



APPENDICES



APPENDIX 1 - RESOURCES FOR OUTCOME

Outcome 1

Serving the interests of the Australian community by ensuring families and children in need can access effective high quality services.

	Budget ^{1,7} 2007-08 \$'000	Actual expenses 2007-08 \$'000	Variation \$'000	Budget ^{2,5,7} 2008-09 \$'000
Administered Expenses	0	21	(21)	0
Total Administered Expenses	0	21	(21)	0
Price of Departmental Outputs				
Output Group 1.1 - Resolution				
Output 1.1.1 - Mediated Agreements	20,778	20,860	(82)	20,221
Output 1.1.2 - Consent Orders	3,428	3,442	(14)	3,336
Subtotal Output Group 1.1	24,206	24,302	(95)	23,557
Output Group 1.2 - Determination				
Output 1.2.1 - Divorces	10,262	10,303	(40)	9,987
Output 1.2.2 - Interim Orders	22,844	22,934	(90)	22,232
Output 1.2.3 - Final Orders	77,220	77,524	(304)	75,150
Output 1.2.4 - Appeals	6,263	6,288	(25)	6,096
Subtotal Output Group 1.2	116,590	117,049	(459)	113,465
Revenue from Government for Departmental Outputs ⁴	130,377	129,377	1,000	126,603
Revenue from other sources ³	10,419	13,413	(2,994)	10,419
Total Price of Outputs	140,796	141,351	(555)	137,022
TOTAL FOR OUTCOME 1 (Total price of Outputs and Administered Expenses)	140,796	141,371	(575)	137,022
			2007-08	2008-09
Average Staffing Level ⁶			656	654

1 Full-year budget, including additional estimates.

2 Budget prior to additional estimates.

3 Includes liabilities assumed by other Government Agencies for Judicial pensions and services provided free of charge.

4 Actual figure includes accrued appropriations associated with Judicial pay increases.

5 The Court's Outcome and Outputs were revised for 2008/09 (see page 238 of Attorney General's Portfolio, Portfolio Budget Statements 2008/09). To allow comparison, the budget figures shown are reflected in the same manner as the previous Outcome and Outputs, using the last updated Output breakdown.

6 The ASL figures for 2007-08 are based on actual ASL and the 2008-09 are based on budgeted ASL (per Attorney General's Portfolio Budget Statements 2008/09).

7 Budget is per the Departmental income statement published in the Attorney General's Portfolio Budget Statements 2008/09.

APPENDIX 2 - COURT COMMITTEES

Chief Justice's Policy Advisory Committee

The Chief Justice's Policy Advisory Committee (CJPAC) meets quarterly to support the Chief Justice in the administration of the Court and to provide Her Honour with strategic advice and policy direction, particularly in relation to legislative, procedural and administrative changes likely to affect the Family Court and its users. Membership of the Policy Advisory Committee during 2007–08 comprised:

The Hon. Chief Justice Bryant

The Hon. Deputy Chief Justice Faulks

The Hon. Justice Finn

The Hon. Justice Barry (replacing the Hon. Justice Carmody)

The Hon. Justice Mullane

The Hon. Justice Mushin

The Hon. Justice Dawe

The Hon. Justice Watt

The Hon. Justice Le Poer Trench

Mr Richard Foster, Chief Executive Officer

Ms Angela Filippello, Principal Registrar

Rules Committee

The Rules Committee is established under section 123 of the *Family Law Act 1975*, which provides that a majority of judges may make rules of Court in relation to practices and procedures to be followed in the Family Court of Australia.

The Rules Committee meets monthly to consider proposed changes to the *Family Law Rules 2004* with a view to improving the efficiency, accessibility and cost effectiveness of the Family Court for its clients. The Rules Committee also undertakes detailed consideration of discrete issues as required, such as the rules governing single expert witnesses.

The Chair of the Rules Committee is Justice Watt.

Other committees

The Court also has a number of other standing committees that meet by 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

Committee highlights

The **Professional Development Committee** meets regularly to discuss policies and programs designed to support judges and judicial development. The Committee also plays an important role in developing education programs for the Judges' Annual Conference.

The **Law Reform Committee's** work during the year included consideration of the following:

- ❑ Draft Hague convention for the international enforcement of child support and child maintenance payments and discussion paper prepared by the Child Support Agency.
- ❑ Amendments to various provisions of the *Family Law Act 1975* including further iterations of the proposed legislation to implement the referral of power by some States to the Commonwealth to make laws in relation to property adjustments and maintenance for de facto couples and the consequent *Family Law Amendment (De Facto and Other Measures) Bill 2008* introduced to Parliament in June 2008.
- ❑ Vexatious Proceedings Bill.

