



Family Dispute Resolution

What is Family Dispute Resolution?

Family Dispute Resolution (FDR) is a form of mediation to help separating families come to their own agreements without the stress and expense of going to Court.

FDR can also take place after Court proceedings have started, to resolve the matter and avoid the cost, stress and delay of ongoing litigation.

FDR is mediation attended by you and the other party. If you are legally represented, your solicitor is encouraged to attend with you however this is not a requirement. FDR can take place in person (in the same room or separate rooms), by video conference or by telephone.

If an agreement is reached, your agreement can be put into writing and, with the assistance of your lawyer, made legally binding.



Amy Ryan Solicitor | Mediator | FDRP

Amy is a Registered Family Dispute Resolution Practitioner (FDRP), Nationally Accredited Mediator and a Family Law Accredited Specialist solicitor.

Amy has practiced in family law since 2005. She has extensive experience in matters relating to children's arrangements, property settlement, de facto relationships, child support and domestic violence.

Amy is committed to empathetically supporting the self-determination of parties and assisting them to achieve their own resolution without unnecessary conflict or cost.

Is FDR Confidential?

Anything said or done during the FDR mediation is confidential and cannot be used in Court or disclosed unless both parties consent or unless there are exceptional circumstances and the disclosure is necessary to:

- Protect a child from harm
- Protect a person's safety
- Prevent damage to property
- Comply with Commonwealth or State law

The FDRP's Role

The role of the FDR practitioner is to facilitate a process of discussion, identification of the issues, negotiation and option generation to help parties to reach their own agreement about parenting, property and/or financial issues arising after separation.

The FDR practitioner is neutral and does not take sides, make decisions, or provide legal advice or counselling.

When is FDR Compulsory?

In most cases you will need a certificate from a Registered Family Dispute Resolution Practitioner confirming that an attempt at FDR was made before you can apply to the Court for a parenting order.

There are some exceptions including cases involving family violence and child abuse, where the situation is urgent, or where orders are made by consent.

What if we can't agree?

Most matters are resolved through the family dispute resolution process. However, if your parenting matter is not resolved and you need to make an application to the Court, we are able to issue a certificate stating one of the following:

1. One of the parties did not attend
2. You and the other party attended but one or both of you did not make a genuine effort to resolve the dispute
3. You and the other party attended and made a genuine effort to resolve the dispute
4. Your case was not appropriate for FDR

What happens if I don't attend?

If FDR is required in your case and you do not attend or you do not make a genuine effort a certificate will issue to this effect. The other party can use that certificate and apply to the Court for parenting orders.

The Court may take this into account in deciding costs and may order you to pay some or all of the other party's legal costs.

The Court may order you and the other party to attend family dispute resolution.



What are intake appointments?

Before mediation takes place, the FDRP will meet and talk with each party separately to introduce themselves, explain the process, assess whether mediation is appropriate and identify issues likely to be discussed in the mediation.

Usually intake appointments take place on a date prior to the mediation to allow adequate time to discuss preliminary matters and to allow everyone time to properly prepare for the mediation. However, if agreed, the intake appointments can take place on the day of the mediation if appropriate.

What does FDR cost?

Invitations: Initial invitations, arranging mediation and issuing a s60I certificate (if appropriate) \$200 including GST

Intake: Separate intake appointment (if required) \$275 including GST per party

Full Day Mediation (8 hours): \$2,750 including GST

Half Day Mediation (4 hours): \$1,650 including GST

Extra Time: \$520 per hour including GST

Room hire: at cost.

Unless the parties agree otherwise, each party will pay for their own intake appointment and the cost of the mediation and room hire is shared equally.