

Issues	
<i>Please indicate which issues from the committee's Terms of Reference are relevant to your submission</i>	
a. ongoing issues and further improvements relating to the interaction and information sharing between the family law system and state and territory child protection systems, and family and domestic violence jurisdictions, including: <ul style="list-style-type: none"> i. the process, and evidential and legal standards and onuses of proof, in relation to the granting of domestic violence orders and apprehended violence orders, and ii. the visibility of, and consideration given to, domestic violence orders and apprehended violence orders in family law proceedings; 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. the appropriateness of family court powers to ensure parties in family law proceedings provide truthful and complete evidence, and the ability of the court to make orders for non-compliance and the efficacy of the enforcement of such orders;	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. beyond the proposed merger of the Family Court and the Federal Circuit Court any other reform that may be needed to the family law and the current structure of the Family Court and the Federal Circuit Court;	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
d. the financial costs to families of family law proceedings, and options to reduce the financial impact, with particular focus on those instances where legal fees incurred by parties are disproportionate to the total property pool in dispute or are disproportionate to the objective level of complexity of parenting issues, and with consideration being given amongst other things to banning 'disappointment fees', and: <ul style="list-style-type: none"> i. capping total fees by reference to the total pool of assets in dispute, or any other regulatory option to prevent disproportionate legal fees being charged in family law matters, and ii. any mechanisms to improve the timely, efficient and effective resolution of property disputes in family law proceedings; 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
e. the effectiveness of the delivery of family law support services and family dispute resolution processes;	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
f. the impacts of family law proceedings on the health, safety and wellbeing of children and families involved in those proceedings;	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. any issues arising for grandparent carers in family law matters and family law court proceedings;	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
h. any further avenues to improve the performance and monitoring of professionals involved in family law proceedings and the resolution of disputes, including agencies, family law practitioners, family law experts and report writers, the staff and judicial officers of the courts, and family dispute resolution practitioners;	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
i. any improvements to the interaction between the family law system and the child support system;	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
j. the potential usage of pre-nuptial agreements and their enforceability to minimise future property disputes; and	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
k. any related matters	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Your submission

Please provide a brief summary of your experience and any relevant issues. Your submission should respond to one or more of the committee's Terms of Reference (letter sent to my local member [REDACTED]. About lawyers rip offs)

16-1-18

*[REDACTED],
a long and difficult time spent where the lawyer I engaged
to help with my access to my children and divorce failed to follow my requests. Thus costing me a lot of
money to which I didn't have. Apprx. 10,000 plus.*

Time frame is approx. 1 year. In 2016-2017.

*It follows as I was very upset that my lawyer ignored my request to not push for [REDACTED] court, due to
what it may do with my relation with my daughters. They kept sending me letters which I ignored as my
anxiety and state of mind couldn't handle this. I then contacted the office of law ombudsmen nsw. Gave
them all the information. And still had things my lawyer posted in this time. They took over 3 months to
reply to me, even though they said it would be 3-4 weeks. In this time no-one ever called to speak to me
to get a better assessment of my plea. And totally due to their fault, I was issued by my lawyer a suing
notice for not paying \$348. This then counted up a total bill of \$900+ . I pleaded with the ombudsmen to
sort this out. They did not. And failed me completely. I was devastated. I now had a bill of over \$000
from my exs lawyer..due to my lawyer not cancelling the case when I asked. And now \$900 bill.*

Defeated I have struggled to pay these.

*Why am I writing to you. To ask you to help to reclaim this money from a disgusting system that fails
people. My lawyer incompetence and the law ombudsmen failure to contact my lawyer at all when I first
sent my plea.*

*I also was placed with 2 separate avo's . I had done nothing both times. And my children were denied my presence for a
period of 12 months. A so called trauma counsellor topok my exs poisonous stories and turned my children against me.
Saying I was a perpetrator. I never was. The police came to the office I worked in, with guns and batons on. Walked thru
the office to hand me the avo. Pathetic.*

*Get rid of the courts and lawyers. Stop people feeding off a very emotional situation. And false DV claims is rife. I have
experienced this personally. My parent have had difficulty with contact of their grandchildren due to false claims from my
ex. About them to my children.*

*And yes I can understand men committing suicide after being pushed to limits beyond anyones imagination. We all need
respect.*

Proposed solutions

Please indicate any proposed solutions you may have that correspond to the committee's Terms of Reference

- a. ongoing issues and further improvements relating to the interaction and information sharing between the family law system and state and territory child protection systems, and family and domestic violence jurisdictions, including:
 - i. the process, and evidential and legal standards and onuses of proof, in relation to the granting of domestic violence orders and apprehended violence orders, and*
 - ii. the visibility of, and consideration given to, domestic violence orders and apprehended violence orders in family law proceedings;**
- b. the appropriateness of family court powers to ensure parties in family law proceedings provide truthful and complete evidence, and the ability of the court to make orders for non-compliance and the efficacy of the enforcement of such orders;*
- c. beyond the proposed merger of the Family Court and the Federal Circuit Court any other reform that may be needed to the family law and the current structure of the Family Court and the Federal Circuit Court;*
- d. the financial costs to families of family law proceedings, and options to reduce the financial impact, with particular focus on those instances where legal fees incurred by parties are disproportionate to the total property pool in dispute or are disproportionate to the objective level of complexity of parenting issues, and with consideration being given amongst other things to banning 'disappointment fees', and:
 - i. capping total fees by reference to the total pool of assets in dispute, or any other regulatory option to prevent disproportionate legal fees being charged in family law matters, and*
 - ii. any mechanisms to improve the timely, efficient and effective resolution of property disputes in family law proceedings;**
- e. the effectiveness of the delivery of family law support services and family dispute resolution processes;*

f. the impacts of family law proceedings on the health, safety and wellbeing of children and families involved in those proceedings;

g. any issues arising for grandparent carers in family law matters and family law court proceedings;

h. any further avenues to improve the performance and monitoring of professionals involved in family law proceedings and the resolution of disputes, including agencies, family law practitioners, family law experts and report writers, the staff and judicial officers of the courts, and family dispute resolution practitioners;

i. any improvements to the interaction between the family law system and the child support system;

*j. the potential usage of pre-nuptial agreements and their enforceability to minimise future property disputes;
and*

k. any related matters