

GLOSSARY OF TERMS



...LL BE VESTED IN A FEDERAL PARLIAMENT
...EACH STATE, DIRECTLY CHOSEN BY THE
...NWEALTH, AND THE NUMBER OF SUCH
...EEN'S REPRESENTATIVE, AND EXTENT
...THE COUNCIL SHALL BE CHOSEN AND
...CALLED THE HIGH COURT OF AUSTRALIA
...IT PRESCRIBES. CHAPTER I. THE PARLIAMENT
...THE PARLIAMENT OF THE COMMONWEALTH
...THE HOUSE OF REPRESENTATIVES
...TIVE POWER OF THE COMMONWEALTH
...TIVE COUNCIL TO ADVISE THE GOVERNMENT
...HE JUDICIAL

GLOSSARY OF TERMS

Appeal – A procedure which enables a person to challenge the decision made about their case by the Court.

Appellant – The person who seeks an appeal.

Case – The matter before the Court.

Case Management Directions – A set of directions which the Court uses to help clients achieve a just resolution of their dispute in a way which is prompt and economical.

Casetrack – The Court's integrated case management system.

Consent orders – These may be made where the parties come to an agreement and lodge that agreement in writing (usually called 'Terms of Settlement') for approval by the Court.

Conciliation conference – A conference convened by legally trained registrars in the Family Court. It involves all parties and their lawyers to resolve disputes in financial cases.

Determination phase – Commences once the last resolution phase event has concluded without final resolution being achieved.

Family consultant ('Indigenous family liaison officer' post 1 July 2006) – Professionals that provide on-going assistance in a privileged setting, from mediation services through to the trial stage.

Family Law Act 1975 – The legislation under which cases are decided in the Family Court.

Family report – A behavioural science assessment of a family, from a non-legal and non-partisan perspective, independent of the case presented by either party to a dispute. Court mediators ('family consultant' post 1 July 2006) or private report writers commissioned by the parties jointly or by the independent children's lawyer, prepare family reports.

Federal Magistrate – A judicial officer of the Federal Magistrates Court.

Final orders – means the order of the Court that finally decides a case that is commenced by an Application for Final Orders (Form 1).

Full Court – A Full Court consists of three or more judges together hearing an appeal from a decision of another judicial officer.

Interim application – An application for an order intended to continue until a further order of the Court.

Judgment – A decision of a judge, judicial registrar or registrar at a hearing.

Judicial Registrar – A judicial officer who holds similar powers to a judge.

Magellan – A case management system designed to ensure that matters involving allegations of serious child abuse are dealt with as effectively and efficiently as possible

Mediation ('Child dispute services' post 1 July) – Services offered by the Court to help settle disputes by agreement rather than a hearing. Sessions deal with children's issues or combined children's and financial issues. They can be conducted by mediators ('family consultants' post 1 July 2006) trained in law, social work or psychology or counsellors who are expert in children's issues and who also have a background in social work or psychology.

Mediator ('Family consultant' post 1 July 2006) – Professionals trained in law, social work or psychology, or counsellors who are expert in children's issues and who also have a background in social work or psychology.

Order – The Court has the power to order a person to do certain things. Judicial registrars and registrars can only make certain types of orders.

Parties – Both the applicant and respondent are parties to the proceeding. If a third party is joined or someone is given permission to intervene they also become parties to the proceedings.

Pending – Pending matters are cases that have not yet been finalised by judgment or otherwise.

Pending cases inventory – An inventory of cases filed but not yet disposed make up the Court's pending caseload.

Practice Directions - Practice Directions are issued by the Chief Justice for the assistance of clients and practitioners about the conduct of proceedings before the Court.

Registry – An office of the Court that files court documents or accepts court documents for filing.

Resolution phase – Covers the period from the commencement of proceedings to the point at which it is decided that a matter should be prepared for trial.

Rules – The Family Law Rules, sometimes referred to as the Rules of the Court, set out key obligations such as what forms must be used, when they must be filed and any other requirements of the Court. The Federal Magistrates Court has its own Rules.

Trial – The final hearing of a matter before a judge, federal magistrate, or judicial registrar. Having considered all the evidence presented, the judicial officer will make orders to finalise the matter.