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Final Qtrs 03-04

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FAMILY COURT OF AUSTRALIA
Joint Standing Committee on Public Accounts and Audit
Responses to Questions on Notice – 4 April 2005

1. Response to Question from the Chair (p.7)

"Can you on notice submit [the existing memorandum of understanding with the Federal Magistrates Court] as an exhibit to this committee?"

Answer: Copy of the MoU of 1 July 2004 is attached.

2. Response to Chair question (p. 8):

"Could you perhaps advise what the average time to finalise a matter in each of your courts is?"

Answer: 75% of Final Orders Applications disposed of – filing to finalisation

Registry	2003/04 (in months)
Adelaide	16
Brisbane	16
Canberra	19
Dandenong	9
Darwin	17
Hobart	10
Melbourne	16
Newcastle	13
Parramatta	10
Sydney	12
Townsville	13

3. Response to Chair question (p.8)

"Regarding the time frame for the settlement of matters, are those who are self represented in court taking longer than those who are represented by legal counsel?"

Answer: The Court has no data that indicates there is any difference in the time taken to finalise for matters without legal representation.

4. Response to Ms King (p.10)

"...do you have statistics going back prior to 2001? [re rate of self representation in the Court]"

Answer: There is no research available on this that pre-dates the report commissioned by the Court and published in 2000 by Prof John Dewar, Barry Smith and Cate Banks *"Litigants in Person in the Family Court of Australia"*.

5. Response to Mr Laming (p.11)

" Can we look at the outcomes, judgments and legal decisions that are being made in the two courts to know that, effectively, regardless of which court you end up in, the chances of having the same outcome are equal? Do you actually look at outcomes?"

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Answer: The Court has no knowledge of any such research being undertaken. It is unlikely that any comparison would be meaningful given the different purposes and jurisdictions of the two Courts.