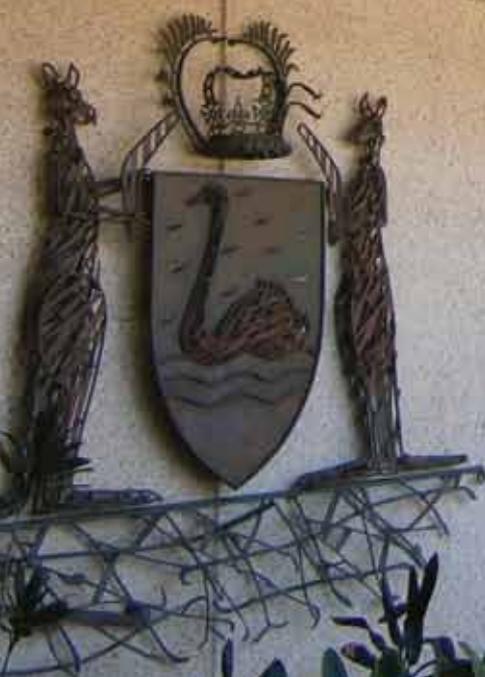




FAMILY COURT OF
WESTERN AUSTRALIA

FAMILY COURT OF WESTERN AUSTRALIA



ANNUAL REVIEW
2010/11



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FROM THE CHIEF JUDGE

I am pleased to present the annual review of the work of the Family Court of Western Australia for the financial year ending 30 June 2011.

Service Delivery

The Court continues to struggle to maintain an acceptable level of service in the absence of an acceptable level of funding.

Although there was an almost 35% increase in matters listed for trial in 2010/11, and although the clearance rate improved significantly, the waiting time to trial still stands at nearly two years. This is notwithstanding the Court having employed many strategies to reduce delays; including having Magistrates conduct more trials and the greater use of Judicial Settlement Conferences.

It is important to recognise that the delays to trial are not only a reflection of the chronic shortage of judicial officers. The delays also reflect the failure of some litigants and their legal advisors to have matters ready for trial when the Court is able to accommodate a final hearing. The Court will continue to work with the legal profession in the coming year to ensure matters are ready for trial.

Judicial Officers

Most regrettably, the Court's longest serving Judge, the Honourable Justice Carolyn Martin, was required to take an extended leave of absence after she became seriously ill in May 2011.

I am grateful to the State Attorney General, the Honourable Christian Porter MLA, and the State Government for their prompt decision to appoint an Acting Judge to assist the Court to deal with Justice Martin's absence. The Acting Judge took office shortly after the completion of the year under review.

In the period between Justice Martin becoming unwell and the arrival of her replacement, many of the Judges and Magistrates stepped in to help deal with her Honour's caseload so as to minimise inconvenience to litigants. I am grateful to all involved for their considerable cooperation during this difficult period.

Magistrate Ronald Fleming retired during the year under review. His Honour had been with the Family Court for 28 years. He was a much liked member of the judiciary, known for his commonsense approach to the many difficult matters that came before him over the years he served the Court.

Magistrate Fleming was replaced by Mrs Gail Sutherland, a highly experienced practitioner who had recently served as one of the Court's Registrars. Magistrate Sutherland is a most welcome addition to the ranks of the Family Law Magistrates.

Following the elevation of Registrar Sutherland to the position of Magistrate, the Court was fortunate to secure the services of Ms Laura De Maio, another experienced practitioner, to serve as a Registrar of the Court.

Director Family Court Counselling and Support Services

Ms Kay Benham left the Court in September 2010, after seven years of dedicated service as Director of Court Counselling. Ms Benham was the first person to have filled that role whilst also having responsibility for the Victim Support and Child Witness Service.

Ms Benham led the Counselling and Consultancy Service through the transition from confidential case management to the current transparent, collaborative relationship with the judiciary and key external stakeholders. She made a most significant contribution to the Court's strategic development through the Board of Management.

Ms Benham has been appointed as Executive Director, Policy and Learning Directorate in the Department for Child Protection. Whilst her contribution to the Court will be sorely missed, it is heartening to know that she has taken on such a senior position in DCP. The Court values its strong relationship with DCP and Ms Benham's appointment to her new position will further enhance that relationship.

Ms Benham has been replaced by Ms Yvonne Patterson, who commenced with the Court in November 2010. Ms Patterson has extensive experience in the public sector, including at DCP and more recently at the Department of Education. I wish her well in her new role.

Acting Magistrate funding

In my last report I recorded my appreciation to the Commonwealth Government for providing funds to allow for the appointment of an Acting Magistrate. I am pleased to record that during the year under review the Commonwealth extended the funding to allow the appointment to be continued until August 2012.

The last annual report incorrectly noted that Registrar Colin Kaeser had undertaken the first six months in the role of Acting Magistrate. In fact, Registrar Sally Vanderfeen acted in that capacity from August 2009 to February 2010.

Registrar Kaeser took on the role in February 2010 and has continued since then.

The importance of the funding provided for this acting appointment cannot be underestimated. It has allowed the Court to assign permanent Magistrates to hear trials on a full-time basis. The Magistrates assigned to this work have heard approximately 20% of all trials conducted by the Court since the additional funding was provided. Their efforts have been instrumental in ensuring that the Court's backlog has not deteriorated beyond the point it has currently reached.

De facto property jurisdiction

The Family Court of Western Australia commenced determining property settlement disputes between parties to de facto relationships in 2002. The very modest funding provided by the State Government for this new jurisdiction has never been sufficient to allow the Court to engage additional judicial officers to undertake what has proven to be an ever increasing workload.

De facto property applications now account for about 11.4% of all initiating applications seeking final orders (excluding divorce applications) filed in the Court. They also account for 25% of applications seeking property orders. In 2006/07 these cases accounted for only 6.5% of the total number of trial days, whereas in the year under review they accounted for 14%.

All requests to Government for additional resources to allow the Court to manage the de facto property jurisdiction have thus far proven unsuccessful. Unless resources are made available to deal with this jurisdiction it may become necessary to give priority to matters for which funding has been provided.

