



**THE HON. CHRISTIAN PORTER MP**  
**Attorney-General**

# Media Release

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## **Court Reforms to help families save time and costs in family law disputes**

Families will be helped to resolve their disputes more quickly as a result of Turnbull Government reforms to the handling of family law matters in the federal court system.

Attorney-General, Christian Porter, today announced that a single new Federal Circuit and Family Court of Australia (FCFCA) would be established from 1 January, 2019 through the amalgamation of the existing Federal Circuit Court of Australia and the Family Court of Australia.

A new Family Law Appeal Division in the Federal Court of Australia would also be established to hear all appeals in family law matters from the newly created FCFCA (and some appeals from the Family Court of Western Australia).

“This single new court, the FCFCA, will help Australian families resolve their disputes faster by improving the efficiency of the existing split family law system, reducing the backlog of matters before the family law courts, and driving faster, cheaper and more consistent dispute resolution,” the Attorney-General said.

“This significant structural change is designed to dramatically increase the number of family law matters finalised each and every year, and reduce the backlog of unresolved cases on hand at any one time. The purpose of the reform is to ensure Australian families experience shorter waiting times, and a reduction in the potential for conflict caused by prolonged and acrimonious family disputes.

“The FCFCA will have one single point of entry for all federal family law matters to provide a consistent pathway for Australian families needing to have their family law disputes dealt with by court proceedings. Families will have one new court with one set of new rules, procedures and practices designed to ensure that their disputes will be dealt with by the FCFCA in the most timely, informed and cost effective manner possible.”

The new court will be divided into two divisions:

- Division 1 will comprise the existing judges of the Family Court of Australia and deal only with family law matters.
- Division 2 will comprise the existing judges of the Federal Circuit Court of Australia and deal with family law matters and general federal law matters.

The Attorney-General said reform of the courts dealing with family matters is long-overdue.

“As many as 22,000 family law final order cases are filed each year across the Family Court and Federal Circuit Court,” the Attorney-General said.

“Despite the number of cases filed each year remaining relatively static over the past five years, the number of family law matters awaiting resolution has grown from 17,200 to 21,000 and the median time taken to reach trial has grown in both courts, from 10.8 months to 15.2 months in the Federal Circuit Court and from 11.5 months to 17 months in the Family Court.

“For too many families, disputes over property and custody of children, are being exacerbated by inefficiencies and growing delays in the court system caused by the overlapping jurisdiction and significant variations in the operational rules, processes and practices of the Family Court and Federal Circuit Court.

“One key issue causing exacerbating delays for many families is the high number of cases transferred between the two courts. Almost 1200 families’ cases are transferred between the two courts each year, some after having been in court for more than 11 months. This means those families must start the whole court process again in the other court with completely different rules, procedures and processes. This and other inefficiencies mean highly skilled and trained judicial officers are being hampered from hearing and resolving more family law cases requiring resolution because of inefficient and often duplicated administration.

“Family break up is a traumatic time for both parties and children as well as wider family.

“We have a responsibility to ensure that systems in place to assist those families who cannot resolve matters without legal intervention are as efficient as possible and that the system itself does not exacerbate the trauma of family breakup, especially for children.

“It’s estimated that these reforms will improve the efficiency of the federal family law system by up to a third, with the potential in time to allow up to an extra 8,000 cases to be resolved each and every year.”

There will be no changes to jurisdiction or operation of the High Court of Australia, the Family Court of Western Australia, or other State and Territory courts that deal with family law cases.

While the Australian Law Reform Commission (ALRC) is currently undertaking a review of the principles and legal provisions of the family law system, the urgent need for structural court reforms means that the government has acted early to improve outcomes for Australian families. Any ALRC recommendations implemented by the government in the future will ultimately be enhanced in impact with a new, more efficient court structure already in place.

Legislation to establish the new Court will be introduced in the spring Parliamentary sittings. Further information about the reforms is available at: [www.ag.gov.au](http://www.ag.gov.au)

Attachments:

Fact Sheet Overview (including diagram)

Fact Sheet Facts and Figures