



OVERVIEW OF THE COURT ■





OVERVIEW OF THE COURT

GENERAL OVERVIEW

The Family Court of Australia, through its specialist judges and staff, assists Australians to resolve their most complex legal family disputes.

The Family Court of Australia is a superior court of record established by Parliament in 1975 under Chapter 3 of the Constitution. It commenced operations on 5 January 1976 and consists of a Chief Justice, Deputy Chief Justice and other judges. The Court maintains registries in all Australian states and territories except Western Australia.

Our goal

The Court's goal is to deliver excellence in service for children, families and parties through effective judicial and non-judicial processes and high quality and timely judgments while respecting the needs of separating families.

Our purpose

The purpose of the Court, as Australia's superior court in family law, is to:

- ❑ determine cases with the most complex law, facts and multiple parties
- ❑ cover specialised areas in family law, and
- ❑ provide national coverage as the appellate court in family law matters.

Our vision

The Court's vision provides for:

- ❑ putting children and families first in the design and delivery of services
- ❑ furthering functional family relationships after separation
- ❑ independence and impartiality in the judicial process
- ❑ having staff who are valued for providing quality service for families
- ❑ providing quality child dispute services for families, and
- ❑ being at the forefront of the development of services.

Jurisdiction

The Family Court of Australia is a superior court of record and deals with the most complex family law matters. These include:

- ❑ Parenting cases that may involve multiple parties, including those that involve a child welfare agency and/or allegations of sexual abuse or serious physical abuse of a child (Magellan cases), family violence and/or mental health issues.

- ❑ Parenting cases where orders sought have the effect of preventing a parent from communicating with or spending time with a child, multiple expert witnesses, complex questions of law and/or special jurisdictional issues, international child abduction under the Hague Convention, special medical procedures and international relocation.
- ❑ Financial cases that involve multiple parties, valuation of complex interests in trusts or corporate structures, including minority interests, multiple expert witnesses, complex questions of law and/or jurisdictional issues (including accrued jurisdiction) and complex issues concerning superannuation (such as complex valuations of defined benefit superannuation schemes).

The Family Court of Australia also has original jurisdiction under other Commonwealth Acts including:

- ❑ *Marriage Act 1961 (Cth)*
- ❑ *Child Support (Registration and Collection) Act 1988 (Cth)*
- ❑ *Child Support (Assessment) Act 1989*
- ❑ *Bankruptcy Act 1966*

Programs of work

The Court has designed four programs of work to ensure that it fulfils its stated purpose:

- ❑ maintaining an environment that enables judges to make determinations
- ❑ provision of effective and efficient client services
- ❑ corporate management of resources, and
- ❑ effective information and communication technologies.

Our outputs

The Family Court is funded to provide two outputs:

- ❑ resolution (measured by mediated agreements and consent orders), and
- ❑ determination (measured by interim orders, final orders, appeals and divorces).

The resolution output continues to reflect the fact that, to date, the Court has invested significantly in resolving disputes through the work of its family consultants and registrars. However, the function of the Court has changed as a result of legislative reforms to the family law system over the past several years. The establishment of Family Relationship Centres and the continued work of the Federal Magistrates Court should ensure that the Court can increasingly focus on the determination of the most complex family law disputes and reduce the emphasis on the provision of dispute resolution (mediation) services.

This report, in particular the Report on Court Performance in Part 3, details the Court's progress towards achieving these outcomes during the reporting year.

GOVERNANCE

The Chief Justice is responsible for managing the administrative affairs of the Court (section 38A *Family Law Act 1975*) assisted by the Chief Executive Officer (section 38B).

The Chief Executive Officer's powers are broad (section 38D), although subject to directions from the Chief Justice (section 38D(3)). The Chief Executive Officer holds the responsibilities and powers of an agency head under Commonwealth financial management and public service legislation.

Under the Constitution, judicial power is vested in judges who administer that power in courts. The *Family Law Act 1975* (the Act) defines the Court as being a Chief Justice, Deputy Chief Justice and the judges appointed to that Court (s 21). By delegation from the Chief Justice, regional coordinating judges assist in administering judicial functions in particular areas, such as case management.

The Family Court is autonomously governed, whereby the judiciary has the responsibility for the administration of their Court. To enable the effective and efficient administration of justice, the judiciary is required to be supported in its workload. Non-judicial Court employees are public servants accountable to the executive government through the Chief Executive Officer.

Committees

Chief Justice Bryant maintains a collegiate style of governance and the judicial officers of the Court meet at least once (or more often if required) yearly in plenary. In addition, judicial officers and staff participate in a number of committees that develop policies across a range of matters.

The Chief Justice's Policy Advisory Committee (CJPAC), which meets quarterly, advises the Chief Justice on policy matters. The Rules Committee also meets quarterly.

The Court also has a number of other standing committees that meet on a regular or ad hoc basis by telephone or as required. They are:

- ❑ Benchbook committee
- ❑ Costs committee
- ❑ Cultural diversity committee
- ❑ Family violence committee
- ❑ Information and communication technology committee
- ❑ Law reform committee
- ❑ National Magellan Stakeholder committee
- ❑ National case management committee
- ❑ Judicial development committee
- ❑ Property management committee
- ❑ Research and ethics committee

More information on any significant outputs from these committees appears in Appendix 2.

The Court Management Group, comprising the Chief Executive Officer and other senior staff, is responsible for implementing the Court's strategic direction. Operational management is devolved to registries where regional registry managers work closely with judges to deliver court services to families in dispute.

