



The Family Court of Australia and Federal Circuit Court of Australia formalises support for alternative dispute resolution with the introduction of an Arbitration List

To support the development and promotion of arbitration for property matters in family law, the Family Court of Australia and the Federal Circuit Court of Australia (the Courts) have established a new specialist list in each Court, to be known as the National Arbitration List.

Justice Josh Wilson will be the National Arbitration Judge for the Family Court of Australia, Judge Joe Harman will be the National Arbitration Judge for the Federal Circuit Court of Australia.

Justice Strickland will be the coordinating Appeals Judge for Arbitration Appeals in the Appeal Division of the Family Court of Australia.

The list will operate as a national electronic list in each Court and will include the following features:

- Whenever a matter is referred to arbitration that case will be placed into the National Arbitration List,
- Any application for interim orders sought by an arbitrator or one of the parties will be dealt with by the National Arbitration Judge electronically,
- Any applications relating to the registering of the arbitration award, objection to an award being registered or an application for review will be conducted either the National Arbitration Judge or a nominated judge assigned by the Chief Justice or Chief Judge, and
- Any appeal from a decision of the National Arbitration Judge or other nominated judge will be managed by Justice Strickland as the Coordinating Arbitration Appeal Division Judge.

“The Courts have long supported the use of alternative dispute resolution as a quicker and more affordable option for litigants to resolve their disputes, rather than continuing to trial.

“The introduction of the Arbitration List will ensure consistency and timeliness and the determination of such applications will be given considered priority.

“While arbitration has traditionally and commonly been used in commercial litigation, our Courts are very keen to support the wider use of arbitration in family law for property matters.”

An information memorandum to the profession about the operation of the National Arbitration Lists will be provided by the Courts shortly.

The Hon William Alstergren
Chief Justice
Family Court of Australia
Chief Judge
Federal Circuit Court of Australia