6) Later in the conference the Chairperson will explore the options you have put forward beforehand ('your proposal'), what else could be done to resolve the issues and possible impact for children the proposals may have (or impact for future needs in property).

7) At some point the Chairperson may call a break for separate, private sessions with each party or with the lawyers, they may ask that specific legal advice be given to reality test options, and they may - if there are school-aged children 'caught in the middle' - suggest a Child Inclusive Conference (where a practitioner reports the child's views to a later conference).

8) At the end of this process, you may reach an agreement and record it in a Plan or Consent Orders to be filed in the Federal Circuit Court or the Family Court. These should be completed and signed at the conference, or soon after, and any filing fee may be paid for by legal aid (please ask about costs to you for property conferences). The grant of Legal Aid will end at that point.

If the parties cannot agree, there will be time for your lawyer to explain what happens next. It may be that you need to go to court and you may need to ask NT Legal Aid for a grant for this - the Chairperson's report from the conference includes a recommendation about ongoing funding which may influence NT Legal Aid's decision to grant for court or not. Legal Aid's complaint process is available and can be explained to you.

Legal Aid
HELPLINE
1800 019 343

info@ntlac.nt.gov.au

Legal Aid

Northern Territory Legal Aid Commission

Your Family Law Conference

Information for participants in parenting and/or property conferences

Objective of the Conference

There are two types of Family Law Conference (or 'Family Dispute Resolution"FDR' or 'mediation') held at NT Legal Aid, children's/parenting matters and property matters.

In **parenting** conferences the aim is to resolve or limit the dispute in an effective way that supports parents and their communication and focusses on the best interests of the children, without going to court.

In **property** conferences the aim is to reach agreement about the division of assets and debts that have accumulated during the relationship, without going to court.

Sometimes parenting matters and property matters can be dealt with at the one conference.

Before the Conference

Our conference process is different from other mediation processes in that you are encouraged to bring a lawyer with you, and you are assisted to make agreements into court orders (or written and signed 'plans' if orders are not possible).

To get the most out of your Family Law Conference we recommend you:

- **Consider** all the issues you may wish to discuss at the conference, and
- **Meet** with your lawyer (legal aid may pay for this) to get legal advice and discuss issues; and
- **Prepare** some options that could be agreed upon at the conference.

Before a property conference, you will also need to:

- **List** out the assets and debts of your relationship, including lump sums like gifts, inheritances and compensation; and
- **Collect** documentation of assets and debts including appraisals, and financial resources such as wages, tax and superannuation information to provide to your lawyer (if you have one) and later, the other party.

About the Conference

- At least one person must have a grant of legal aid (or assistance from a community legal centre) which provides for a lawyer to attend the conference
- The conference is run by a **'Chairperson'** at NT Legal Aid (otherwise known as a registered 'Family Dispute Resolution Practitioner' or 'FDRP)'. This person has many years of experience in Family Law matters as well as their legal or psychology degree
- The only people at the conference are the Chairperson, the parties, and their lawyer/s – **other people** can only attend for support by prior agreement. Children cannot be brought into the conference with you
- The Conference can take between **two and five hours**, it is therefore necessary to make appropriate arrangements for childcare and for parking
- Decisions are made by the parties, rather than being forced upon them. Issues and concerns that may not be able to be raised in Court can be talked through. And orders or plans can be tailored to suit **individual circumstances** much more than in Court.
- Conferences are private and **confidential** - your lawyer can explain further and/or you can read our 'Agreement to Take Part in Conference' Form.
- The conferences can proceed as:
- **Shuttle** where each party is in a separate, small room with their lawyer and the chairperson goes from one room to the other; or
- **Joint** where each party and their lawyer are in the same, large conference room with the chairperson; and/or
- With one or both persons participating via phone or video link.
- There are separate entrances and waiting rooms for you and the other party to the Conference and safety is always the priority.

Northern Territory Legal Aid Commission

Attending the Conference

1) Before the Conference starts properly the Chairperson will meet with you to introduce themselves and have a brief chat about your situation, including whether the conference will be shuttle or joint. You will need to sign a confidentiality agreement, the 'Agreement to Take Part in Conference' form, to keep the discussions private.
2) To start the Conference the Chairperson will explain their role, their way of working and the ground rules (for example, the need for respectful conversation and not interrupting).
3) Each party will then start by explaining what they want from the conference, "what brings me here today" which can include the issues you would like to discuss and why. This may be the first time parties are able to have their point of view heard by each other.
4) For the most part it is not the lawyers' job to speak – the role of the lawyer is to help define the problems and develop possible solutions. But your lawyer can speak for you or help you to express your position if this is necessary, and the Chairpersons will help manage this.

5) Usually the Chairperson will progress the conference by summarising the issues raised, noting where there might be common ground and what issues need to be worked through.