The Committee also considered and in some instances prepared submissions in relation to discussion papers and reports significant to the work of the Court and the family law system including:

Australian Law Reform Commission (ALRC) discussion papers

- ❑ *Review of Australian Privacy Law* – the ALRC's final report has since been released in August 2008
- ❑ *Client legal privilege and federal investigatory bodies* – the ALRC's final report was released in 2008

Family Law Council discussion papers and reports

- ❑ Discussion paper: *Collaborative Practice in Family Law*
- ❑ Report: *Improving Post Parenting Order Processes*
- ❑ Discussion paper: *The answer from an Oracle: Arbitrating family law property and financial matters*

The *Federal Courts' Joint Costs Advisory Committee*, chaired by Justice Benjamin and comprising representatives from each court, was established by the federal courts in September/October 2007 following the disbanding of the Federal Costs Advisory Committee which had been sponsored and supported by the Commonwealth Attorney-General's Department. The Committee's primary functions are to review and recommend variations in the quantum of costs contained in the rules made by the federal courts and advise on other related matters arising as referred by a federal court.

During the 2007–08 financial year, the Committee held two meetings whereby they established a timetable for the review of the current scales of costs contained in the rules of the federal courts and called for submissions from the public and the profession. The Committee also gave consideration to the harmonisation of the individual court's current scales of costs and of the forms used by all the federal courts where parties apply for an exemption or waiver from the payment of filing and hearing fees.

The external evaluation of the Magellan program commissioned by the *National Magellan Committee* was released in October 2007. The study found that Magellan cases, when compared with cases with similar features managed through a standard trial, were found to:

- ❑ be resolved more quickly, with the total length of the case from application to finalisation shorter by an average of 4.6 months
- ❑ have greater involvement of the statutory child protection department, as demonstrated by the number of investigations, the evidence on file of the department planning to give evidence at trial, and the preparation of a short, focused "Magellan Report" presented to the Court early in the matter)
- ❑ have fewer Court events
- ❑ be dealt with by fewer different judicial officers, and
- ❑ be more likely to settle early.

Key agency representatives and lawyers who participated in interviews and focus groups identified the level of cooperation between all agencies involved and particularly child protection departments as critical to Magellan's success.

APPENDIX 3 - JUDICIAL ACTIVITIES

In addition to hearing and determining cases, the Family Court's judges and judicial registrars actively contribute to the development of the law both in Australia and internationally. This is achieved through attending conferences and seminars, presenting papers, addressing professional associations and community-based organisations, meeting international delegations and liaising with judicial colleagues around the world.

Many judges and judicial registrars also serve as members of organising committees for conferences as well as working in the community with legal and cultural organisations.

CHIEF JUSTICE'S ACTIVITIES

A summary of the Chief Justice's engagements for 2007–08 is below.

Conferences attended

23 July 2007	Symposium of Chief Judges of Family Courts	Singapore
9–11 August 2007	Family Court Judges' Conference	Melbourne
8–9 November 2007	New Zealand CLE Family Law Conference 2007	Christchurch, New Zealand
27 March 2008	30th meeting of the Council of Chief Justices of Australia	Ayers Rock
3–5 April 2008	Family Court Judges' Conference	Adelaide
7–11 April 2008	13th National Family Law Section Conference	Adelaide
28–31 May 2008	45th Association of Family & Conciliation Courts Conference	Vancouver, Canada
12–14 June 2008	Australian Women Lawyers Conference Creating Justice	Melbourne

Speaking engagements

14 October 2007	Cultural Issues and the Family Court of Australia, 25th Australia Institute of Judicial Administration annual conference	Melbourne
3 December 2007	Introductory address to the Regional Consultation for Judges & Magistrates on Human Rights Conventions & Standards & their Application To Domestic Law, Policy & Practice	Brisbane
17 December 2007	Launch of 'Australian Family Law - the Contemporary Context'	Melbourne
12–13 February 2008	A Fair Go for All: Access and Equity in the Family Court of Australia	Jakarta, Indonesia
27 May 2008	'History, development and implementation of the Less Adversarial Trial process in Australia' at 45th AFCC	Vancouver, Canada
13 June 2008	Keynote speaker - Australian Women's Lawyers Conference	Melbourne

OTHER JUDICIAL ACTIVITIES

Conferences attended by judges and judicial registrars in the reporting year include the 70th annual National Council of Juvenile and Family Court judges in San Francisco, the Australian Judicial Conference, Legal Services Commission round table and the 13th National Family Law Section Conference.

Many judges and judicial registrars are involved in organising local, national and international conferences, including the International Committee, World Congress on Family Law and Children's Rights and the Australian Institute of Judicial Administration annual conference.

Judges and judicial registrars also contribute to professional legal development through their membership of professional and research-based associations. The Family Court has been consistently represented on the Family Law Council. Judges and judicial registrars are also members of the Council of the Australian Institute of Judicial Administration, the Governing Council of the Judicial Conference of Australia, the Advisory Board, Family Law Practice for the NSW College of Law, Children's Rights International, Melbourne University Law School, and the National College of Judicial Education.

