

Property Family Dispute Resolution Process

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Intake interview

- Reception will transfer you to an Intake Officer
- Intake staff talk with you briefly to get some details about your situation
- Your individual Pre-Family Dispute Resolution appointment time is booked
- Intake staff will send you a link to complete a questionnaire before your Pre-Family Dispute Resolution appointment

(Individual) Pre-FDR appointment

- You have a confidential individual appointment with a Family Dispute Resolution Practitioner (FDRP) to discuss your situation
- The FDRP gives you information about the Family Dispute Resolution (FDR) process and will refer you to legal and financial advice as well as other services which you may need
- The FDRP also assesses whether your case is suitable for FDR

(Joint) Family Dispute Resolution Session 1

- FDR for financial matters is held over two (or more) two-hour sessions, usually about a fortnight apart. Please bring documentation of your assets and liabilities.
- In Session 1 assets and liabilities are listed and any need for further valuations or other information is identified
- Each party's future needs and considerations are discussed
- Before Session 2, you will each need to obtain any additional legal/financial advice and the valuations/appraisals identified in Session 1

Family Dispute Resolution Session 2

- In Session 2, you both share the information obtained since the first session. This includes bringing any further documentation of assets and liabilities.
- The property division is explored and negotiated
- A further session can be booked to complete this process if necessary

Property Agreement

- Financial agreements reached in FDR are not legally binding
- You both decide how you would like to document your agreement to make it legally binding:
 - By signing a Binding Financial Agreement or
 - Through Family Court Consent Orders.
- If an agreement isn't reached through FDR, you may decide to apply for a Court order.

Valuations, Legal and Financial Advice

- It is essential to get legal and financial advice throughout the FDR process for property matters
- Legal advice may cover specific issues that arise as well as the legal implications of the overall agreement
- Financial advice may be about the affordability of various options, the tax implications of your agreement, and how to deal with and value specific assets and liabilities
- You may also need to get a valuation of some of your assets from a licensed valuer. The FDRP will assist you to negotiate how the valuation should be obtained and how the cost of it will be met.

FAMILY RELATIONSHIP CENTRES

Located within Relationships Australia NT Offices

DARWIN

5 Shepherd Street
Darwin NT 0800
08 8923 4999

KATHERINE

6 Katherine Arcade
15 Katherine Terrace
Katherine NT 0850

ALICE SPRINGS

5 Parsons Street
Alice Springs NT 0871
08 8950 4100

1300 458 600

rantreception@ra-nt.org.au
www.familyrelationships.gov.au
www.nt.relationships.org.au