

Community Justice Centres Fact Sheet

Family Law Changes: Certificates



Justice &
Attorney General

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What are the changes to the Family Law Act?

Changes to section VII of the Family Law Act came into effect on the 1st July 2007. The changes relate to children's issues. They do not relate to the resolution of property issues.

The changes mean that if you want the Court to make the decision regarding your children then you will need to attach a certificate to your application.

What is a certificate?

A certificate is a document that shows the Court that you have attempted to resolve your dispute through an Alternative dispute Resolution process.

The certificate will say one of the following:†

- The other party did not attend
- You and the other party attended and made a genuine effort to resolve the dispute
- You and the other party attended but one or both of you did not make a genuine effort to resolve (eg. By refusing to participate) or
- The family dispute resolution provider decided that your case was not appropriate for family dispute resolution

When will I need a certificate?

You will only need a certificate if you and your ex-partner are unable to come to an agreement on matters regarding children.

If you are unable to agree and you need the Court to make a decision for you then you will need to attach a certificate to your court application.

Can the Community Justice Centres (CJC) provide a Certificate under Part V11 of the Family Law Act?

No, the CJC cannot provide you with a certificate, however you can still mediate with the CJC on matters regarding children if you are not seeking a certificate.

CJCs can assist you and your ex partner in coming to a voluntary agreement that you can both then make into consent orders or a Parenting Plan.

CJCs can also assist you in resolving any property issues with your ex-partner.

Who can provide me with a certificate?

A certificate can only be provided by a Family Dispute Resolution practitioner through the Family Relationship Centres or other Family Dispute Resolution Services.

What happens if I come to the CJC and my ex partner and I cannot agree?

If you and your ex partner attend mediation with CJC and are unable to reach an agreement and then decide to make an application to the Court, you will need to start again and attend mediation with a Family Dispute Resolution Practitioner to obtain a *certificate*.

Who can I contact for further information?

For further information on services that can assist you in obtaining a certificate you can contact:

Family Relationship Advice Line: 1800 050 321

Family Relationships online:
www.familyrelationships.gov.au/

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CONTACT DETAILS

If you would like more information about Mediation, or to speak to one of our Mediation Advisors, please call us on:

Phone: 1800 990 777 **Fax:** (02) 8688 9616

Website: www.cjc.nsw.gov.au **TTY:** 1800 671 964

Email: cjc_info@agd.nsw.gov.au