What are the other options to address delays in the Family and Federal Circuit Court?

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The Family Law Act provides that a property dispute of the parties can be referred to Arbitration for determination on a final basis.

A divorce lawyer will advise that arbitration is the process whereby the parties agree that a Family Court or Federal Circuit Judge will not hear the financial dispute but that it will be determined by an appointed and qualified Arbitrator.

A divorce lawyer can give suggestions as to an arbitrator who would be specially qualified and accredited. Arbitrators are usually lawyers or Barristers who have had significant experience in the Family Law field.

The divorce lawyer will advise that there are limitations upon Arbitration which are as follows

- Each party must consent to the referral of the case to the Arbitrator rather than the case being determined by a Judge
- Each party must be prepared to meet the costs of the Arbitrator, usually in equal shares
- Issues of parenting cannot be referred to Arbitration
- Once determined by the Arbitrator the decision must then be registered with the Court.
- Once determined the Arbitration award can only be challenged or appealed on very limited grounds.

A Divorce Lawyer can provide you with further information as to how Arbitration works and whether it is of benefit to your circumstances.

If you would like to arrange an appointment with a divorce lawyer, 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.