The Family Law Courts Board comprises the Chief Justice of the Family Court, the Chief Federal Magistrate of the Federal Magistrates Court and the Chief Executives of each court. This Board oversees the coordination and management of the two courts and makes decisions about their shared arrangements.

In late 2007, the Family Law Courts Board established a National Shared Services Committee and a Regional Shared Services Committee in each region (NSW/ACT, VIC/TAS/SA and Northern NSW/QLD/NT).

The National Shared Services Committee is a high level committee with representation from both courts (jointly chaired by Executive Director Client Services, Family Court and the Deputy CEO Court Services, Federal Magistrates Court). It considers matters of national strategic importance and acts as a conduit to the Board for the reporting of information concerning service provision in the Family Law Registries.

The Regional Shared Services Committees are a forum at which the regional registry manager of the Family Court and the Federal Magistrates Court regional manager, together with other key staff responsible for shared services, ensure the services provided by registries in each respective region are maintained at the highest standard and that judicial officers are appropriately supported.



The Court Management Group

FINANCIAL OVERVIEW

The Family Court of Australia is a prescribed agency under the *Financial Management and Accountability Act 1997*.

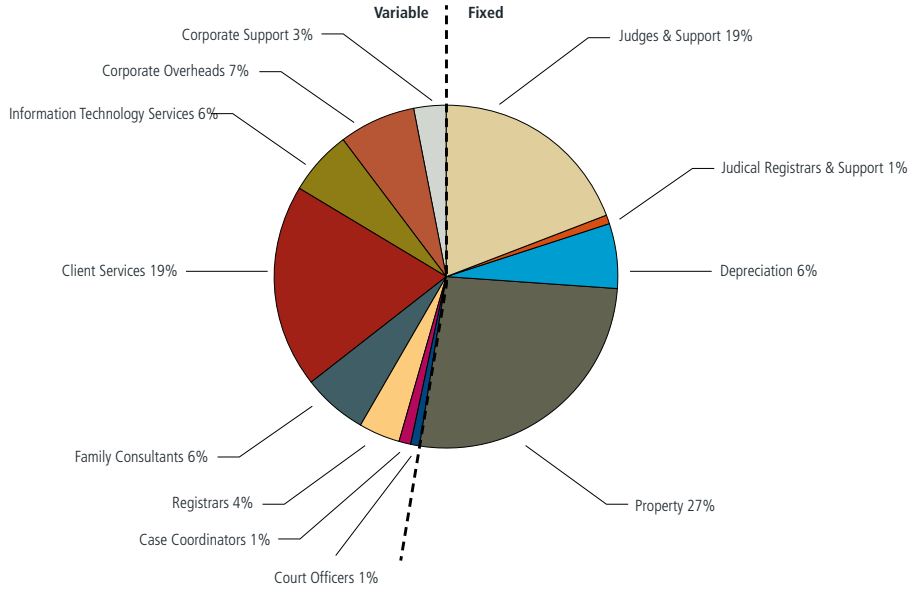
The Family Court's 2007–08 budget, as published in the Portfolio Additional Estimates Statements, was \$139.8m. Figure 2.1 provides a further breakdown of the budget which indicates that the Family Court has a significant component of fixed costs (52 per cent) relating to property, judicial officers, support and depreciation.

The Family Court reported a surplus of \$1.439m for the 2007–08 financial year compared to a \$1.017m surplus result forecast in the Portfolio Additional Estimates.

The Family Court currently provides resources free of charge to the Federal Magistrates Court in accordance with sections 90, 92 and 99 of the *Federal Magistrates Act 1999*. These free resources include the work of Family Court staff for the Federal Magistrates Court and accommodation, including access to court rooms. The Court estimates that in 2007–08 the cost of resources provided free of charge by the Family Court to the FMC was \$19.5m.

The Family Court also provides shared services such as information technology services, accommodation, the work of court staff (family consultants, registrars and registry services) and related depreciation and amortisation. See Figure 2.2.

