



Family Dispute Resolution

Family dispute resolution, also known as mediation, helps couples who are separating or divorcing to resolve their family law disputes about parenting and/or property and financial matters.

What is family dispute resolution?

Family dispute resolution (FDR) is a type of mediation which helps people who are separating or divorcing to resolve their family law disputes with each other. It involves an independent, impartial third party, called an FDR practitioner (FDRP), or mediator.

What can it help with?

FDR can be a helpful way to resolve family law disputes about post separation parenting arrangements, financial matters and property settlements.

The benefits of FDR

- It is often less stressful, and can be a timely and affordable alternative to going to court.
- It aims to promote cooperation, help to prevent or contain further conflict and can assist in preserving the relationship between former partners. This is particularly important for parents who need to co-parent after separation.
- It uses a clear, structured and easy-to-understand process for negotiating and resolving issues.
- It gives both people control over the decisions that are made.
- It is provided by impartial FDRPs who are accredited, highly skilled and experienced.

Parenting matters

FDR can help parents to agree on living arrangements for their children and how to share parenting after separation or divorce. It can also assist parents to resolve conflicts over child support and other costs. These types of disputes are commonly called 'parenting matters' in the family law system. We provide our service with a focus on safety and the best interests of children.

Under Australian family law, before filing in court for parenting orders, it is necessary to attempt FDR. There are some exemptions, such as cases involving child abuse, family violence or if a case is urgent.

Property matters

When you separate, as well as making decisions about children and parenting if you have children, you also need to make decisions around financial and property matters. This can include decisions about necessary financial arrangements and how to divide your assets in a property settlement.

Parenting & property matters

It's not uncommon for separating couples to need to resolve issues around both parenting and property matters. This can be done as part of the same FDR process, or at different times.

What is the process?

FDR uses a step-by-step process to help people involved to negotiate and reach an agreement. With the assistance of the practitioner or mediator, the people involved:

- identify the issues that need to be resolved
- are supported to communicate with each other clearly and respectfully
- explore and discuss different ideas and options
- negotiate about these options
- try and make agreements about some or all of these issues
- where a child is involved, focus on the child's best interests.

FDR can happen in a variety of ways, such as:

- jointly, with both people involved in the dispute in the same room
- shuttle, with the two people involved in the dispute in separate rooms
- with the help of family lawyers (legally-assisted FDR).

Your practitioner will determine what is most appropriate for you and your circumstances.

"I'm full of praise for your wonderful support over the past few months and very grateful for having you and the service available to me."

- Family dispute resolution client

Is FDR right for me?

Before FDR begins, both you and the other person involved in the dispute will attend a separate, individual assessment with an FDR practitioner. This appointment allows the practitioner to understand your situation, help you understand and prepare for the FDR process, and make sure that FDR is appropriate, including that you feel able to discuss your ideas and negotiate with the other person.

We welcome and respect diversity and can adapt our service to meet the needs of people from different backgrounds, including LGBTIQ+ people, Aboriginal and Torres Strait Islander people and people from culturally and linguistically diverse backgrounds.

We take the safety and wellbeing of our clients very seriously. If you have any concerns about your or your children's safety, please tell us immediately.

If FDR is not suitable for you and your circumstances, we will provide appropriate referrals to other services.

Are children included in FDR?

We believe that it is important to include children's perspectives, opinions and experiences in the FDR process, where it is safe and practicable to do so. We provide child-inclusive FDR, which enables school-aged children to talk to a trained child consultant about their situation and experiences during a significant period of change and adjustment. Many children express gratitude for the opportunity to verbalise what is impacting on them in a negative and positive way.

The consultant provides feedback to parents to help them to make parenting decisions in FDR that are informed by their child's needs, interests and experience of their parents' separation.

We also offer child-enhanced FDR, where decisions are being made for children under four years of age, or when child-inclusive practice is not appropriate. This enables our consultants to share information about current research on children's ages and stages of development, and on how different parenting arrangements may work for children.

Where is FDR provided?

We provide FDR from centres across metropolitan Melbourne and regional Victoria.

Visit www.rav.org.au/FDRlocations to find your nearest centre.

When are appointments available?

Opening hours at our centres vary, however most centres offer appointments in the evenings as well as during business hours.

Our practitioners

Our highly-experienced FDRPs are accredited by the Australian Government Attorney-General's Department and are qualified to work with couples and families going through divorce and separation. FDR is regulated by the *Family Law Act 1975 (Commonwealth)* and the *Family Law (Family Dispute Resolution Practitioners) Regulations*.

How much does it cost?

We are a community-based, not-for-profit organisation that receives funding from the Australian Government.

While fees are charged for some of our services, we work to ensure that our services are affordable for our clients. We will talk to you about any fees that are applicable when you call us.

How do I get started?

Call 1300 364 277 or visit www.rav.org.au/FDRlocations for your nearest centre, to find out more about FDR or to make an appointment.

About us

We are a provider of specialist family and relationship services, with more than 70 years' experience supporting Victorians. We provide services from 15 centres across metropolitan Melbourne and regional Victoria.

Our services include individual, relationship and family counselling, family dispute resolution, family violence prevention, support and recovery services, relationship skills courses, and professional development and training.



Resources

We provide a range of informative and easy to read resources to help people going through separation or divorce.

Booklets

- Women and separation
- Men and separation
- What about the children?
- Share the care - collaborative parenting apart
- A fair share - negotiating your property settlement
- Why am I going to Relationships Australia? - child-inclusive practice in family mediation

Brochures

- Hearing your child's voice in family dispute resolution

You can download these resources free of charge from our website at www.rav.org.au/separation-resources or contact your nearest centre for a printed copy.