

LIGHTHOUSE PROJECT UPDATE



Guiding those experiencing family violence and other safety risks through the family law system

Update to the Profession August 2021

With the commencement of the Federal Circuit and Family Court of Australia (FCFCOA) on 1 September 2021 and in line with the Court's commitment to identifying vulnerable parties and high risk matters at the earliest stage of litigation, the Lighthouse Project will continue to be fully operational and supported within the Adelaide, Brisbane and Parramatta registries.

Federal Circuit and Family Court of Australia

The new Court's single point of entry for all family law matters, means the Lighthouse Project will now capture all eligible parenting matters filed on or after 1 September 2021. Previously only Federal Circuit Court parenting matters were eligible for the Lighthouse pathway.

The Lighthouse practice direction has been updated and is now known as [Family Law Practice Direction - Lighthouse Project and Evatt List \(FAM-LHP\)](#) – you can download the practice direction from the Court's new website – www.fcfoa.gov.au.

Dispute Resolution

The Lighthouse Project assists with the early identification of matters which may be suitable for dispute resolution, echoing the new FCFCOA pathway's emphasis on dispute resolution, wherever it can occur without compromising safety. Risk screening ensures that there is a continual focus on risk from the commencement of proceedings, including for matters involving clients who feel they are not at risk, or for those who identify as having little to no safety risks. There are different types of early dispute resolution events such as; mediation, Conciliation Conference or Family Dispute Resolution (FDR), which can be considered for each case, whether they are completed within the Court, or privately. Case Study #5 outlines the importance of dispute resolution and how a particular aspect of FDR assisted parties in coming to an agreement without the need for lengthy litigation.

ABOUT THE PROJECT

The Lighthouse Pilot commenced on 7 December 2020 in Adelaide, and in Brisbane and Parramatta on 11 January 2021.

The pilot is a new approach to risk screening that focuses on public health and tailored case management for families involved in the family law system. It involves:

- Early risk screening through a secure online platform.
- Early identification and development of safety plans and referrals.
- Assessment, triage and support of cases by a specialised team of judges, family consultants, senior registrars and registrars.
- Tailored case management to



Case Study # 5

Facts:

Prior to filing with the Court, the parties had an existing parenting plan made in 2019 for their young child. The parties attended private mediation in late 2020 to make changes to the parenting plan and were unable to reach an agreement. As a result of this, the applicant then initiated proceedings seeking overnight and holiday time with the Court in early 2021.

In the filed material, the respondent alleged the applicant had expressed suicide ideations and raised risk issues in relation to alcohol and drug misuse. The applicant raised no concerns. Both parties participated in the risk screening process and their matter was reviewed by a Family Counsellor.

The Family Counsellor conducted interviews and identified that neither party, in fact, held any risks or concerns for the child in each parent's household. As the sole issue in contention was the applicant's progression to overnight and holiday time with the child, the parties were referred to a court-initiated FDR conference with a Judicial Registrar (acting as Family Dispute Resolution Practitioner) and a Family Consultant (as a Child Expert). The joint FDR conference allows the Judicial Registrar and Family Consultant to work collaboratively, and provides a good opportunity for parties to reflect on the core issues at hand relevant to the child and provides a safe and calm environment to negotiate.

Outcome:

By filing with the Court, and undertaking the risk screen in the Lighthouse Project pilot, the Court was able to identify the most appropriate case management pathway for the parties. By participating in the FDR conference, and with the assistance of the Judicial Registrar and Family Consultant, the parties were able to:

- settle their matter prior to their first court date;
- prevent damage to their co-parenting relationship;
- come to a child-focussed agreement which benefited both parties and their young child; and
- reduce the cost and emotional toll of the litigation process.

suit the needs of each case.

- Referral of cases to a dedicated high-risk court list, known as the Evatt List.

For more information on the Lighthouse Project, visit the Court's [website](#).

Further information

Further information regarding the commencement of the FCFCOA can be found [here](#) and outline to changes to Court operations can be found via the media release [here](#).

An overview of the changes to FCFCOA's harmonised rules, practice directions and forms is also available on the new website [here](#).

PLEASE NOTE: because of the legislated court amalgamation on 1 September 2021, there are a new suite of court forms. Following a ninety day grace period (starting from today, 1 September), all previous court forms will no longer be accepted for filing. Further, all partially completed applications on the Commonwealth Courts Portal that were not submitted by 31 August 2021, have been deleted due to the necessary IT updates required and will need to be recommenced.

You can contact the Court for assistance in the following ways:

- Live Chat at <http://www.fcfoa.gov.au/livechat>
- Email enquiries@fcfoa.gov.au or
- Call [1300 352 000](tel:1300352000).