Figure 2.1: Family Court's expenditure















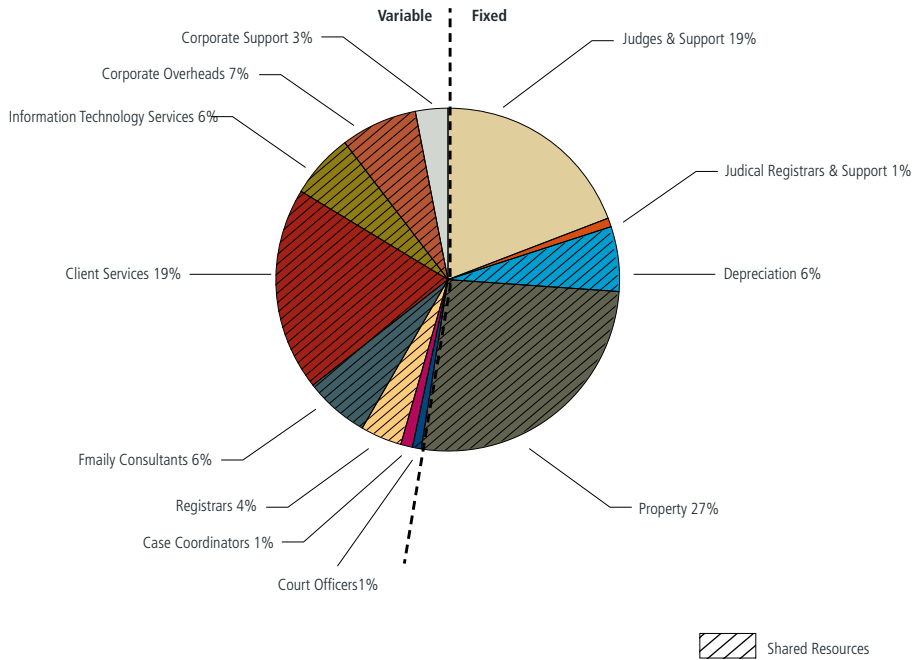
	Judges and support	All employee and supplier expenses directly attributed to judges and their support staff.
	Judicial registrars and support	All employee and supplier expenses directly attributed to judicial registrars and their support staff.
	Depreciation	All depreciation, amortisation and other expenses associated with asset movements.
	Property	Lease rentals for Commonwealth Law Courts and leased premises, and all property operating expenses (such as cleaning, energy, repairs, maintenance and management fees) associated with these premises.
	Registrars	All employee and supplier expenses directly attributed to registrars.
	Family consultants	All employee and supplier expenses directly attributed to family consultants.
	Client services	All employee and supplier expenses directly attributed to client services staff.
	Case coordinators	All employee and supplier expenses directly attributed to case coordinators.
	Court officers	All employee and supplier expenses directly attributed to court officers.
	Corporate support	All employee and supplier expenses directly attributed to finance, human resources, property services, contract services and the CEO.
	Information technology services	All employee and supplier expenses directly attributed to the provision of information technology services.
	Corporate overheads	Workers Compensation and ComCover insurance premiums, Fringe Benefits Tax expenditure, ComSuper management fees, legal and audit fees, corporate salary overheads attributed to registry management, corporate support and IT services staff and expenditure related to project activity in the Court (some of which is externally funded).

Figure 2.2: Services provided free of charge to the Federal Magistrates Court



INITIATIVES OF THE FAMILY COURT AND THE FEDERAL MAGISTRATES COURT

Combined Registry Program

The Combined Registry Program of the Family Court and the Federal Magistrates Court commenced in July 2004 and was completed on 30 June 2008.

As part of its organisational development strategies, the Family Court engaged Oakton Limited to review the Combined Registry Program. The review assessed how the project managed change and to ensure that any learnings would inform future change processes. The review identified that overall the Combined Registry Program met its aims.

National Enquiry Centre

In order to provide a better telephone and email service to clients contacting the Family Court and the Federal Magistrates Court, the National Enquiry Centre (NEC) was established in April 2006 as part of the Combined Registry Program.

The NEC answers general and simple case-related enquiries from a central location. This allows registries to focus on face-to-face services and case management. The NEC has proved to be an essential part of the Family Law Courts and a successful approach to client services.

The NEC aims to provide a quality service to clients. Its service benchmarks are:

- ❑ 80 per cent of calls are answered within 90 seconds
- ❑ less than five per cent of calls abandoned
- ❑ less than 10 per cent of calls transferred to a family law registry
- ❑ 100 per cent of emails answered within seven days, and
- ❑ 100 per cent of requests for divorce certificates processed and sent within three working days of receipt.

The NEC answered over 90 per cent of the 300 000 calls and 9000 emails it received in the 2007–08 financial year without referral to a registry for additional information.



Gloria Katrib, Client Services Officer National Enquiry Centre

INITIATIVES OF THE FAMILY COURT, FEDERAL COURT AND FEDERAL MAGISTRATES COURT

Commonwealth Courts Portal

The Commonwealth Courts Portal (CCP) is an initiative of the Family Court, the Federal Court and the Federal Magistrates Court. The CCP provides free web-based access to information about cases that are before these courts.

After registering, lawyers can keep track of their cases, identify documents that have been filed and view outcomes, orders made and future court dates. Users log on using a single user ID and access multiple jurisdictions from a single central web-based system.

Other benefits of the CCP include streamlined and integrated delivery of Commonwealth court services, streamlined help desk and administration support, improved information management and consistent reporting and improved service delivery through feedback.

For employees of these courts, a major benefit of the CCP is the time saved through a reduction in enquiries because much information is readily accessible online.

The CCP was officially launched in Melbourne on 17 June 2008 by Attorney-General, the Hon Robert McClelland MP, Chief Justice Bryant, Acting Chief Justice Peter Gray of the Federal Court of Australia and Chief Federal Magistrate John Pascoe.

The CCP can be viewed at www.comcourts.gov.au.

In the future, the CCP will also help to deliver a range of other integrated e-services including secure access to information for individuals, the ability to lodge applications and documents online and to attend hearings electronically.

eFiling

Through the CCP, eFiling will allow lawyers and clients to interact with the Family Law Courts outside normal business hours, improving access and flexibility for all users. It will also streamline internal processes and efficiencies. In 2007 the courts commenced the development of eFiling for family law which will allow (initially) the legal profession and (later) self represented litigants greater access to the Court.

Accessed via the CCP, the first stage will allow family law supporting documents to be lodged against existing Cause of Applications. The second stage will allow initiating documents to be filed and the third stage will extend the service to self represented litigants. It is expected that the first stage will be released early in the new 2008–09 financial year.



Stephen Andrew, Executive Director IC&TS; Robert McClelland MP, Attorney-General; and Sindy Williams, Family Court Business Systems Analyst at the CCP launch in Melbourne.

INITIATIVES OF THE FAMILY COURT

Individual Judicial Hearing Docket

The judicial docket gives individual judges responsibility for the management of their own cases from the time the case is docketed to the judge to finalisation of the matter.

