



Australian Government

mediation
resolve
confidential differences
neutral child-focused safe
agreement

Family Dispute Resolution

The Australian Government funds Family Dispute Resolution services to help Australian families discuss and agree upon arrangements that meet the best interests of their children without going to court.

What is Family Dispute Resolution (FDR)?

Family dispute resolution (FDR) is a type of mediation that helps separating families reach their own agreements without needing to go to court. FDR can help people to agree on a range of issues relating to property, money, and most importantly – their children.

FDR services are provided by a range of individuals and organisations, for example, Family Relationship Centres, community organisations, legal aid commissions, and individuals who offer private (paid) FDR services. If you are in a remote area or can't make it to a service provider, you may also be able to access FDR services, via telephone or video conferencing.

Only accredited FDR practitioners are allowed to provide FDR services. You can check the [Family Dispute Resolution Register \(https://fdrr.ag.gov.au/\)](https://fdrr.ag.gov.au/) to confirm whether someone is an accredited FDR practitioner.

Is FDR compulsory?

Separated parents are required by law to attempt FDR before they can apply to a family law court for parenting orders, unless one or more of the following exemptions apply:

- you are formalising an agreement through 'consent orders'
- family violence or child abuse has occurred
- you are responding to an application to court
- a decision needs to be made urgently
- a person is unable to participate in FDR
- a person has not complied with, or has shown serious disregard for, a court order made in the last 12 months.

Even people who have previously been to court may have to attempt FDR if they need new court orders or to change current orders.

If no exemption applies, you will need to file a certificate from an FDR practitioner in order to have a parenting matter determined by a family law court. Certificates can only be issued by FDR practitioners accredited under the Family Law (Family Dispute Resolution Practitioners) Regulations 2025.

What information will an FDR practitioner provide me with?

Before you start FDR, your FDR practitioner must tell you about their qualifications, the FDR process, including what protections apply to things you say in FDR, how much it will cost, and details about how you can make a complaint about the service. They may also tell you about other services that might help you. The FDR practitioner must also give you information about attending FDR before applying to court, how to obtain a section 60I certificate, and that a court may take that certificate into account when deciding to award costs against a person.

If you are trying to resolve a disagreement about your children, you will be encouraged to act in your child's best interests.

If you are trying to resolve a disagreement about finances or property, the practitioner must give you information about your duty to disclose all relevant financial information and documents to each other as well as to the court.

Who can go to FDR?

The people having the disagreement need to be involved in the FDR process. If it is appropriate, you can bring family members or a support person with you, including your lawyer. However, the FDR practitioner has to agree to other people coming to the FDR sessions. If you are planning to bring a support person or lawyer with you, you should discuss this with the FDR practitioner as early as possible.

Will my child be included in FDR?

No, but depending on your circumstances and a range of factors such as the age and maturity of your child, a family counsellor or child psychologist may talk with your child. This will only happen with parental consent.

What happens during FDR?

Before the mediation can commence, an assessment will be made to see whether FDR is suitable for your situation. FDR practitioners are impartial and will not take sides. They can help you to explore family issues in an objective and positive way. Unlike counselling, FDR doesn't focus on the emotional side of relationships. It concentrates on resolving specific disputes.

You are encouraged to make a genuine effort to try to resolve the dispute with the help of the FDR practitioner.

FDR can help both of you to discuss issues, look at options, and work out how best to reach agreement. Importantly, you can use FDR to develop a parenting plan to set out arrangements for your children. An FDR practitioner will also check that everyone understands what is being said and agreed upon.

What if you are feeling unsafe?

It's important that you feel safe, and are safe before, during and after FDR. If you have concerns about your safety or the safety of your children, you should tell your FDR practitioner or the staff at the FDR service as soon as possible. This may mean that FDR stops or does not proceed. Parties to the FDR may not need to be in the same room.

There is no requirement to undertake FDR if there has been family violence or child abuse.

What will it cost?

FDR can be quicker and cheaper than going to court or paying legal fees. FDR services may charge fees according to your financial circumstances. You should let the FDR service know if you are on a low income or experiencing financial difficulties.

Are things said at FDR confidential and can they be used in court?

Most things that you say in FDR are confidential as long as you are speaking to an accredited FDR practitioner. Sometimes the FDR practitioner might be required by law to disclose something you have said, for example if it relates to suspected child abuse or to prevent a serious crime or threat to someone's life.

People who are not accredited FDR practitioners, including intake officers or assistants, are not covered by the confidentiality protections. You should confirm that your FDR practitioner is an accredited practitioner before you start FDR. You can check if someone is accredited on the Family Dispute Resolution Register.

Things that you say during FDR cannot be used in any court or proceedings unless they concern child abuse. This means that even if you cannot agree in FDR and you have to go to court, the judge will not be able to use anything you say during FDR when they are making a decision in court, unless it relates to child abuse.

If your FDR practitioner refers you to a different person for a professional service, anything you say to that person is also protected and will not be admissible in court unless it relates to child abuse.

What happens to any agreement reached at FDR?

If you reach an agreement on arrangements for your children, this can be recorded as a parenting plan. A parenting plan must be in writing, dated and signed by both parents. Your

parenting plan can include mechanisms to change arrangements and resolve disagreements. Parenting plans can be renegotiated over time, if necessary.

Be aware that any changes to the care arrangements for your children can affect child support, income support, and family assistance payments. Special rules apply about including child support in your parenting plan. For example, if your parenting plan specifies amounts for child support, [Child Support](#) cannot enforce it unless it is also a valid child support agreement, and you or the other parent ask [Child Support](#) to accept it.

If you want to make your final parenting plan agreement about your property/financial arrangements legally binding, you can apply to the court to have your agreement made into a Consent Order. You can do this yourself or ask your lawyer to do it for you.

What if FDR doesn't work?

Even if you can't reach agreement, FDR may help you and your former spouse or partner communicate better or resolve some of your issues. If you try FDR but still need to go to court for a Parenting Order, you will need a certificate from an accredited FDR practitioner.

The certificate will say one of the following:

- you and the other party attended and made a genuine effort to resolve the dispute
- you and the other party attended but one or both of you did not make a genuine effort
- the other party did not attend
- the FDR practitioner decided your case was not appropriate for FDR, or
- the FDR practitioner decided it was not appropriate to continue part way through the FDR process.

You should also be aware that if you don't attend FDR or make a genuine effort to attend, the court may also order you to pay the other party's legal costs.

How do I contact an accredited FDR practitioner?

For more information call the Family Relationship Advice Line on **1800 050 321** between **8am to 8pm Monday to Friday** and **10am to 4pm Saturdays** (except national public holidays).

To find a government-funded service, you can visit Family Relationships Online at www.familyrelationships.gov.au

You can also use the [Family Dispute Resolution Register](https://fdrr.ag.gov.au/) (<https://fdrr.ag.gov.au/>) to find a private FDR practitioner. You can use the map to find a practitioner near you.

For more information about Child Support visit <https://www.servicesaustralia.gov.au/>