



Family Dispute Resolution at the Strathpine Family Relationship Centre

- Answering your Questions -

WHEN SHOULD I USE FAMILY DISPUTE RESOLUTION?

When couples separate, they need to make many decisions that will affect both of them. These decisions may be about:

- Practical issues, such as who leaves the former joint home, and when
- Children's issues, such as living arrangements, contact arrangements, transport, parenting plans and financial support
- Personal issues, such as how to tell the children and the family about separation
- Property issues that impact upon your children.

At the *Strathpine Family Relationship Centre*, an impartial and specially trained family dispute resolution practitioner can assist separating couples to negotiate joint decisions about these or other issues, despite strong emotions and past communication difficulties. Family dispute resolution is a process that people can use to try to genuinely resolve their dispute with a minimum of fuss and expense.

WHAT IS THE FAMILY DISPUTE RESOLUTION PROCESS?

The process of family dispute resolution involves these steps:

- A family dispute resolution practitioner has a confidential conversation ("intake") with each party to ensure that family dispute resolution is appropriate and to prepare the parties for family dispute resolution. This intake is done by phone or in person. This conversation also helps each party to identify precisely what is in dispute.
- If there has been physical or emotional abuse in a relationship, or if there are other safety concerns, family dispute resolution may not be suitable. We will talk to both parties about this during the intake interview. If there is a Domestic Violence Order, we must see a copy. We will tell you if we consider your case unsuitable for family dispute resolution, or if special arrangements are necessary (e.g. parties to be in separate rooms).
- Then, at a later date, the parties come together with the family dispute resolution practitioner for the family dispute resolution session, where they explore each other's needs and interests, and those of their children.
- The parties explore possible solutions, taking one problem at a time.
- Together, the parties select the most suitable solution(s).
- The parties draft a written agreement, with the family dispute resolution practitioner's help. This agreement will not be legally binding. The family dispute resolution practitioner can talk to you about how the agreement can be made legally enforceable.

WHAT ARE THE BENEFITS OF FAMILY DISPUTE RESOLUTION?

- Your children are at less risk of being harmed by ongoing and unresolved conflict between the two of you.
- Greatly reduced financial and emotional costs and saving of time, compared with going to court.
- You make your own decisions about your life and the lives of your children rather than having a judge decide.
- Your continuing relationship (eg, as parents) is likely to work better in the future.
- All information provided and discussed between family dispute resolution Practitioner and clients is confidential. (Confidentiality may be waived when matters of child protection or serious threats to life or property arise.)
- It's free! You are entitled to a free intake session and a free three-hour family dispute resolution session at the *Strathpine Family Relationship Centre*.

WHAT INVOLVEMENT DO CHILDREN HAVE?

At the *Strathpine Family Relationship Centre*, we consider that children should not become embroiled in their parents' dispute or asked to "take sides". We believe in helping the parents make decisions in the best interests of their children.

HOW IS MY LAWYER INVOLVED?

- Lawyers do not attend family dispute resolution sessions at the *Strathpine Family Relationship Centre*.
- We recommend that parties obtain legal advice before attending family dispute resolution. If you know your legal rights and obligations before family dispute resolution, you will be in a better position to make informed and workable decisions with your ex-partner. Your lawyer may help you devise proposals to put forward at family dispute resolution. You are also welcome to consult with your lawyer over the telephone during the family dispute resolution and after sessions.
- Inform your lawyer that you are trying family dispute resolution and you are engaging him or her for information about your options at this stage.
- If agreements are reached at family dispute resolution, you can consult with your lawyer about them, and engage your lawyer to file them in court so that the agreements become a Court Order.
- If you are concerned about costs, find out your lawyer's hourly fee for advice when you call to make your appointment. Lawyer's rates vary.
- We have a list of lawyers who have expressed an interest in providing services to our Family dispute resolution clients. Alternatively, you could contact the Queensland Law Society on (07) 3842 5842 or www.qls.com.au for a list of Family Law Specialists in your locality.

HOW DO I PREPARE FOR FAMILY DISPUTE RESOLUTION?

- **Parenting and Property Prompt Sheets**
These will be sent to you prior to family dispute resolution to give you ideas about issues you may need to discuss. They may also assist you to take the relevant information to your lawyer when getting legal advice.
- **Full disclosure**
As part of the family dispute resolution process, each party is required to make full and frank disclosure of all relevant financial and children's issues. Family dispute resolution is only useful if both parties make this disclosure.
- **Think About the General Issues**
Think about the issues that you want to resolve at family dispute resolution. You will each be asked to make an opening statement at the commencement of the family dispute resolution session. From those statements, the family dispute resolution practitioner will prepare an agenda of issues to be discussed.
- **Think about your proposals, and be willing to listen**
After the issues have been listed, the family dispute resolution practitioner will help you work through each issue individually. You will be asked about your ideas for resolving the issues, and you can listen to and consider the other person's ideas and proposals.

HOW MUCH DOES FAMILY DISPUTE RESOLUTION COST?

At the *Strathpine Family Relationship Centre*, your intake appointment and the first three hours of joint family dispute resolution is free – that is, the service is provided at no cost to you.

A fee may apply (depending on your financial circumstances) should you require further family dispute resolution sessions after your three free hours have been completed.

WHAT FAMILY DISPUTE RESOLUTION IS NOT

- Family dispute resolution is not an opportunity for you to abuse your former-partner. We expect you to treat your former-partner and the family dispute resolution practitioner with respect.
- Family dispute resolution is unlikely to work if you make claims that your lawyer has advised you are not reasonably achievable.
- Family dispute resolution may not be suitable for couples if one or both of them have continuing, overwhelming emotions concerning the separation. We may suggest personal counseling for one or both parties to help them prepare for a family dispute resolution at a later time.

- The family dispute resolution practitioner is not a judge. The family dispute resolution practitioner will not decide who is right or wrong or who is being reasonable or unreasonable. You do not need to convince the family dispute resolution practitioner to agree with your point of view, as they will remain impartial throughout the process.
- Family dispute resolution does not result in a legally enforceable agreement. A written copy of all agreements reached at family dispute resolution will be given to each party. You then have the option of making your agreement into a Parenting Plan, or taking that document to your lawyer to have it transferred into a Court Order.

WHAT NEXT?

If you are interested in trying family dispute resolution at the *Strathpine Family Relationship Centre*, call us on 3423 6962 and make an appointment for an intake session with one of our experienced family dispute resolution practitioners.

Since a family dispute resolution session requires the involvement of both you and your former partner, we cannot schedule a family dispute resolution session until **both of you** have attended an intake session.

We recommend you talk to your former partner about the possibility of resolving your matter through family dispute resolution. Perhaps your former partner would like to read this information so that they understand how family dispute resolution works at the *Strathpine Family Relationship Centre*. We can also send an invitation to your former partner inviting them to contact us to register for family dispute resolution.

WHERE CAN I GET FURTHER INFORMATION?

Call us on 3423 6962, or visit our service at 16 Mecklem Street, Strathpine.

Alternatively, call the Family Relationships Advice Line on 1800 050 321 (open 9:00am to 8:00pm Monday to Friday and 10:00am to 4:00pm Saturday)

Or visit www.familyrelationships.gov.au

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