The system is designed to ensure early judicial intervention and active judicial case management in order to streamline the process, ensure earliest possible settlement or determination and accordingly to dispose of cases more efficiently.

All registries are currently implementing the new case management pathway and judicial docket.

Less Adversarial Trial

Division 12A of Part VII of the Family Law Act commenced on 1 July 2006, enabling the Family Court's model for a less adversarial trial to be applied to all new child related proceedings in the Family Court, without the need for consent of the parties.

During 2007–08 the less adversarial trial continued to be implemented in all Family Court registries.

The Court's first purpose-built less adversarial courtroom was opened on 22 May 2008. Located in the Canberra Registry, the courtroom is a reminder of the Court's ongoing commitment to the implementation of a less adversarial trial process.

Child Responsive Program

After a successful Child Responsive Program (CRP) pilot, the Family Court implemented the CRP nationally, with the first cases starting in January 2008.

The CRP provides for each case to be allocated a family consultant to provide continuity through to trial and post-trial follow up and referral, where this is required. CRP aims to include children early in the process, providing them with an opportunity to put forward their views and to focus parents on their needs. CRP is designed to integrate and align with less adversarial trial proceedings and to enable what occurs during the program to be admissible in court.

Funding from the Attorney-General's Department allowed the Court to provide training on the CRP to family consultants across the court. Training started in November 2007 and was completed in February 2008.

See external scrutiny in Part 6 of this report for information on the CRP Pilot follow-up study completed in July 2007.

Magellan

Magellan involves special case management of cases in which there are allegations of serious physical abuse or sexual abuse of a child. Once a Magellan case is identified, it is managed by a small team consisting of a judge, registrar and family consultant. Magellan case management relies on a collaborative and highly coordinated set of processes and procedures. A crucial aspect is strong inter-agency coordination,

in particular with State and Territory child protection agencies. This ensures that problems are dealt with efficiently and that information sharing is of high quality. An independent children’s lawyer is appointed in every Magellan case and the legal aid is uncapped in these cases.

There have been a total of 864 Magellan cases since the introduction of this case management process in 1999, including 196 cases in 2007–08.

The National Magellan Stakeholder Committee, chaired by Justice Burr, continues to act as a steering and reference group for the project. This committee commissioned the Australian Institute of Family Studies to evaluate the project in September 2006.

See external scrutiny in Part 6 of this report for information on the evaluation of Magellan case management completed in October 2007.

Integrated Client Service Delivery Program

The Family Court has combined a number of client service professional development activities into a single, coordinated entity known as the Integrated Client Service Delivery Program (ICSDP).

The ICSDP aims to ensure that best practice client-focussed principles are incorporated and embedded into the Family Law Court’s service delivery. This approach enables court staff to understand and better meet the needs of Court clients.

The initiative has been instrumental in providing staff with the necessary skills in communication, mental health, cultural diversity and safety issues to support clients attending court.

The national rollout was completed in April 2008 with over 400 Family Law Courts staff undertaking the training.

See external scrutiny in Part 6 of this report for information on the evaluation of this program.



Court staff participating in the Integrated Client Service Delivery Program

Providing Justice to the Justice Seeker

In 2007, the Indonesian Australian Legal Development Facility (with the State Islamic Universities, the PEKKA NGO and the Family Court of Australia) worked with the Supreme Court of Indonesia to undertake the first large-scale national study of access and equity in the Religious Courts of Indonesia.

The aim of the access and equity study was to assist the Religious Courts to develop an access and equity strategic plan based on the study findings.

The Family Court supported the study through the interaction and engagement of judges, court administrators and staff. The engagement took place several times a year under the framework of an MOU Annex between the Supreme Court of Indonesia, the Federal Court and the Family Court. It has allowed key access and equity study issues to be discussed by judicial colleagues on a court-to-court basis which is invaluable when looking at critical issues of providing universal access to family courts.

The final report *Providing Justice to the Justice Seeker: A Report on the Indonesian Religious Courts – December 2007* is available on the Family Court website.

Young Employees Advisory Group

The Family Court introduced the Court's first Young Employees' Advisory Group (YEAG) in early 2008.

The YEAG was established to engage the thinking and ideas of Court employees aged 25 years and younger. The group liaises with other young court employees to develop new ideas and solutions.

The group will attend three meetings of the Court's executive decision making body, the Court Management Group. The Court Management Group provides a mentor to assist in the development of a project that will benefit the operation of the Court.

At 30 June 2008, the YEAG had a representative on the Staff Development Committee, reviewed the induction program and had begun developing a database of staff roles, responsibilities, locations and contact information.



Members of the Young Employees' Advisory Group

OUTSIDE PARTICIPATION

The Family Court has a number of strategies for strengthening its partnerships with clients and other stakeholders within the family law system, such as legal practitioners, non-government organisations and government agencies and departments.