Interim applications

This annual review highlights an increase in the filing of interim applications (up by about 18% since 2007/08). The increase has been associated with a significant increase in waiting times for trial, as many litigants seek an interim adjudication on issues they consider cannot await a final hearing. This, in turn, makes it difficult to reduce the waiting time to trial, as judicial resources are directed to interim applications, rather than the final disposition of matters.

In the year ahead, the Court will implement strategies to direct judicial resources away from interim hearings so that judicial officers can concentrate on dealing with final hearings. It is hoped this will lead to a reduction in the delay to trial, which in turn will lead to a reduction in demand for interim hearings.

Fee increases

The Court received an increase in revenue during the year under review as a consequence of the increase in filing and hearing fees. Although the Court was not permitted to use these funds on recurrent expenditure, including much needed additional judicial officers and family consultants, the funds did allow the Court to finish the year in surplus.

I wrote in my report last year of my concerns about the impact of the new fees on access to justice and I note that during the year under review there was a reduction in applications for final orders and for consent orders, for which filing fees are payable. On the other hand, there was a significant increase in the filing of interim applications, for which no fee is payable. It is not possible to say that the reduction in filings was caused by the increase in fees, but there was certainly an association.

Department for Child Protection

The Court has continued to build its excellent relationship with the Department for Child Protection. The co-location of Ms Michele Cohen, a senior DCP officer, in the Court premises remains a vital part of our plan to ensure the timely exchange of information and management of cases involving child protection issues.

This innovation and other elements of the links between the Court and the Department continue to attract much interest. The Court was pleased to host a visit in April 2011 from representatives of the Commonwealth Attorney General, the Family Court of Australia and the South Australian child protection authority who wanted to learn more from our experience and who were also able to share their vision for improvement of service delivery in child protection cases in our neighbouring State.

The Court was also invited to make a presentation highlighting its initiatives at a child protection conference organised by the AIJA in Brisbane in May 2011. The feedback from the presentation made by Magistrate Gail Sutherland and Ms Michelle Cohen suggests that the FCWA model is considered best practice in Australia at present.

Client Administration Officers

As part of the Court's effort to assist clients during litigation, a Client Administration Officer is allocated to every file. I pay tribute to the skill and patience of our Client Administration Officers who serve as a constant point of contact for our clients, many of whom are in a distressed state when dealing with members of staff. The efforts and dedication of our Client Administration Officers and all of the other frontline staff are greatly valued and appreciated by me and all of the judicial officers.



Family Relationship Services Australia

I have been privileged over the last three years to have been coopted to serve as a member of the board of Family Relationship Services Australia. FRSA is the peak body for Australian family relationship and support services. Its purpose is to provide national leadership and representation for services that work to strengthen the wellbeing, safety and resilience of families, children and communities.

I was delighted to be invited to serve on the board of FRSA, which represents the major non-government organisations that provide services to clients of the Court. I consider my appointment is recognition of the successful efforts made by the Family Court of WA to work collaboratively with key members of the family law system.

I was also honoured during the year under review to serve as a member of the Commonwealth Attorney-General's Reference Group, the Advisory Board to the College of Law and the National Board of the Family Law Section of the Law Council of Australia which advises on professional development for family lawyers.

Court governance

The management of the Court continues to be overseen by the Board of Management to which the Judges have delegated their authority to make decisions on behalf of the Court, subject always to the right of review.

The Board has met fortnightly throughout the year, very

often in my absence in the Eastern States on Full Court duties. I am indebted to the Honourable Justice Martin, the Principal Registrar, the Director of Court Counselling and the Executive Manager (and their delegates who attend meetings in their absences) for their ongoing contribution. I am also greatly indebted to the Honourable Justice Crisford, who not only attends Board of Management meetings in my absence, but also performs the thankless, but vitally important, role of List Judge.

I am also indebted to the many judicial officers, family consultants and members of Court staff who willingly give up lunch times and out of hours time to take part in the work of the Court's many committees. The committees are of great importance to the continuous improvement of the work of the Court.

Finally, I thank all of the Judges, Magistrates, Registrars, Family Consultants, Managers and members of Court staff for their dedication and commitment throughout the year.

The Honourable Justice Stephen Thackray
Chief Judge
Family Court of Western Australia

THE FAMILY COURT

Our Jurisdiction

The Family Court of Western Australia was established in 1976 as a State court exercising both State and Federal jurisdiction.

The Court comprises Judges and Registrars. It deals with disputes arising out of the breakdown of marriages and de facto relationships. Specialist Family Law Magistrates work alongside the Judges, with all judicial officers benefitting from the input of the Family Consultants.

The Department of the Attorney General (WA) provides administrative and logistical support for the Court, which is principally federally funded.

Our Area of Service

The Court services the whole of our vast State. Apart from having exclusive jurisdiction in family law matters in the Perth Metropolitan area, the Court circuits to the following regional centres:

Albany Kalgoorlie
Broome Geraldton
Bunbury

Our Workload

Applications received	14,749
Matters finalised	15,226
Divorce Applications	5,252
Final Order Applications	2,633
Interim Order Applications	4,582
Consent Order Applications	2,282
Finalisations by Trial	296
Appeals	29

Our People

5	Judges
7.6	Magistrates
2	Registrars
54.5	Registry Support Staff
33.2	Judicial Support Staff
15	Family Consultants and IFLOs
6	Counselling support staff



OUR JUDICIARY

As at 30 June 2011:

Chief Judge

The Honourable Justice Stephen Thackray

Judges

The Honourable Justice Carolyn Martin
The Honourable Justice Jane Crisford
The Honourable Justice Stephen Crooks
The Honourable Justice Simon Moncrieff

Principal Registrar

Magistrate David Monaghan

Magistrates/Registrars

Magistrate Christopher Judges
Magistrate Annette Andrews
Magistrate Alan Moroni
Magistrate Elizabeth Stewart
Magistrate Jill Vander Wal
Magistrate Susan Duncanson
Magistrate Gail Sutherland
Acting Magistrate Colin Kaeser
Registrar Sally Vanderfeen
Registrar Laura De Maio



WORKLOAD

There was a small decline in applications for final orders in 2010/11 but an increase in applications for interim orders.