APPENDIX 4 - CONTACT DETAILS

CHIEF JUSTICE'S CHAMBERS

Owen Dixon Commonwealth Law Courts
305 William Street, Melbourne
(GPO Box 9991, Melbourne VIC 3001)

DEPUTY CHIEF JUSTICE'S CHAMBERS

Nigel Bowen Commonwealth Law Courts
Cnr University Avenue & Childers Street, Canberra ACT
(GPO Box 9991, Canberra ACT 2601)

NATIONAL SUPPORT OFFICE

Chief Executive Officer
15 London Circuit, Canberra ACT
(GPO Box 9991, Canberra ACT 2601)

Family Court website www.familycourt.gov.au
Family Law Courts website www.familylawcourts.gov.au

NATIONAL ENQUIRY CENTRE

The National Enquiry Centre (NEC) is the entry point for all telephone and email enquiries on Family Law Court (Family Court of Australia and Federal Magistrates Court of Australia) matters. The NEC provides information and procedural advice, forms and brochures and referrals to community and support services. NEC staff can not provide legal advice.

PO Box 9991, Parramatta NSW 2124
Phone: 1300 352 000
TTY: 1300 720 980
International: +61 2 8892 8590
Email: enquiries@familylawcourts.gov.au

Family law registries

Family law registries provide registry services to both the Family Court of Australia and the Federal Magistrates Court of Australia. The key functions of the registries are:

- ❑ To provide information and advice about Court procedures, services and forms, as well as external options and referrals to community organisations and to provide understanding to enable clients to take informed and appropriate action.
- ❑ To ensure that information available is provided in an accurate and timely fashion to support the best outcome through file management and quality assurance – from the initiation of proceedings, to hearing and to archiving.
- ❑ To make the best use of Court time by facilitating an orderly secure flow of clients, files and exhibits.
- ❑ To enhance community confidence and respect by responding to clients' needs and assisting with making the Court experience a more positive one.

- ❑ To progress cases by providing administrative services in accordance with Court processes and to manage external relationships to assist with the resolution of cases
- ❑ To schedule and prioritise matters for hearing and intervention to achieve the earliest resolution.
- ❑ To monitor and control the flow of cases.
- ❑ To assist in the evaluation of caseloads by reporting on trends and exceptions to facilitate improvements in processes and allocation of resources.

ADELAIDE

Roma Mitchell Commonwealth Law Courts
3 Angas St, Adelaide
(GPO Box 9991, Adelaide SA 5001)

ALBURY

463 Kiewa Street, Albury
(PO Box 914, Albury NSW 2640)

ALICE SPRINGS

Hartley St, Alice Springs
(PO Box 9991, Alice Springs NT 0871)

BRISBANE

Harry Gibbs Commonwealth Law Courts
Cnr North Quay & Tank Streets, Brisbane
(GPO Box 9991, Brisbane QLD 4001)

CAIRNS

Levels 3 & 4, 104 Grafton Street, Cairns
(PO Box 9991, Cairns QLD 4870)

CANBERRA

Nigel Bowen Commonwealth Law Courts
Cnr University Avenue & Childers Street, Canberra
(GPO Box 9991, Canberra ACT 2601)

DANDENONG

53–55 Robinson Street, Dandenong
(PO Box 9991, Dandenong VIC 3175)

DARWIN

80 Mitchell Street, Darwin
(GPO Box 9991, Darwin NT 0800)

DUBBO

Cnr Macquarie & Wingewarra Steets, Dubbo
(PO Box 1567, Dubbo NSW 2830)

HOBART

Edward Braddon Commonwealth Law Courts
39–41 Davey Street, Hobart
(GPO Box 9991, Hobart TAS 7001)

LAUNCESTON

Level 3, Cnr Brisbane and George Streets, Launceston
(PO Box 9991, Launceston TAS 7250)

LISMORE

Level 2, 29–31 Molesworth Street, Lismore
(PO Box 9, Lismore NSW 2480)

MELBOURNE

Owen Dixon Commonwealth Law Courts
305 William Street, Melbourne
(GPO Box 9991, Melbourne VIC 3001)

NEWCASTLE

61 Bolton Street, Newcastle
(PO Box 9991, Newcastle NSW 2300)

PARRAMATTA

Garfield Barwick Commonwealth Law Courts
1–3 George Street, Parramatta
(PO Box 9991, Parramatta NSW 2123)

ROCKHAMPTON

Level 4, Cnr East & Fitzroy Streets, Rockhampton
(PO Box 9991, Rockhampton QLD 4700)

SYDNEY

Lionel Bowen Commonwealth Law Courts
97–99 Goulburn Street, Sydney
(GPO Box 9991, Sydney NSW 2001)

TOWNSVILLE

Level 2, 143 Walker Street, Townsville
(PO Box 9991, Townsville QLD 4810)

WOLLONGONG

Level 1, 43 Burelli Street, Wollongong
(PO Box 825, Wollongong NSW 2500)