There are a number of ways in which external stakeholders may inform the Court and affect its processes. These include:

- ❑ The **Family Law Council**, established by the Attorney-General under section 115 of the *Family Law Act 1975*, confers with Court personnel in the course of its consideration of particular aspects of family law. The Court has judges appointed to the council and observers at its meetings.
- ❑ The **Australian Institute of Family Studies** was established under section 114B of the *Family Law Act 1975* and is a forum for exchange of information and research.
- ❑ The Chief Justice and the Deputy Chief Justice meet quarterly with the **Family Law Section** of the Law Council of Australia and there are regular liaison meetings with local law societies and bar associations in each of the Court's registries.
- ❑ The Chief Justice chairs a national **Family Law Forum** which consists of representatives from the Federal Magistrates Court, the Family Law Council, the Family Law Section of the Law Council of Australia, National Legal Aid, the Attorney-General's Department, the Department of Families, Community Services and Indigenous Affairs, the Child Support Agency, the Australian Institute of Family Studies, non-government organisations and community legal centres. The Family Law Forum meets quarterly to discuss shared issues arising within the family law system.
- ❑ Each registry of the Family Court has established similar consultative processes through existing legal practitioner forums, family law pathways networks and court user groups. These forums aim to achieve better outcomes for clients through facilitating locally focussed discussion. They have also provided a means to build effective referral relationships to support the establishment of Family Relationship Centres.

The Court has also developed networks with culturally and linguistically diverse communities through its cultural diversity committee and with mental health providers and advocates through its Mental Health Project.

Individuals and organisations may also participate in the Court's policy formulation by making representations in writing, either directly to the Court, through the Family Law Council or through community consultations conducted by the Court.

CORPORATE GOVERNANCE

The Family Court has, as part of its corporate governance arrangements, appropriate mechanisms to manage general business and fraud risk.

Audit Committee

The Audit Committee provides advice to the Chief Executive Officer and the Court Management Group on the Family Court's control frameworks, externally published financial information and compliance with statutory obligations.

The Audit Committee considered a range of issues during the year including the Family Court's internal audit plan, strategic risk and fraud risk assessments, fraud control plan and oversight of the Australian National Audit Office (ANAO) and internal audit report recommendations.

It comprises a chairperson, three senior managers and an independent external member. Representatives from the ANAO and the Family Court's internal auditors also attend committee meetings as observers. Oakton Limited, the Family Court's internal auditors, provide the secretariat services for the Committee.

The Audit Committee meets five times a year in February, May, July, August and November.

Internal audit

The Court's internal audit services were provided by Oakton Limited and were monitored by the Audit Committee.

The 2007–08 internal audit plans were developed taking into account the risk drivers in the risk management plan and after discussion with the Audit Committee and the senior management team.

During the year the following internal audits were conducted:

- ❑ strategic risk assessment, fraud risk assessment and fraud control plan review
- ❑ personnel data and files follow-up audit
- ❑ change management review
- ❑ compliance certificate sampling review
- ❑ information technology change and release management audit
- ❑ follow-up audit of previous audit and review recommendations
- ❑ travel arrangements audit, and
- ❑ recruitment performance audit.

Reviews included in the 2006–07 internal audit plan that were finalised during the year include:

- ❑ information technology management and controls (disaster recovery plan)
- ❑ call centre performance, and
- ❑ learning and development review.

The Family Court's Audit Committee monitored the implementation of the report's recommendations through quarterly status reports.

With the expiry of the internal audit contract on 30 June 2007, an open tender process to implement a new audit contract was undertaken. Oakton Limited was selected and an official order was signed on 14 August 2007 for three years, with an option for extension of a further two periods of one year.

Risk management

The Family Court promotes a culture which supports the identification, analysis, assessment, treatment, monitoring and review of all strategic, operational, compliance and financial risks. This is supported by the Family Court's risk, control and compliance framework, a risk management approach grounded in the *Australian/ New Zealand Risk Management Standard AS/NZS 4360:2004*.

The risk control and compliance framework provides policies, procedures and tools to promote effective risk management. Through the framework the Court aims to provide better services and outcomes for judicial services, clients and staff. It is available on the intranet to all Family Court staff.

The Family Court continued to participate in the annual Comcover benchmarking survey which measures risk and assesses the extent of cultural change within agencies. The Family Court's overall result continued to improve, reflecting the implementation of the risk, control and compliance framework.

During 2007–08 the Family Court conducted its bi-annual strategic risk assessment in order to identify areas of significant operational and financial risk. The results of the risk assessment will be used by the Family Court's Audit Committee when considering the upcoming internal audit program. The treatment of identified risks is monitored via the Family Court's risk register database.

Financial risk

The Family Court manages financial risk in accordance with the risk, control and compliance framework. The relevant mechanisms are:

- ❑ risk assessments for annual business plans
- ❑ risk assessments for identified projects
- ❑ Chief Executive Instructions (CEIs) available to all staff on the intranet, and
- ❑ monthly financial reports to the Court Management Group and oversight by the Audit Committee.

