A GUIDE TO FAMILY DISPUTE RESOLUTION

At Access Family Mediation Service



Separation can be one of the most stressful times in life – emotionally, practically, and legally. This guide explains what family dispute resolution is, how it works, and what you can expect at each stage. Our goal is to make the process clearer and help you feel supported throughout this journey.

Relationships
AUSTRALIA · NSW

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About Family Dispute Resolution

Family dispute resolution (also known as mediation) helps separating families reach practical agreements without going to court.

It's often faster, more affordable, and less stressful than court, aiming to reduce conflict and support everyone's wellbeing.

Our accredited practitioners don't take sides or offer legal advice – they guide respectful conversations to help you find workable solutions together.

Depending on your circumstances we can support you to create two types of agreements: parenting and/or property.

Parenting Agreements

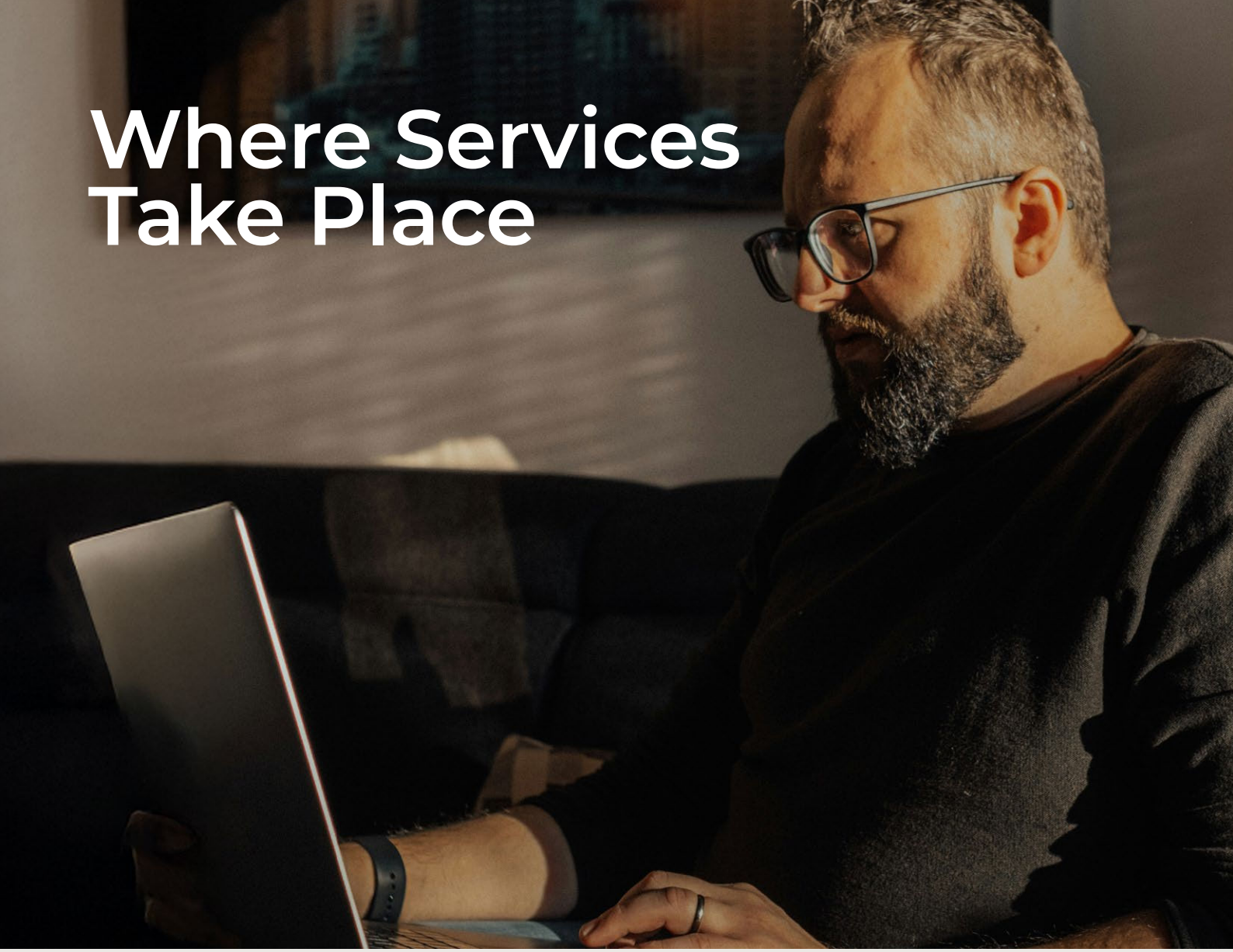
Parenting agreements help you make decisions that put your children first. They outline how responsibilities will be shared after separation, with a focus on your child's wellbeing and reducing conflict.