There were 2,633 applications for final parenting or financial orders, compared with 2,753 for the previous year.

Of those 2,633 applications, 49.8% sought only parenting orders, 38.6% sought only property orders, and 6.6% sought both parenting and property orders. The remaining applications sought other relief, such as for the issue of passports and injunctions.

Applications for Final Orders

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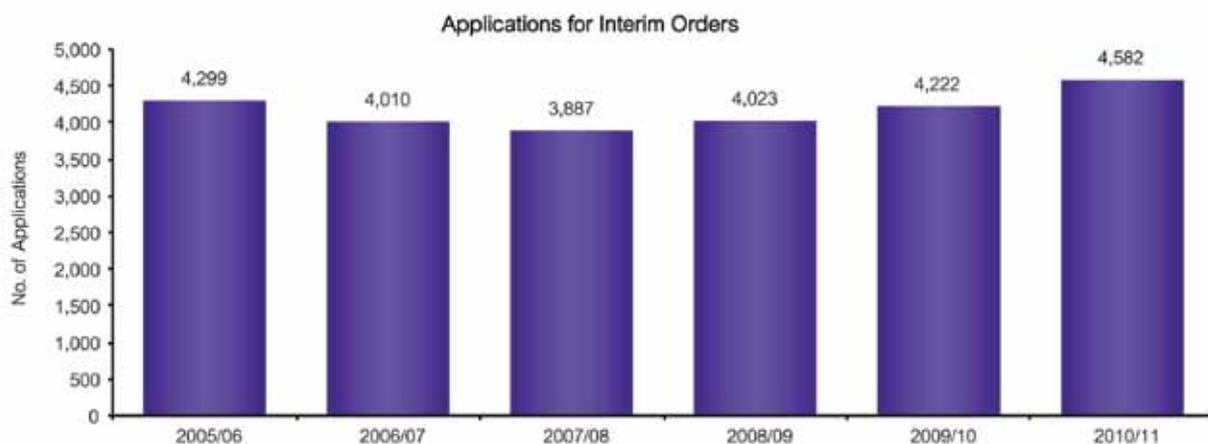
Applications for Interim Orders

There were 4,582 applications for interim orders, compared with 4,222 in the previous year. This is an increase of 8.5%, and reflects a continuing steady rise in the number of interim order applications.

Interim orders have increased across all application types. There was a significant increase (18.9%) in interim financial applications – up from 864 applications last year to 1027 applications in 2010/11.

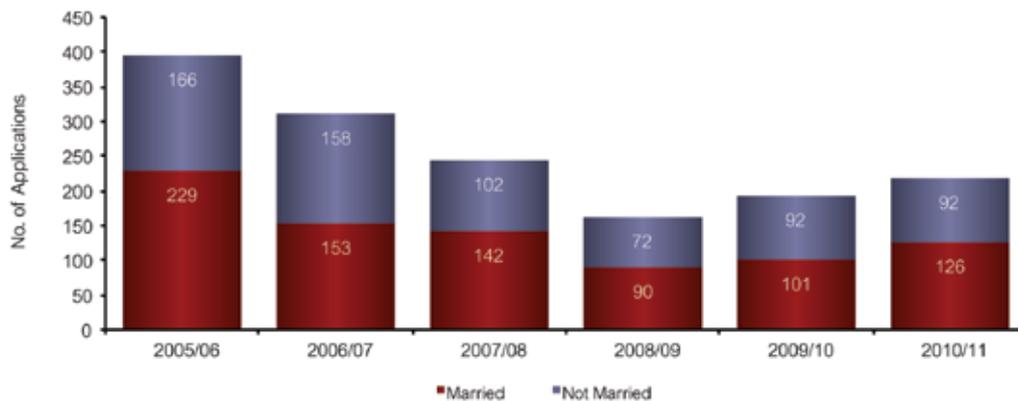
Applications for Spousal Maintenance, Child Maintenance and Child Support

There were 130 applications seeking spousal maintenance, child maintenance or child support orders, compared with 142 such applications in the previous year.





Order Contravention and Contempt Applications - Parenting



Order Contravention and Contempt Applications

There were 218 applications alleging contravention of a parenting order. Although this represents an increase of 13% compared with the previous year, the rate of filing remains at lower levels than prior to the introduction of individual case management procedures in parenting matters.

Case Assessment Conferences and Hearings

Magistrates and Family Consultants conducted 1,224 case assessment conferences/hearings in cases where only parenting orders were sought and 38 case assessment conferences/hearings where both parenting and property orders were sought.

Prior to January 2011, on the first return date, all initiating applications that sought parenting orders were the subject of a case assessment conference and hearing conducted by a Family Consultant and Magistrate. Resources would not allow the continuation of this service. The Child-related Proceedings List was established from January 2011 in which each case is triaged in court by a Magistrate and Family Consultant to ensure the most effective use of the Court's resources.

It is for this reason that the number of case assessment conferences decreased substantially from the preceding year.

COURT PERFORMANCE

There was a significant improvement in the clearance ratio in 2010/11, with many more matters listed for trial.

Although there was a modest reduction in applications filed (down from 14,861 to 14,749), there was a more than 18% increase in finalisations (up from 12,887 to 15,226).

This improvement was associated with a larger number of matters being listed for trial and also with continued application of the rule deeming dormant matters to be finalised. The deeming rule assists in providing a more accurate reflection of the efficiency of the Court.

The Court's clearance ratio (number of finalisations divided by the number of filings) is a measure of whether the Court is keeping up with its workload. In 2010/11 the clearance ratio was 103.2%, a significant improvement from the previous year's ratio of 87.5%.