Fraud prevention and control

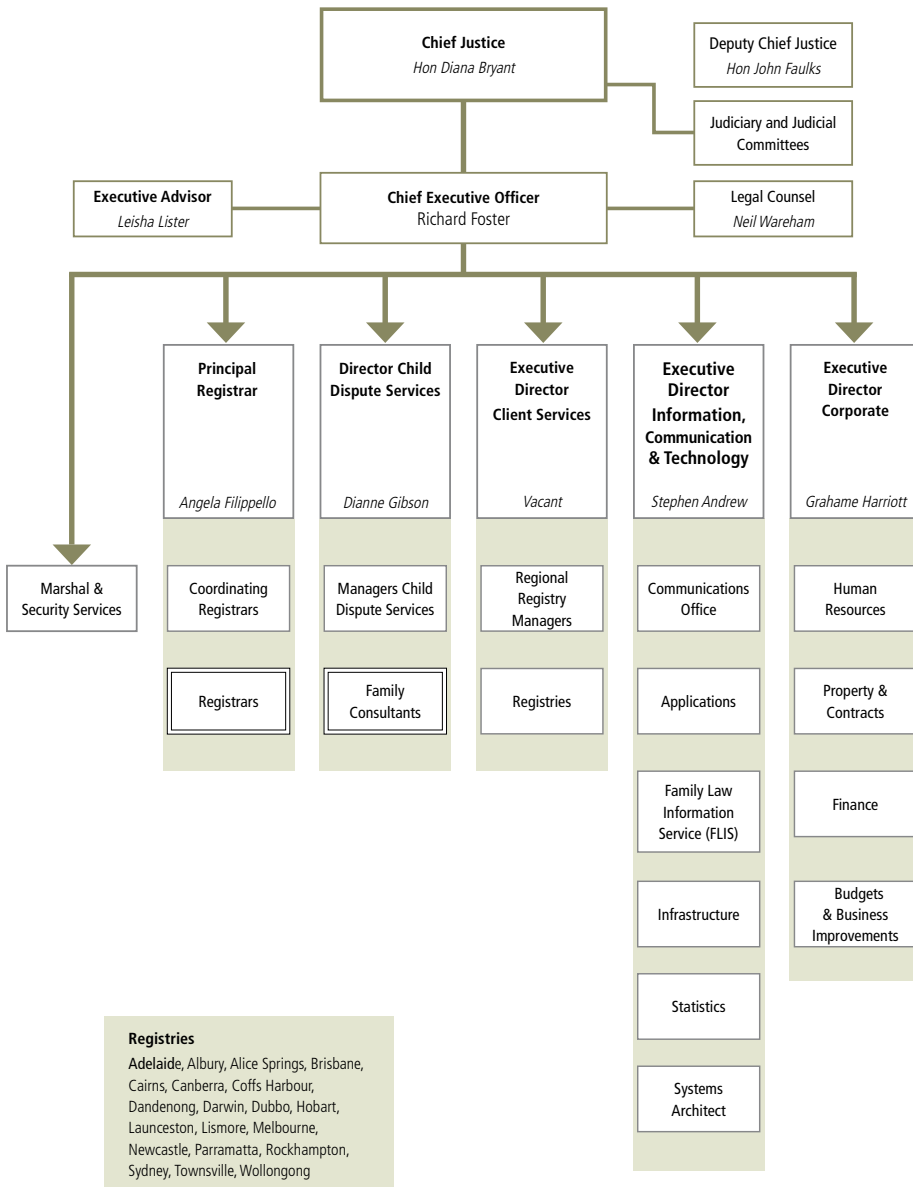
A new fraud control plan for 2007–09 was completed in December 2007. As part of this process, the Family Court assessed the risk of fraud in its activities and reviewed the effectiveness of fraud control strategies.

The Court's fraud investigation, reporting and data collection procedures meet the Court's needs and comply with the *Commonwealth Fraud Control Guidelines 2002*.

No instances or allegations of fraud against the Family Court were reported for 2007–08.

ORGANISATIONAL STRUCTURE OF THE FAMILY COURT OF AUSTRALIA

Figure 2.3: Organisational structure – 30 June 2008



==== Denotes professional responsibility

OUR PEOPLE

Chief Justice of the Family Court of Australia

The Chief Justice is responsible for ensuring the orderly and expeditious discharge of the business of the Court (section 21B *Family Law Act 1975*) and for managing its administrative affairs (section 38A *Family Law Act 1975*). The Chief Justice is assisted in judicial responsibilities by the Deputy Chief Justice (section 21B) and in administrative responsibilities by the Chief Executive Officer (section 38B). Currently the Chief Justice's chambers are located in the Melbourne Registry.

The Honourable Diana Bryant, Chief Justice

Chief Justice Bryant was appointed on 5 July 2004. She had previously been the inaugural Chief Federal Magistrate overseeing the establishment of the Federal Magistrates Court, a position which she held for four years.



The Honourable Diana Bryant, Chief Justice

At the time of her appointment as Chief Federal Magistrate, Chief Justice Bryant had been practising at the Victorian Bar for 10 years. She specialised in family law and de facto property disputes, particularly at appellate level, and was appointed Queen's Counsel in 1997.

Her Honour attended Melbourne University and was admitted to practise in Victoria in 1970 where she practised for several years. She then moved to Western Australia and was a partner with the firm of Lavan & Walsh (which became Phillips Fox) in Perth. She practised as a solicitor and counsel specialising in family law.

Chief Justice Bryant holds a Bachelor of Laws and Master of Laws degree. During her period in practise prior to her appointment to the Bench, Chief Justice Bryant served on many law societies and Bar committees as well as being a board member of Legal Aid both in Western Australia and Victoria. During her period in Western Australia, Chief Justice Bryant was a member of the board of Royal Perth Hospital and a Director of Australian Airlines. She received a Centenary Award in 2001.

Deputy Chief Justice of the Family Court of Australia

The Deputy Chief Justice assists the Chief Justice in the judicial administration of the Family Court. Particular responsibilities include case management, complaints about judges, the collection and strategic assessment of statistics, pastoral care and the oversight of the Court's committees. In the case of the absence of the Chief Justice, the Deputy Chief Justice performs and exercises the powers of the Chief Justice (s 24). Currently the Deputy Chief Justice's chambers are located in the Canberra Registry.

The Honourable John Faulks, Deputy Chief Justice

Deputy Chief Justice Faulks was appointed as a Family Court judge in 1994. He was appointed as Deputy Chief Justice on 25 June 2004.