They may include arrangements for:

+ **Living:** where your child lives and how time is shared
+ **Education and health:** decisions about schooling, medical care, and wellbeing
+ **Communication:** how your child stays in touch with each parent, and how parents share information
+ **Holidays and special occasions:** birthdays, school holidays, and cultural events
+ **Financial support:** informal cost-sharing arrangements related to your child's care.

Property and Financial Agreements

Family dispute resolution also supports separating couples – with or without children – to reach fair and practical agreements about dividing assets, debts and financial responsibilities. These **property agreements** help both parties move forward with clarity and confidence.



Where Services Take Place

Access Family Mediation Service

We provide accessible, online support to help families navigate separation.

Access Family Mediation has a flexible approach, with sessions delivered via secure video conferencing or over the phone.

In addition to family dispute resolution, we can support you with:

+ **Information and referrals** to legal, financial, and community supports
+ **Specialised mediation**, including child-inclusive, court-ordered, or lawyer-assisted sessions
+ **Counselling** during separation, adjustment, or new relationship
+ **Parenting programs** to help you understand separation's impact on children and strengthen co-parenting
+ **Support for domestic, family, and sexual violence.**

To find out more visit our website or ask our friendly team.

Access Family Mediation Service is a Family Dispute Resolution program funded by the Australian Government.

When You're Expected to Attend

Legal requirements for separating parents

If you're separating and can't agree on parenting arrangements, the law generally requires you to make a genuine effort to resolve disputes through family dispute resolution before applying to the Family Court for parenting orders.

Most families reach an agreement without needing to go to court. If family dispute resolution is not successful or deemed inappropriate, your practitioner may issue a **Section 60I certificate**. This certificate is required if a party wants to apply to the court for parenting orders.

Only an accredited Family Dispute Resolution Practitioner can assess suitability for mediation and issue this certificate, confirming that mediation was attempted or considered.

There are five types of certificates:

1. The other party refused or failed to attend mediation
2. Mediation was assessed as inappropriate by the Family Dispute Resolution Practitioner
3. All parties attended mediation and made a genuine effort
4. One or more parties did not make a genuine effort
5. Mediation started but was discontinued (for example due to safety concerns or inability to negotiate freely).

Exemptions

In some circumstances, you may not need to attend mediation before going to court. Only a court can grant an exemption, which may apply where there is family violence, risk of harm, urgency, or other legal factors.

Your practitioner can help you understand whether your situation may qualify, but only a court can decide. Even if exempt, some people still choose to attend mediation to try resolving issues outside of court.

If you have safety concerns, your practitioner can take steps to make the process as safe as possible.

More information about family dispute resolution and section 60I certificates is available through the Attorney General's Department (Cth) here.

Your Pathway Through Family Dispute Resolution

Starting mediation can feel overwhelming, especially when emotions are high or communication is strained. This step-by-step process helps you know what to expect at each stage.

Below is the typical pathway through family dispute resolution with Access Family Mediation Service. Some steps may vary depending on your circumstances.

Are we the right service for you?



INITIAL CONSULTATION

We'll call you to talk through:

+ What you need
+ What we can provide

*We may schedule an additional conversation, by video call or in person at a Centre if needed.

What do your children need?



POST-SEPARATION PARENT SEMINAR

If there are children under 18 involved, you'll be required to attend a parent seminar which will help you:

+ Understand the impact on children
+ Get tips to navigate changes
+ Ascertain their needs

Is our process right for you?



