SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Federal Circuit Court of Australia

Question No. AE17/060

Senator Pratt asked the following question at the hearing on 28 February 2017:

1.   What percentage of matters heard in the Federal Circuit Court involve a self-represented litigant?
2.   Has the number of self-represented litigants changed in recent years?
3.   Do self-represented litigants in the Federal Circuit Court impact on the ability of the Court to deal with matters efficiently? Does an increase in self-represented litigants impact on workflow for Court staff (not just the judiciary but the ancillary staff, like Family Consultants, Registrars, Court Officers and clerks)?

The answer to the honourable senator's question is as follows:

1.   The percent of Final Orders applications by party legal representation for Financial YTD at 28 Feb 2017 in the Court's federal and family law jurisdictions is as follows:

Both parties have representation (no SRL)	70.7%
Neither party has representation (both SRL)	5.0%
One party has representation (at least one SRL)	24.3%

Parties may have legal representation at particular points in the life of their matter and but not at others. The above data may not always capture all such changes in representation.

2.   Representation rates vary considerably across the Court's various jurisdictions and also different matter types.

3.   There is difficulty in quantifying the impact on workflow for court staff. Anecdotally, self-represented litigants require more assistance throughout the proceedings in explaining court processes and procedures. This occurs from the time of filing and throughout various court events. In an effort to address the needs of self-represented litigants, and ensure consistent and appropriate information is provided, the court has developed a range of publications and resources to assist litigants, including "How do I…" pages on the court's website and development of You Tube videos to assist litigants.