



## FAMILY COURT OF WESTERN AUSTRALIA

### INFORMATION NOTE

#### LISTING OF CASES TO A CASE ASSESSMENT HEARING BEFORE A JUDGE

From 1 August 2008, Judges of the Family Court of Western Australia will commence conducting case assessment hearings after case assessment conferences on the first return date of an application.

The following guidelines apply to having cases listed before a Judge instead of a Magistrate for a case assessment conference and hearing:

1. A case may be listed before a Judge for a case assessment hearing only by direction of a Judge, Magistrate or Registrar. If a case fits within these guidelines and an appropriate case assessment hearing is available before a Judge, the case will be listed to that Judge.
2. Applicants and, if applicable, their legal representatives, are requested to provide a covering letter to the Duty Registrar when seeking to file a Form 1 requesting that the case be listed before a Judge, setting out the reasons for the request.

The request may be made in the following circumstances:

- (i) when the case involves international or interstate relocation of a child;
  - (ii) when the case involves familicide or homicide;
  - (iii) when the case involves allegations of abuse of a child, or family violence within the definitions in the relevant legislation, and it is appropriate for the case to be heard by a Judge;
  - (vi) when the case has previously been the subject of a trial, or case management, by an individual Judge; or
  - (v) when for any other reason, it is appropriate that the case be heard by a Judge.
3. When a Judge, Magistrate or Registrar has been referred for consideration:
    - (i) a Form 4 and affidavit that is proposed to be filed with a Form 1, and the allegations appear prima facie supported by the affidavit; or
    - (ii) a request for an urgent listing, and the case appears to fall within any of the categories set out in the paragraphs above,

the case may be listed before a Judge.

STEPHEN THACKRAY  
CHIEF JUDGE

14 July 2008