Trials and Other Judicial Work

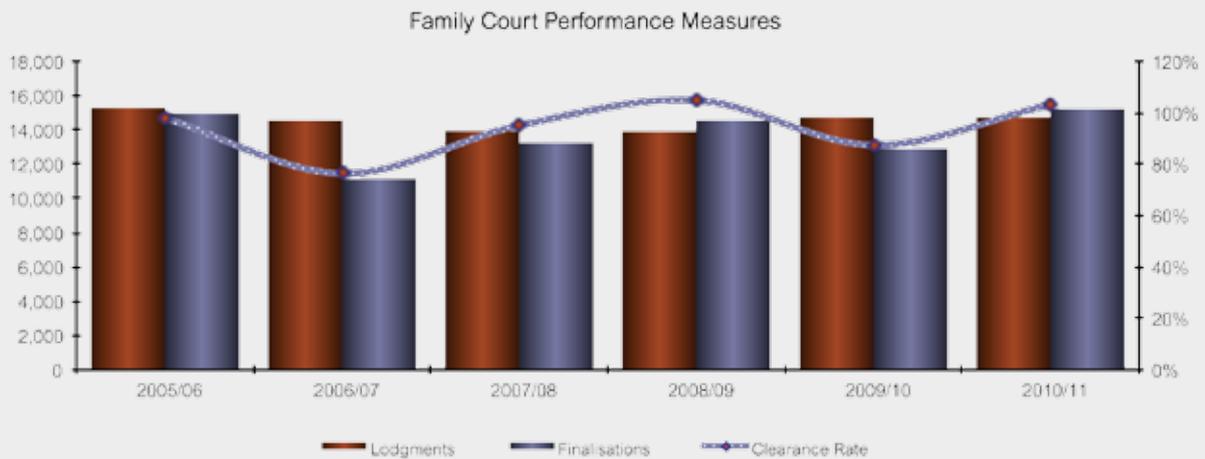
There were 210 matters listed for trial before Judges and 132 trials listed before Magistrates, an overall increase of 87

trials from the previous year, when there were 159 matters listed for trial before Judges and 96 matters listed for trial before Magistrates.

In addition there were 296 matters listed in Duty Judge Lists, an increase of 13% from last year. There were 900 matters listed for other appointments before Judges, a decrease of 15%.

The Judges also deal with all applications under the Adoption Act 1994 (WA). There were 26 applications made for adoption and 16 ancillary applications. In total, 30 adoption orders were made.

In addition to their other duties, all Judges have volunteered to deal with Telecommunication Interception Warrants. The great majority of these applications need to be heard on an urgent basis and are sought at all hours of the day and night. In the year under review the Judges dealt with 218 such applications, a significant reduction from the previous year. The reduction is likely to be associated with a change in practice whereby warrants are issued for a longer period, thereby reducing the need for applications for extensions of existing warrants.





Waiting Time for Trial

At the end of the year under review, the delay to trial stood at 99 weeks, down one week from the delay at the end of the previous year. The long delay to trial is attributable to many factors including the increasing complexity of matters coming before the Court, including a high proportion of cases where risk factors are identified. A further significant factor is the incremental effect of the Court having taken on the de facto property jurisdiction in 2002 without any increase in judicial resources to deal with the jurisdiction.

The calculation of the time to trial is made on a monthly basis by reference to the median time between filing and

trial of all matters that proceeded to trial in that month. Hence, in June 2010, half of all matters proceeding to trial had been pending for more than 99 weeks and half had been pending for less than 99 weeks.

Appeals

This year there were 29 appeals/applications for leave to appeal filed from decisions of Judges of the Family Court of Western Australia.

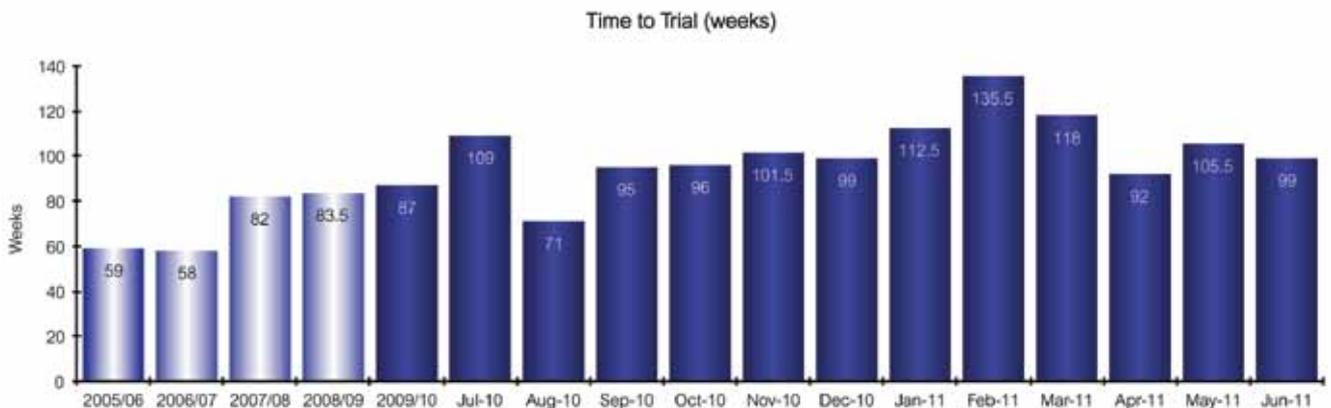
Appeals from Judges exercising non-federal jurisdiction are heard by the Western Australian Court of Appeal, rather than by the Full Court of the Family Court of Australia. Six such appeals were filed during the year under review.

A total of 10 Full Court judgments were handed down; four appeals were dismissed and the remaining six were allowed. As at 30 June 2011 the number of appeals outstanding was 28.

Regional Circuits

The FCWA Family Law Magistrates provide support and advice to country Magistrates and conduct regular circuits to the major regional centres. The Judges circuit to the same centres as required, hearing defended matters.

