

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
FAMILY COURT OF AUSTRALIA

Question No. 129

Senator Ludwig asked the following question at the hearing on 24 May 2007:

- a) Could you provide a list of the reading materials that are made available to persons who are undergoing divorce?
 - i) Broken down into:
 - 1. Material targeted at children
 - 2. Material targeted at parents
 - 3. Material targeted at non-parent adults
- b) For each of those types of reading material, indicate:
 - i) When it was produced;
 - ii) When it was last reviewed;
 - iii) Whether it was updated as a result of the review;
 - iv) Whether there is any intention to review it.
- c) What feedback is sought from the public on this reading material?

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

a) As a result of the 2003/04 ANAO Audit Report, the courts (Family Court of Australia and the Federal Magistrates Court) have worked together to produce a number of joint brochures.

A review of both Courts brochures resulted in the creation of joint brochures which provide information that applies to both jurisdictions. This was created in order to avoid duplication.

The Family Court conducts less than 0.1% of divorces filed in the Family Law Courts. The Federal Magistrates Court deals almost exclusively with divorce applications and therefore develops the majority of information pertaining to divorce applications.

The information provided to clients of the Family Law Courts in relation to divorce proceedings is available via the Family Law Court Registries, the Family Law Courts CD Mailer, the Family Law Courts website (www.familylawcourts.gov.au), the Family Court of Australia website (www.familycourt.gov.au) and/or the Federal Magistrates Court website (www.fmc.gov.au).

A large proportion of the joint brochures and fact sheets were released in July 2006 due to the introduction of the *Family Law Amendment Act 2006* and the introduction of the combined Family Law Courts website.

1. Material targeted at children

Questions and Answers about Separation for Children - This publication was developed by the Family Court of Australia Counselling Unit in 2001. This booklet is distributed widely through the Family Law Court Registries and remains one of the most requested brochures by Community Based Organisations.

b)i)-iv): The content is generic and has not undergone a review.

2. Material targeted at parents

Children and Separation – A Guide for Parents - This publication was developed by the Family Court of Australia in 2001. This booklet remains one of the most requested brochures from Community Based Organisations and is distributed widely through registries.

b)i)-iv): Like the above mentioned booklet, the content is generic and has not undergone a review.

Me & My Kids – Parenting from a Distance - This booklet was developed by the Child Support Agency with contributions made by the Family Court in 2002. The Family Court stores a large number of these booklets to distribute to all family law clients.

b)i)-iv): The Family Court is not aware of any reviews or updates, however the Child Support Agency has developed other booklets (Me & My Ex; Me & My Money and What About Me) which are based on this very successful publication.

Because it's for the Kids - This publication was developed by Dr Jennifer McIntosh in conjunction with the Attorney-General's Department. The Family Court has been the central distribution agency for this publication on behalf of the Department.

b)i)-iv): The content is generic and has not undergone a review.

Marriages, Families and Separation - This brochure was developed by the Family Court of Australia. All clients who file a divorce application in the Family Law Courts receive a copy of this brochure from either Family Law Court Registry staff or from their legal practitioner if they are represented at the time of filing.

b)i)-iv): This brochure was reviewed in 2006 and re-released in 2007 in consultation with the Federal Magistrates Court as part of the introduction of the legislative changes and the Combined Registry Project. Ongoing reviews will continue as required.

Divorce Kit - This kit was developed by the Family Court of Australia prior to the establishment of the Federal Magistrates Court. The kit is distributed to all family law clients through staff at the Family Law Courts Registries.

b)i)-iv): The kit was last reviewed in 2006 with an updated kit released in February 2007. The Federal Magistrates Court has assumed responsibility for the maintenance of the content of this publication. Ongoing reviews will continue as required.

Divorce Service Kit - This kit was developed in 2006 by the Federal Magistrates Court as a Family Law Courts publication. The kit is distributed to clients by Family Court staff through Family Law Registries.

b)i)-iv): The kit was developed in 2006. Ongoing reviews will continue as required.

3. Fact Sheets

The following fact sheets were developed by the Family Court of Australia, in consultation with the Federal Magistrates Court, as Family Law Courts publications:-

- *Have you been married less than two years?*
- *Are you having trouble serving your divorce application?*
- *Separated but living under one roof?*
- *Legal words used in court*
- *What Family Law Court staff can and cannot do for clients*
- *Court Fees*

4. Material targeted at non-parent adults

There are no specific publications targeted at non-parent adults seeking a divorce. However, the majority of the material presented above also apply to this client group.

c) What feedback is sought from the public on this reading material?

When reading material, forms and publications are produced or reviewed, the Court ensures that the following groups are consulted when required:

- Key staff from both jurisdictions
- the Attorney-General's Department
- Legal Aid Commissions
- the Family Law Section of the Law Council of Australia?

External client groups and stakeholders have also been consulted in relation to targeted information to assist in the initial development of the reading material, and also the review of existing information. Any comments that are received from the community of clients of the Courts, via email or in writing, are included in discussions when publications are reviewed.