The Honourable John Faulks,
Deputy Chief Justice

Prior to his appointment to the Family Court, Deputy Chief Justice Faulks was a senior partner of Phillips Fox, practising extensively in family law. His Honour was chairman of the Family Law Council of Australia from 1992 to 1995; a member of the Council between 1990 and 1992; president of the Law Council of Australia from 1987 to 1988; vice president from 1986 to 1987; and treasurer from 1984 to 1985. Deputy Chief Justice Faulks was admitted as a barrister of the Supreme Court of New South Wales in 1969 and holds a Bachelor of Laws degree from the Australian National University.

Chief Executive Officer of the Family Court of Australia

The Chief Executive Officer is appointed to assist the Chief Justice to administer the Court. The Chief Executive Officer's powers are broad (s 38D), although subject to directions from the Chief Justice (section 38D(3)). The Chief Executive Officer holds the responsibilities and powers of an agency head under Commonwealth financial management and public service legislation, but is appointed under similar terms as judicial officers. The Chief Executive Officer is supported by the staff of the National Support Office. The Chief Executive Officer is located in the National Support Office, Canberra.

Richard Foster PSM FAIM

Mr Richard Foster was appointed Chief Executive Officer in May 2000.



Richard Foster PSM FAIM
Chief Executive Officer

Mr Foster has spent his working life in court administration across many jurisdictions. Prior to his appointment, Mr Foster had extensive experience including positions such as the Executive Director Court Services, Ministry of Justice Western Australia; Registrar of the District Court in South Australia; and Registrar of the Magistrates Court of South Australia. Mr Foster is one of Australia's most senior court administrators and has extensive experience at senior management level working in the 'third arm of Government'.

Mr Foster has served as chair of the Australian Court Administrators Group; a member of the council of the Australasian Institute of Judicial Administration; chair of the Australasian Institute of Judicial Administration – Case Management Committee; chair of the Library Standards Committee; and a member of the Victorian Civil Justice Review Advisory Group. Mr Foster is also a life member of the South Australian Justice Administration Foundation; a fellow of the Australian Institute of Management; and is Vice President of the Australia and South East Asian region of the International Association for Court Administration.

In 2006, Mr Foster was awarded the Australian Public Service medal for his outstanding contribution to the area of courts administration.

Angela Filippello



Angela Filippello
Principal Registrar

Principal Registrar

Angela Filippello supports the judicial functioning of the Court through the provision of high level legal and procedural advice within the Court. Ms Filippello is responsible for overseeing the performance of registrars; exercising delegated quasi-judicial functions; managing important litigation matters involving the Court; providing legal training of chambers and judicial legal associates; and leading the strategic integration of legal policies, practices and procedures in the Court. The Principal Registrar's Chambers are located in the Brisbane Registry.

Dianne Gibson



Dianne Gibson
Director Child Dispute Services

Director Child Dispute Services

Dianne Gibson is responsible for advising the Chief Justice and the Chief Executive Officer on the provision of quality child dispute services to the Court and ensuring that the services delivered by the family consultants are effective and consistent with the strategic and business objectives of the Court. Ms Gibson also has responsibility for the development of strategic external relationships that promote and position the child dispute services of the Court within the family law framework.

Vacant



Vacant
Executive Director Client Services

Executive Director Client Services

The Executive Director Client Services is responsible for the delivery of client services in all family law registries and, within these registries, ensuring that high quality registry services and support are provided to all judicial officers, litigants and legal practitioners, consistent with the strategic and business objectives of the Family Law Courts.



Stephen Andrew
Executive Director Information,
Communication and Technology
Services

Stephen Andrew
Executive Director Information, Communication and Technology Services

Stephen Andrew is responsible to the Chief Executive Officer for providing vision, leadership, planning and coordination of the Court's information management and technology requirements and communication services.



Grahame Harriott
Executive Director Corporate

Grahame Harriott
Executive Director Corporate

Grahame Harriott is responsible to the Chief Executive Officer and provides strategic leadership and management of the Court's financial, human resources, property, and procurement services.

JUDICIAL OFFICERS OF THE FAMILY COURT

At the end of June 2008 there were 39 judges of the Court including the Chief Justice and Deputy Chief Justice.

Note: The date after the name of a judge in the following list is the date they were appointed to the Family Court or FCWA.

Chief Justice

The Honourable Justice Diana Bryant 05/07/2004

Deputy Chief Justice

The Honourable Justice John Faulks 12/10/1994

Judges assigned to Appeal Division

The Honourable Chief Justice Diana Bryant

The Honourable Deputy Chief Justice John Faulks

The Honourable Justice Mary Madeleine Finn

The Honourable Justice Ian Roy Coleman

The Honourable Justice Bernard John Warnick

The Honourable Justice Michelle May

The Honourable Justice Jennifer Margaret Boland

The Honourable Justice Stephen Ernest Thackray

(Chief Judge Family Court of Western Australia)

Judges

Adelaide

The Honourable Justice Christine Elizabeth Dawe 03/03/1997
(Regional Coordinating Judge, South Australia and Northern Territory)

The Honourable Justice Rodney Keith Burr AM 02/04/1998

The Honourable Justice Steven Strickland 22/11/1999

Brisbane

The Honourable Justice Graham Rodney Bell 27/02/1976

The Honourable Justice James Patrick O'Hara Barry 12/12/1983
(Regional Coordinating Judge, Queensland)