Bunbury is the largest regional centre and is serviced on a monthly basis. During the year under review, the area in the Bunbury Courthouse used by FCWA received a much needed renovation, providing for additional conference rooms, secure work areas for judicial officers, family consultants and staff, and a more suitable and spacious waiting area.



REGISTRARS' WORK

The Registrars deal with most of the applications for consent orders, subpoena hearings, procedural hearings and divorces, and they conduct most of the conferences, as well as advising Court staff and litigants on more complex matters of practice and procedure. Statistics for some of the work they undertake are set out below.

Conferences

Registrars conducted 494 procedural conferences in 2010/11, compared with 563 in the preceding year. There were 1,125 conciliation conferences conducted by Registrars during the year in review, compared with 1,204 in the preceding period.

Registrars conducted 629 pre-trial conferences, which is a significant increase from the 231 in the preceding year.

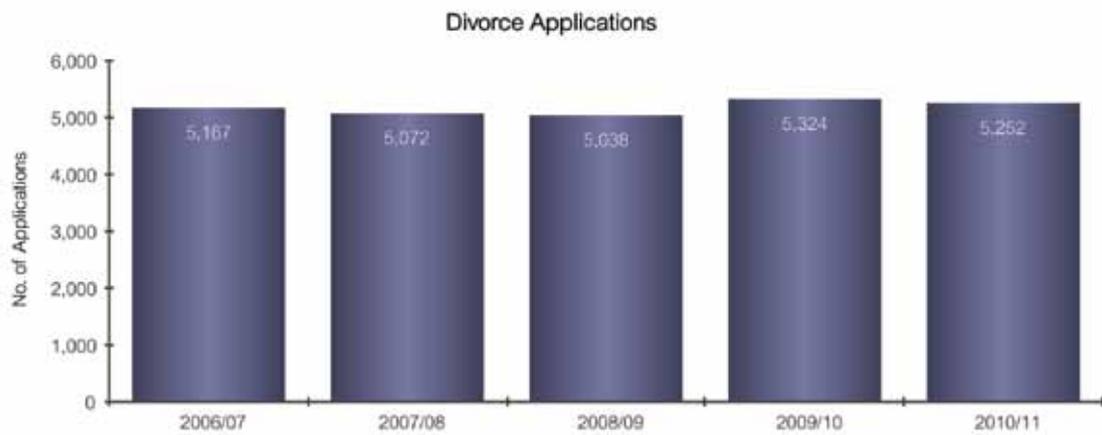


Applications for Consent Orders

There were 2,282 Applications for Consent Orders, which is a reduction from the 2,445 filed in the previous year. The great majority of these applications (82.1%) sought only property orders. De facto relationships accounted for nearly 30% of the applications for property orders.

Of the 2,282 applications, 9% sought only parenting orders, of which 48.8% were filed by parties to a marriage. The remaining 8.9% of applications for consent orders sought both property and parenting orders, of which 86.2% were filed by parties to a marriage.





Divorce Applications

There were 5,252 Applications for Divorce, representing a slight decrease from the 5,324 in the preceding year.

In 65% of cases the divorce application was dealt with in the absence of the parties – a similar proportion to the previous year.

E-Filing

E-Filing of divorce applications was implemented through the Commonwealth Courts Portal (CCP) in March 2010. There has been a steady increase in the number of e-filed divorce applications, with a total of 631 having been filed in the year under review.



TRENDS

The Court continues to deal with a high volume of cases involving unmarried parties. Many litigants are self-represented and many have not been through Family Dispute Resolution.

Self-Representation

There was a slight decrease in the percentage of parenting orders matters in which the applicant was self-represented at the time of filing – down from 47.6% to 45.2%. However, there was a large increase in self-representation in financial cases – up from 12.3% to 23.6%.

Of the 5,252 divorce applications, 81.7% were filed by persons without legal representation – a similar proportion to the previous year.

Applications by parties without legal representation accounted for 70.2% of all contravention/contempt applications.

Applications Made by Unmarried Parties

The Court continued to receive a high volume of applications made by unmarried parties.

Of the 1,313 applications seeking only parenting orders, 57.9% were filed by unmarried parties. Of the 1,017 applications seeking only property orders, 25.6% were filed by unmarried parties. Of the 173 applications seeking both parenting and property orders, 22.5% were filed by unmarried parties.

Of the 218 contravention/contempt applications, 126 were filed in relation to children of a marriage (57.8%) and 92 in relation to ex nuptial children (42.2%).

Applications for property settlements in de facto matters now represent about 11.4% of all applications for final orders.

Exemption Certificates

The legislation provides for parties to undertake a Family Dispute Resolution (FDR) process prior to commencing parenting proceedings in the Court. However, there are a number of grounds on which parties may be exempted from attending FDR. During 2010/11, about 58% of all parenting applications were commenced on the basis that a ground for exemption was established, hence FDR was not conducted prior to the commencement of the proceedings.



COUNSELLING AND CONSULTANCY SERVICE

The management of children’s cases continues to be based on collaboration between the Family Consultants and the Judges and Magistrates.

