to Friday and on Saturdays from 10.00 am to 4.00 pm or check out www.familyrelationships.gov.au.

Family Relationship Centers in Queensland:

Cairns

182 Gatton Street, Manundah (interim site)
(07) 4041 6063

Gold Coast

Suite 11, Ashmore Commercial Centre, 207 Currumburra Road, Ashmore City
(07) 5656 1700

Ipswich

41 East Street, Ipswich
(07) 3810 4800

Upper Mount Gravatt

23 Sanders Street, Upper Mt Gravatt
(07) 3423 6967

Rockhampton

Ground Floor, 36 East Street, Rockhampton
(07) 4927 1210

Strathpine

16 Mecklem Street, Strathpine
(07) 3423 6962

Sunshine Coast

Big Top Shopping Centre, Ocean Street, Maroochydore
(07) 5452 9700

Townsville

Unit 1, 281-285 Ross River Road, Aitkenvale
(07) 4779 4211

If you wish to discuss pre court procedures in relation to family matters, or you wish to know more about where you can attend dispute resolution or require further information please do not hesitate to call us on (07) 3223 6424.