PREPARATION

In an online video call with a mediator we'll talk with you individually to:

+ Outline the process
+ Set goals for your joint session
+ Think about potential challenges
+ Get ready for your joint session

Work it out together



JOINT SESSION(S)

We'll meet together with the other party or parties to:

+ Commence mediation
+ Make decisions with your kids in mind (if there are children involved)
+ Prepare written agreements

Managing Appointments

How to book

Book an appointment by calling 1300 364 277 in NSW, or (02) 8874 8088 if interstate. After your initial consultation, we'll guide you through the next steps and schedule future sessions.

You can attend mediation:

+ **Online via secure video**
+ **By phone** if you need remote access.

As demand is high, please be as flexible as possible with scheduling so we can support you promptly.

Contact details

Please ensure we can leave a message. If we're unable to reach you after two attempts, we'll assume you've chosen not to continue, and a Section 60I certificate may be issued to the other party. If your contact details change, let us know as soon as possible.

Other people attending your appointment

Let us know when booking if you need an interpreter or accessibility support. If you'd like a support person (such as a family member or legal representative), to be present at your appointment, please arrange this in advance with your practitioner.

Changing or rescheduling

If you need to cancel or reschedule, please contact us at least two business days in advance so we can offer the time to another family.

Late changes may incur a fee:

+ **Less than two business days' notice:** 50% of the session fee
+ **No notice (no-show):** 100% of the session fee.

If you're experiencing hardship or an emergency, please let us know – we'll work with you to find a solution.

Non-attendance

Family dispute resolution may be discontinued, and a Section 60I certificate issued (for parenting matters), if:

+ **Three scheduled appointments** are missed
+ An **appointment isn't accepted within three weeks** of being offered
+ The **parenting seminar isn't completed** within three weeks of being offered.

In parenting matters, if you do not attend and make a genuine effort to resolve the dispute, the court may order you to pay the other party's legal costs if you end up needing to go to court.

Fees and Charges

Family dispute resolution is government-subsidised, with many sessions free or low cost.

Free services include:

- Initial consultation(s) with a Family Advisor
- Post-separation parenting seminar*
- Preparation sessions with your mediator
- The first hour of your first joint mediation session.

*If you can't attend a seminar, an online self-guided course is available for $25.

Fee schedule

The following fees apply to all new client and ongoing sessions. Fees are incurred and payable by each party in accordance with their relevant income band.

Income Bands Gross Income	**First Joint Session** 1st Hour	**First Joint Session** Per Hour, 2nd + 3rd Hour	**Subsequent Joint Sessions** Per Hour, Min 2 Hours	**Child Sessions*** Per Parent
UP TO $30,000	**FREE**	**FREE**	**$30**	**$40**
$30,001 – $50,000	**FREE**	**FREE**	**$40**	**$50**
$50,001 – $100,000	**FREE**	**$30/HOUR**	**$100**	**$100**
$100,001 – $130,000	**FREE**	**$30/HOUR**	**$140**	**$140**
$130,001 – $150,000	**FREE**	**$30/HOUR**	**$160**	**$160**
$150,001 – $200,000	**FREE**	**$30/HOUR**	**$200**	**$200**
$200,000+	**FREE**	**$30/HOUR**	**$250**	**$250**

*Child sessions give children a safe, neutral space to share their experiences of separation with a trained consultant. The consultant provides feedback to parents and the mediator to help guide decisions that prioritise the child's wellbeing and perspective.

Fee Waivers and concessions

You may be eligible for **free or reduced-cost services** if you:

- Hold a Centrelink Concession or Health Care Card
- Identify as Aboriginal or Torres Strait Islander
- Have Legal Aid for the parenting matter being discussed
- Are experiencing financial hardship.

If you need help with fees, speak with your practitioner or our team. No one is turned away due to genuine financial hardship.

Interpreter support

Interpreter services are free for the **first four hours** of joint sessions. For clients earning over $50,000 per year, hours five and six incur a $30 fee per hour. Any additional time is charged according to the standard scale.

Confidentiality



Conversations and sessions with an accredited mediator are confidential. In most cases, what's said during mediation can't be used in court.