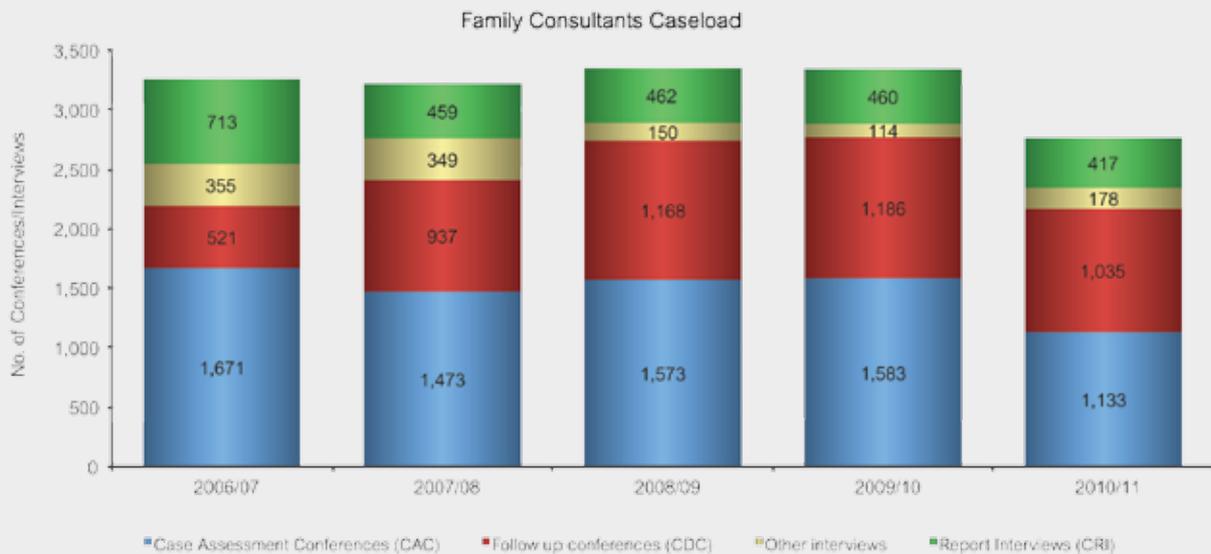
The Family Court Counselling and Consultancy Service (FCCCS) provides services which focus on the needs of children in relation to parenting disputes before the Court. Services are delivered through initial screening assessment as part of the Child Related Proceedings List, more detailed assessment through Case Assessment Conferences (CAC), Child Dispute Conferences, Family Reports and through complex case management processes. Parents are assisted to negotiate suitable parenting arrangements and to deal with issues that affect their parenting. The Family Consultant may assist parties to come to a resolution and provides advice to the Court to inform decisions about Interim and Final Orders.

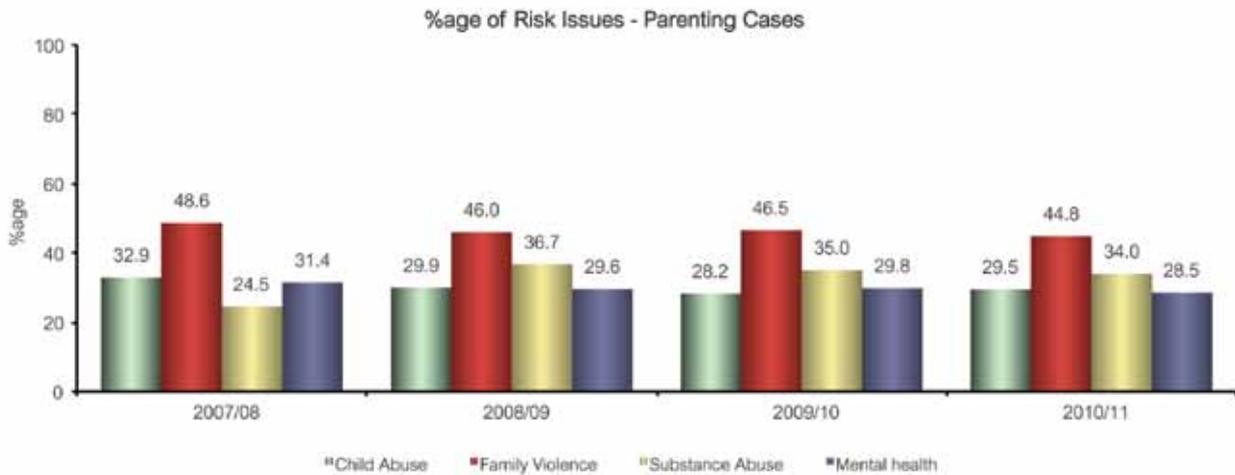
In January 2011 the Court implemented a new Child Related Proceedings pathway for people seeking parenting directions from the Court. This was designed in part to triage cases for referral to Case Assessment Conferences

with Family Consultants in order to allow the FCCCS greater capacity to provide a higher level of case management of complex cases.

In this approach the first appearance is before a Magistrate at a Child Related Proceedings Court List where, with advice from a Family Consultant, the need for referral to a Case Assessment Conference is determined. The Family Consultant contributes advice based on an initial screening of possible risk to the safety and wellbeing of children and other family members.

The graph below shows components of the caseloads of the FCCCS. It does not encapsulate the totality of the work. In 2010/11 there was a decrease of 28.4% in CAC's compared to the previous financial year. It also shows a decrease of 16% in total numbers of interviews. This trend is commensurate with a 17% reduction in staffing levels over the same period and the implementation of the new Child Related Proceedings model in January 2011 which prioritises resources towards more complex cases and more intensive case management. The majority of cases over time achieve suitable outcomes without having to go to trial.





Risks Identified

The Family Court Counselling and Consultancy Service continues to see many families where there may be one or more risk factors which influence the ability to effectively resolve parenting disputes and to make ongoing and stable arrangements which focus on the needs of the children and the safety of family members. Information is collected to understand the nature of key contributing risk factors to support FCCCS case management and also to inform future planning for the Court and the broader family law and human services sectors.

The table below shows the percentage of cases involving parenting disputes and seen by the FCCCS which have involved any or all of four types of risk factors i.e. presence of child abuse, family violence, substance misuse by family members and mental health issues. One case often involves

a number of factors and all relevant factors are counted for each case. The trends for 2010/11 are consistent with those for previous years. Substance misuse continues to be identified in 34% of cases, child abuse issues appear in 29.5% of cases, family violence issues in 44.8% of cases and mental health issues in 28.5%.

Continued high levels of family violence remain a cause for concern for the FCCCS. Coordination and information sharing protocols between agencies provide necessary support to the work of this Court. The current State and Commonwealth policy focus on violence against women and children and on family and domestic violence are welcome approaches to addressing this.

While mental illness does at times affect a person's ability to parent effectively, so too can treatment and support from appropriate services greatly assist in managing this. It is sometimes difficult for the FCCCS to identify services to support these clients and our experience highlights the ongoing need for improved levels of service provision in this area.

