

Need help to sort out a family law problem?

Ask Legal Aid Queensland

Do you want to resolve a family law dispute without going to court? A family dispute resolution conference may help.

Why attend a family dispute resolution conference?

A conference can help you resolve family law problems about parenting issues, spousal maintenance or property settlement without going to court.

You may need to have a conference before lodging an application with the court. In some cases, the court might order you to attend a family dispute resolution conference.

Advantages of reaching an agreement at a conference include:

- your agreement takes into account your individual circumstances
- you make the decision rather than a court making an order
- issues that cannot be mentioned in court proceedings can be raised and discussed
- you avoid the stress and time involved in court proceedings
- low legal costs if you do not get legal aid.

You can find out more about conferencing in our video *Life after separation: putting the pieces back together* available at www.legalaid.qld.gov.au. This video is for couples considering family separation. It provides information to guide couples through the legal process of separation, and to make arrangements that are in their children's best interests.

My dispute is about property only. Can I still have a conference?

You may be able to attend a family dispute resolution conference for property if you meet our eligibility criteria. Read our *Your family law property conference* factsheet for more information.

Who will be at the conference?

The following people will be at the conference:

- you
- the person you are in dispute with
- each person's lawyer
- a registered family dispute resolution practitioner (mediator)



- an independent children's lawyer, if one has been appointed by the court.

Conferences are offered in different formats, so you don't have to be in the same room or building as the other person involved in the dispute.

Children cannot attend the conference.

Where is the conference held?

The conference is usually held by video or telephone conference, or at one of our local offices. We can arrange a room for a video or telephone conference at a community centre or government building if you can't travel to at your lawyer's office or a Legal Aid Queensland office.

When is the conference held and how long will it take?

The conference is held during business hours, in the morning or afternoon. We will arrange the conference for a date and time when everyone can attend. A conference can take up to half a day. You should set aside four hours.

What if I have a domestic violence protection order?

If you have a domestic violence protection order, we will ask for your written approval to hold a conference. You should immediately send us a copy of your order.

Is the conference confidential?

Yes, information shared and discussed in the conference will be kept private so everyone can speak freely. But, information that affects your children's or other people's safety cannot be kept secret.



What should I think about before the conference?

For a conference about your children:

- Where do I want my children to live?
- How often do I want to see or communicate with my children if they do not live with me?
- Do I want to see my children on special days like birthdays, Christmas, Mother's Day or Father's Day? Remember, your family may have their own special days you would like your children to be a part of.
- How will my children travel between my home and the other person's home? Who will collect and drop the children back?

For a conference that also includes property:

- What is going to happen to our property?
- What property do we own?
- How much is our property currently worth?
- What debts do we owe?
- Do we have superannuation and how much is it worth?
- What do you think would be a fair property split?

What should I do before the conference?

- Write down the arrangements you would like to see in place.
- Discuss the arrangements you would like with your lawyer.
- Make arrangements for child care during the conference. We do not have child minding facilities.

Can you organise an interpreter?

If you have difficulty communicating in English and need someone who speaks your language, call the Translating and Interpreting Service on 13 14 50 to speak to an interpreter. Ask them to connect you to Legal Aid Queensland on 1800 998 980.



If you are deaf or have a hearing or speech impairment you can contact us using the National Relay Service. Visit www.relayservice.gov.au and ask for 1800 998 980. These are free services.

What happens during the conference?

Conferences can be held in joint format (where parties can see and hear each other) or in shuttle format (where each party

only sees and speaks with the mediator). In either format, time is always made for you to meet privately with your lawyer and have a break if you need one.

When the conference starts, the family dispute resolution practitioner will explain how the conference will run. It is their role to help you discuss the issues in dispute and resolve these issues. The family dispute resolution practitioner does not give legal advice or make decisions for anyone.

What happens after the conference?

The family dispute resolution practitioner makes confidential recommendations to us about continuing your legal aid grant. We will consider the practitioner's recommendations, but may not follow them. We will give legal aid to financially eligible people to have any agreement reached drafted into a consent order, for filing in court.

The family dispute resolution practitioner also assesses the most appropriate section 60I certificate to issue that you can use to show the court you participated in the conference. You may need the certificate if you want to begin court proceedings. Ask the court for more information about this process.

The certificate will show who attended the conference and if they genuinely tried to resolve their dispute. The court may take this information into account when deciding whether to send you back to family dispute resolution. The court may also use the information to decide whether to order costs against a person.

How do I apply for legal aid for a conference?

To apply for a grant of legal aid, fill out a *Legal Aid Queensland application form* and send it to us along with any financial documents needed. You should get legal advice about your matter before completing the form. Legal aid for a conference is available to anyone who meets our means and merits tests. Both people can be legally aided.

If you are granted aid, we will pay your lawyer's fees for attending the conference, subject to any conditions listed. If you have genuine concerns about attending a conference, tell your lawyer and a Legal Aid Queensland officer immediately.

Your local Legal Aid Queensland office:

BRISBANE

44 Herschel St, 4000

BUNDABERG

3rd Floor, WIN Tower,
Cnr Quay & Barolin Sts, 4670

CABOOLTURE

Ground Floor, Kingsgate
42 King St, 4510

CAIRNS

Level 2, Cairns Square Complex,
42-52 Abbott St, 4870

INALA

Level 1, Inala Commonwealth
Offices, 20 Wirraway Pde, 4077

IPSWICH

Level 7, 117 Brisbane St, 4305

MACKAY

Ground Floor,
17 Brisbane St, 4740

MAROOCHYDORE

Ground Floor, M1 Building
1 Duporth Ave, 4558

MOUNT ISA

6 Miles St, 4825

ROCKHAMPTON

Ground Floor, 35 Fitzroy St, 4700

SOUTHPORT

Level 2, 7 Bay St, 4215

TOOWOOMBA

1st Floor, 154 Hume St, 4350

TOWNSVILLE

Level 4, Northern Securities
Building, 22 Walker St, 4810

WOODRIDGE

1st Floor, Woodridge Place,
Cnr Ewing Rd & Carmody St, 4114

For more information
about our services visit
legalaid.qld.gov.au

or phone **1300 65 11 88** or **1300 650 143**
(Aboriginal and Torres Strait Islander Information Line)