The Honourable Justice Bernard John Warnick 02/09/1991

The Honourable Justice Brian Edward Jordan 26/07/1994

The Honourable Justice Michelle May 05/09/1995

The Honourable Justice Elizabeth Madonna O'Reilly	10/01/2003
The Honourable Justice Timothy Francis Carmody	07/07/2003
The Honourable Justice Peter John Murphy	11/10/2007

Townsville

The Honourable Justice Alexander Robert Monteith	28/11/2000
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Melbourne

The Honourable Justice Nahum Mushin (Regional Coordinating Judge, Victoria and Tasmania)	26/10/1990
The Honourable Justice Sally Elizabeth Brown AM	23/11/1993
The Honourable Justice Linda Marion Dessau	20/06/1995
The Honourable Justice Heather Barbara Carter	01/06/1998
The Honourable Justice Michael Raymond Brock Watt	14/12/1998
The Honourable Justice Peter Young	26/08/2002
The Honourable Justice Victoria Jane Bennett	30/11/2005
The Honourable Justice Paul Cronin	20/12/2006

Hobart

The Honourable Justice Robert James Charles Benjamin	19/08/2005
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Canberra

The Honourable Justice Mary Madeleine Finn	02/07/1990
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Sydney

The Honourable Justice John Morris Cohen	01/02/1989
The Honourable Justice Colleen Ann Moore	18/04/1991
The Honourable Justice Stephen Richard O'Ryan	11/10/1994
The Honourable Justice Peter Isaac Rose	21/12/1998
The Honourable Justice Jennifer Margaret Boland	29/10/1999
The Honourable Justice Mark Frederick Le Poer Trench	10/10/2001
The Honourable Justice Garry Allan Watts	14/04/2005
The Honourable Justice Stuart Grant Fowler AM	16/11/2007

Parramatta

The Honourable Justice Ian Roy Coleman	18/04/1991
The Honourable Justice Lloyd Dengate Stacy Waddy RFD	01/07/1998
The Honourable Justice Robyn Sylvia Flohm	17/05/1999
The Honourable Justice David John Collier	19/07/1999
The Honourable Justice Janine Patricia Hazelwood Stevenson	18/05/2001

Newcastle

The Honourable Justice Graham Robert Mullane (Regional Coordinating Judge, New South Wales and Australian Capital Territory)	28/07/1986
The Honourable Justice Judith Maureen Ryan	31/07/2006

Judicial Registrars**Sydney**

Mr William Philip Johnston	22/01/1990
Mr Ian James Loughnan	06/11/1995

JUDICIAL OFFICERS OF THE FAMILY COURT OF WESTERN AUSTRALIA

Note: Judges of the Family Court of Western Australia also hold Commissions in the Family Court of Australia.

Chief Judge

The Honourable Justice Stephen Ernest Thackray	01/12/2004
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Judges

The Honourable Justice Carolyn Elvina Martin	19/11/1996
The Honourable Justice Julienne Penny	09/06/1999
The Honourable Justice Jane Crisford	14/12/2006
The Honourable Justice Stephen Dexter Crooks	22/10/2007

ADMINISTRATIVE APPEALS TRIBUNAL

Note: Some judges of the Family Court hold appointments in the Administrative Appeals Tribunal as Presidential Members.

The Honourable Justice Mary Madeleine Finn

The Honourable Justice James Patrick O'Hara Barry

The Honourable Justice Nahum Mushin

The Honourable Justice Christine Elizabeth Dawe

The Honourable Justice Robert James Charles Benjamin

APPOINTMENTS AND RETIREMENTS

Judges

Appointments

The Honourable Justice Stephen Dexter Crooks (Family Court of Western Australia)	22 October 2007
The Honourable Justice Stuart Grant Fowler AM	16 November 2007
The Honourable Justice Peter John Murphy	20 November 2007

Retirements

The Honourable Justice John Joseph Steele	15 January 2008
The Honourable Justice Joseph Victor Kay	25 February 2008
The Honourable Justice Paul Marshall Guest	05 May 2008

JUDICIAL REGISTRARS

Retirements

Ms Dianne Margaret Smith	03 August 2007
Mr Andrew Alderman Forbes	22 February 2008

FAMILY COURT SERVICE LOCATIONS

Table 2.1: Family Court Service Locations

Location	Judge/s	Registrar/s	Family Consultant/s	Client Services	Judicial circuit	Registrar circuit	Family Consultant circuit
Victoria/South Australia/Tasmania							
Adelaide	○	○	○	○			
Mt Gambier						○	
Dandenong		○	○	○			
Bairnsdale							○
Moe						○	
Hobart	○	○	○	○			
Launceston				○	○	○	○
Devonport						○	○
Melbourne	○	○	○	○			
Albury				○		○	
Ballarat						○	
Bendigo						○	
Geelong						○	
Hamilton						○	
Mildura						○	
Shepparton						○	
Warrnambool						○	
New South Wales/Australian Capital Territory							
Canberra	○	○	○	○			
Newcastle	○	○	○	○			
Port Macquarie						○	
Taree						○	
Tamworth						○	
Parramatta	○	○	○	○			
Bathurst						○	
Orange						○	
Sydney	○	○	○	○			
Dubbo				○		○	
Wollongong				○		○	
Northern New South Wales/Queensland/Northern Territory							
Brisbane	○	○	○	○			
Coffs Harbour						○	
Lismore				○		○	
Rockhampton				○		○	○
Darwin				○	○	○	
Alice Springs				○			
Townsville	○	○	○	○			
Cairns		○	○	○	○		
Mackay						○	○