The number of cases which involve child protection issues and which may have direct involvement with the Department for Child Protection is 12.7% higher in 2010/11 than in 2009/10 as counted by the number of cases involving Form 4 Notifications of Child Abuse and/or Family Violence. Ongoing partnerships with the Department for Child Protection, Legal Aid and other jurisdictions are essential in managing and addressing these issues.

The work of the Family Court Counselling and Consultancy Service relies on the support of other agencies within the broader Family Law and Human Services sectors and within other jurisdictions and the Service remains appreciative of this support.

Child Protection Consultant

The Department for Child Protection has had a co-located worker based at the FCWA for two and a half years. This has enabled the timely consideration of child protection matters. Collaboration with the Department has become an integral feature of the daily operations of the Family Court. Ms Michele Cohen, the Child Protection Consultant, has forged a strong departmental presence at the Court through collaborative working arrangements with the Family Consultants and judicial officers. Orders protecting children are now often able to be made earlier in proceedings.

During the year Ms Cohen travelled to Geraldton, Kalgoorlie and Bunbury with the regional court circuits and provided support and training to the local departmental offices in those regional areas.

This role also supports the Department in its involvement as a key stakeholder in planning and development within the family law sector. Ms Cohen represented the Department at the AIJA Conference in Brisbane and at the National Forum on Family Law and Child Protection hosted by the Australian Government, Attorney-General's Department in the ACT. In February, Ms Cohen and a senior departmental solicitor, Mr Ian Allen, met with visiting Tokyo District Court Judge, Hiroko Ogiwara, to discuss child protection services in WA.

There was a heightened demand for timely exchange of information between the Court and the Department during the past year. This arose from a significant increase in the number of Form 4 Notifications filed and the introduction of the new Child Related Proceedings Court list.

In recognition of this increased workload the Department for Child Protection allocated funding for an additional 0.5 Officer to assist Ms Cohen. The Court extends its appreciation to the Department for Child Protection for this additional support for the continuing partnership.

Indigenous Family Liaison Officers

It has been 3 ½ years since the inception of the Indigenous Family Liaison Officers pilot program in the FCWA. Although the funding was renewed in June 2010 for a further 12 months, existing staff had already secured alternative employment. By January 2011 two new indigenous Family Consultants had been appointed on temporary contracts, however in mid 2011 one person resigned to take up a position with longer tenure elsewhere. Attraction and retention of staff to these temporary positions is highly problematic.



These positions have enabled high quality Family Consultant services to be provided to indigenous families as well as expert consultation to be provided within the Court on matters affecting aboriginal clients. Engagement with key stakeholders of the Court in both metropolitan and regional areas is an important part of the role. Productive methods of contact with regional stakeholders between circuits are being tested.

The development of these initiatives has attracted national attention in the Family Law sector as the Family Court in Western Australia is the only Australian Family Court with these positions. Funding ceases in June 2012 and the sustainability of the program's gains is in jeopardy.

OUR SERVICES

In 2010/11 the Court continued to adopt innovative approaches to resolution of family law disputes.

Customer Service

The Court strives continually to improve services, with a focus on the needs of clients, many of whom are in distress. On average, counter staff served 189 clients each day in 2010/11, with demand peaking at over 200 clients a day in January and February 2011.

A Client Administration Officer is allocated to every file (other than matters where only a divorce is sought) to ensure a constant point of contact within the Court.

Information Sessions and Tours

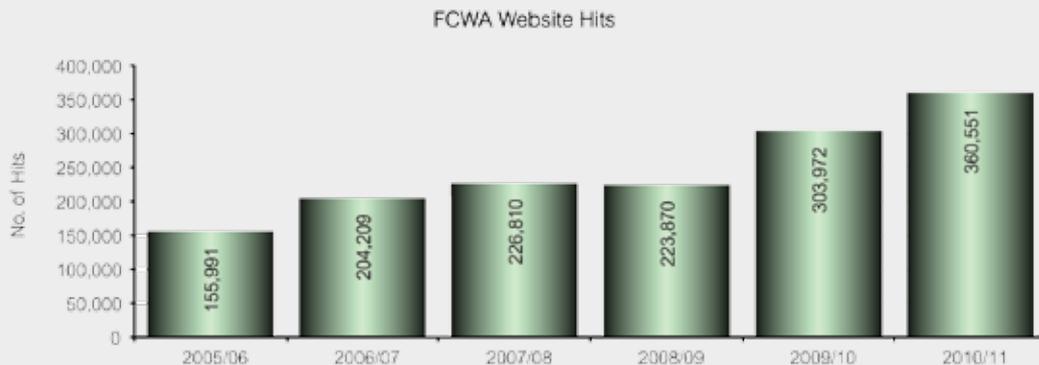
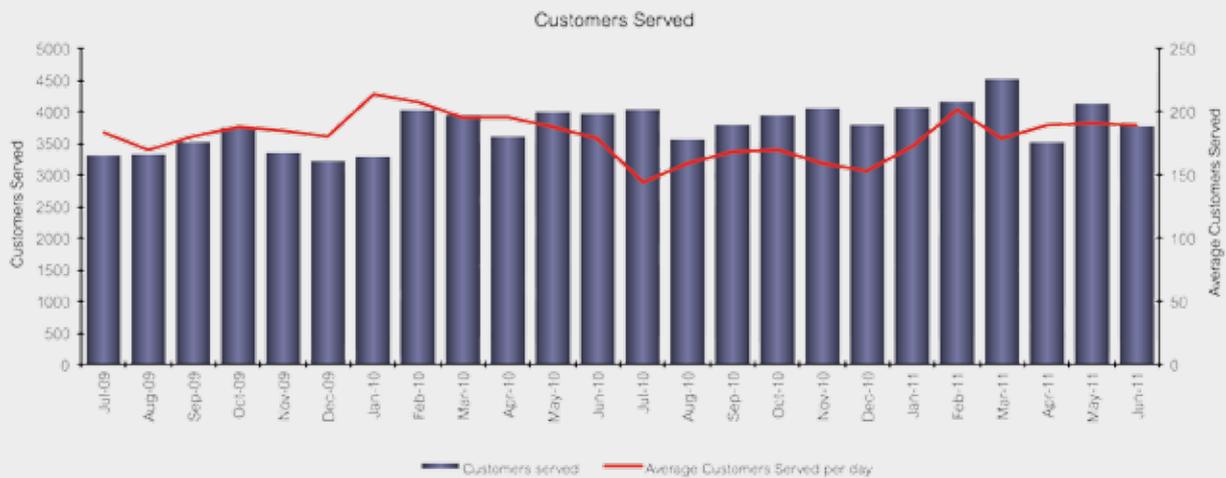
The Court continued to conduct weekly information sessions for clients. The same sessions are accredited and offered by four suburban community legal centres and two regional centres.