However, by law, our staff must report:

- Risk of harm or serious crime
- Suspected child abuse or neglect
- Legal obligations under the Family Law Act 1975
- Requests from an Independent Children's Law

Before mediation, you'll speak with a Family Advisor (intake officer). These early conversations aren't covered by the same confidentiality rules and may be used in court. If you're unsure about what can be shared confidentially, please ask your mediator.

After Family Dispute Resolution

Once mediation is complete, there are a few possible outcomes. Whether or not you reach agreement, we'll guide you through your options and next steps.

If you reach an agreement

If you and the other party reach agreement, your mediator will help document it clearly as a:

+ **Parenting agreement** – outlining how parenting responsibilities will be shared
+ **Property agreement** – recording how assets, debts, and finances will be managed.

These agreements rely on both parties to act in good faith and are not legally binding, but rely on both parties acting in good faith. If you wish to formalise them, they can be used to apply for a Parenting Plan or Consent Order through the Family Court.

If your parenting agreement includes child support arrangements, these are only enforceable by Services Australia if they meet the criteria for a formal Child Support Agreement.

Your mediator can explain how to formalise, review, or update your agreement if circumstances change.

If you don't reach agreement

Sometimes, despite everyone's best efforts, a full agreement isn't possible.

If you can't resolve parenting matters, you may request a Section 60I certificate, which is required to apply to the Family Court for a Parenting Order. We'll explain what the certificate means and how to use it if you choose to go to court.

For more information, visit the Section 60I certificates for family dispute resolution page on the Attorney General's Department (Cth) website.

Ongoing support

If you require further support after mediation, we can connect you with:

+ **Counselling services** for individuals, couples or families
+ **Parenting programs** to strengthen co-parenting relationships
+ **Legal advice and referrals Financial counselling** to help you plan ahead
+ **Domestic and family violence support services** if needed.

Helpful Resources

Below are some useful contacts and websites that offer information, support and services related to family law, mediation and wellbeing.

Federal Circuit and Family Court of Australia

Information about court processes, parenting orders, and dispute resolution.

www.fcfcoa.gov.au

Family Relationships Online

Information for all families – whether together or separated – about family relationship issues.

www.familyrelationships.gov.au

Attorney-General's Department

Important information on Family Dispute Resolution.

Navigating Family Dispute Resolution

60I certificates

Family Relationships Advice Line

A national telephone service that helps families affected by relationship or separation issues.

Phone: 1800 050 321

Services Australia

Information about child support payments and agreements.

www.servicesaustralia.gov.au/child-support

1800RESPECT

24/7 national sexual assault, domestic and family violence counselling service.

www.1800respect.org.au

Phone: 1800 737 732

Feedback and Complaints

If something hasn't gone as expected, we want to know so we can address your concerns, and continue improving our services. The process depends on what your complaint is about:

1. Complaints about a Family Dispute Resolution Practitioner

If your concern is about the conduct or service of a mediator during family dispute resolution:

1. Start by talking with the mediator directly, if you feel comfortable.
2. If the issue isn't resolved, you can speak with their Team Leader or Manager by calling 1300 364 277 or (02) 8874 8088 (for interstate clients).
3. If you're still not satisfied, you can make a formal complaint to Relationships Australia NSW, which is the approved complaints body for family dispute resolution practitioners who work with us.

ONLINE:

Feedback and Complaints form

BY MAIL:

Complaints at Relationships Australia NSW
PO Box 1948
Macquarie Centre NSW 2113

2. Complaints about a Government-Funded Family Law Service

If your complaint is about a service we provide (such as a Family Relationship Centre or another FDR government-funded program), but not about a specific mediator:

1. We encourage you to get in touch with us first, using the online Feedback and Complaints form or postal address on this page. This gives us the chance to listen, understand your experience, and work with you to find a solution.
2. If you're not happy with how we've handled your complaint, or prefer to take it further, you can contact the Commonwealth Attorney-General's Department.
   - (02) 6141 6666
   - flscomplaints@ag.gov.au
   - Visit their website for more information

We genuinely value your feedback. It helps us understand what's working, where we can do better, and ensures everyone who uses our services feels heard and supported.

We look forward to supporting you through family mediation.

1300 364 277 in NSW
relationshipsnsw.org.au
(02) 8874 8088 if interstate

HELPING YOU MOVE FORWARD.

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