Keeping Families Safe: How the Family Courts are Responding to Covid19

Date : March 24, 2020

On 19 March 2020, the Honourable Justice William Alstergren published new practice directions for the Family and Federal Circuit Courts to respond to the growing concerns of Covid19, also known as the Coronavirus. Overall, there has been a move to minimise the attendance of your divorce lawyer and their clients at registries to uphold the health and safety of all involved.

Key changes for your Divorce Lawyer

- All documents must be filed electronically;
- If documents cannot be uploaded to the portal, for example if the document is too large to upload, the documents should be emailed to the relevant registry for filing;
- Hard copies of documents will only be accepted in limited circumstances;
- Subpoena viewing is by appointment only in all Registries;
- Appointments to view subpoena material should only be made if the matter is scheduled for hearing within 4 weeks or if the matter is urgent;
- Exhibits to affidavits filed in the Family Court of Australia should now be annexed/attached to the affidavit if the exhibits are less than 2cm width and will be filed electronically;
- Where the exhibits to a Family Court affidavit are more than 2cm in width, an application will need to be made to the registry case co-ordinator.

An “Update to Profession” has also been issued amending procedures in both Courts to minimise the spread of Coronavirus. Duty lists, mentions, directions and interim hearings will generally be conducted by telephone. Exceptions may be made if telephone hearings are impracticable or the matter is urgent and requires a face-to-face hearing.

If the matter is being heard face-to-face at the Court, no more than 8 people, excluding the Judge and their associate, are allowed in the Court room at once. Further, your divorce lawyer and their clients will have to abide by formal seating maps.

For advice about how Covid19 or Coronavirus will impact your family law matter contact us on 1800 300 170 or email us at famlaw@matthewsfolbigg.com.au

Disclaimer

Family law situations can be complex and sometimes they can involve serious issues. Information outlined is proposed to provide general guidance only. Due to the seriousness of legal matters as well as the uniqueness of your individual situation, professional advice should be sought. For advice, please contact one of our Family Lawyers.