The Court offers tours to departmental officers, law students and a range of community agencies. In 2010/11 the Manager, Customer Service conducted a total of 18 tours.

Website and Publications

The Court's website continues to be an effective means of providing information to litigants and legal practitioners. It offers a range of information including court listings, procedural advice, links to legislation, access to forms and links to outside agencies where clients can obtain further assistance.

The graph below shows a significant increase in the number of hits recorded in 2010/11.





Commonwealth Courts Portal

The Family Court of Australia, Federal Court of Australia, and the Federal Magistrates Court, together with FCWA have worked towards the development of the CCP, which enables online inquiry about matters proceeding through the Court. Lawyers are able to view details about parties, documents filed and court events. Self-represented litigants can also access information via the Court's website using the File Search facility.

Child-Minding Service

A free child-minding service is offered for clients attending court or who have appointments with the counselling service. The service is very well patronised with 1,848 children utilising the facilities during the year, an increase of 22.9% from 2009/10. On average, 154 children are cared for each month. The centre cared for 29 children on its busiest days of the year in January 2011.

Legal Aid WA and Family Court Service

Legal Aid WA continues to provide service to the Court's clients on-site. Services include representation in Court, assistance with documents, and referral to Alternative Dispute Resolution.

The Legal Aid Service saw 3,040 clients in 2010/11, a reduction of 5.1% from the previous year. Referrals to the service are made by judicial officers, family consultants and registry staff.

The Court is most grateful for the excellent service provided by the dedicated staff of Legal Aid WA.

Justices of the Peace

Justices of the Peace carry out a range of important administrative and judicial duties in the community. These include witnessing affidavits and other documents.

An afternoon tea for the volunteer Justices of the Peace is hosted by the Chief Judge each year in appreciation of the valuable assistance they provide to the clients of the Family Court.

2010/2011 HIGHLIGHTS

Cognos Reporting Tool

Following the signing of a Memorandum of Understanding with the Family Court of Australia, FCWA has commenced use of new automated reports, using a reporting tool called Cognos.

Cognos allows relevant data to be extracted on a monthly basis for both internal and departmental reporting. This Annual Report has utilised the Cognos reports, which have proven to be more accurate than those produced by earlier systems.

It should be noted that a slight variance may be seen in some figures compared to those which have been published in previous annual reports. As the Court has now implemented Cognos as the new statistical reporting tool, all key performance indicators and performance indicators both published and internal are utilising figures extracted through Cognos reports.

Casetrack Financial Transactions

FCWA has undertaken a project to streamline financial transactions at the front counter. The project was completed in June 2011 with the installation of a multifunction, touch screen, cash register to assist the cashier. The Court is now able to monitor, balance and report on application fees received.

New Forms

Considerable work was undertaken by the Case Management Committee to develop a better Form 1 (the document by which applications for final parenting and property orders are commenced) and a Case Information Affidavit. These new documents were introduced in January 2011. Feedback suggests that self-represented clients have found the new forms much more "user friendly".



FUTURE DIRECTIONS

The Court has identified initiatives to ensure continued service improvement. These include:

Time to Trial

The Court has identified ways to better utilise judicial resources to deal with the delay in matters reaching trial. This will see greater use of Magistrates in hearing trials by moving the focus of their work away from interim hearings and toward the final resolution of matters.

Customer Flow Management System

A tender was finalised in 2010/11 for a customer flow management system in the Level 1 reception area. This will enable staff to better manage the many clients seeking assistance at the front counter, as well as monitoring and reporting on the number of clients served and the length of wait times. It is anticipated this new system will be operational by mid 2011/12.

PABX Replacement Project

The Court will upgrade its Private Automatic Branch Exchange (PABX) telephone system and handsets in early 2011/12.

Electronic Learning Management System

The Electronic Learning Management system (ELMS) tool is currently in development. It will be used for a range of information and training purposes. The Court is working towards developing packages for all key registry procedures.

Website Update

Work will continue on the updating and redesign of the Court's website. The aim is to provide a more user friendly site, a fresh new look and more information.

E-Filing for Casetrack

The Court now provides e-filing of divorce applications and of limited supplementary documents via the Commonwealth Courts Portal. Further important enhancements are expected in 2010/11. These will include the capacity to e-file the Form 1 application, which has been revised for this purpose.



IPO over the Internet Pilot Program

The Court is piloting an Internet Protocol Over Optical (IPO) program. This will allow a party to take part in proceedings from a remote location, and will be of particular use in cases where it is not appropriate for a party to be in the same courtroom as the other party.

Adoption Scanning

The Court is completing a scanning project to ensure all adoption records are available electronically. Hard copy files will be moved to an offsite facility to ensure appropriate storage and security.

A Memorandum of Understanding has been signed to allow DCP staff to view electronic copies of adoption records. This will result in a more efficient turnaround in provision of such records. It is expected that required testing will have been completed by mid 2011/12.

Information Sessions

The Court is working towards modernising the way in which information is made available to clients. During 2011/12, the information that was previously provided in face-to-face Information Sessions will be made available online with the option to print or download.



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