

PROPERTY SETTLEMENT FLOWCHART

PRE-ACTION PROCEDURE



NEGOTIATE AND ATTEMPT TO RESOLVE YOUR DISPUTE

This should include full and frank disclosure of each of the parties' respective financial positions. If settlement is achieved expeditiously same can be embodied in Consent Orders.



INITIATING APPLICATION FILED

Your Application must be accompanied by a Financial Statement and a copy of your Marriage Certificate. If you file your Application in the Federal Magistrates' Court a short affidavit also needs to be filed.



CASE ASSESSMENT CONFERENCE

On this occasion the docket Registrar will prepare a joint balance sheet setting out the assets and liabilities of the parties. Directions will be made for the preparation of the parties' evidence and the preparation of relevant expert (valuation) reports.

RESOLUTION PHASE



CASE CONCILIATION CONFERENCE

If negotiations fail the matter will be referred to a Judge and listed for a Case Management Hearing and a timetable set for the filing of evidence.

DETERMINATION PHASE



CASE MANAGEMENT HEARING

You will appear before the Judge appointed to conduct the Final Hearing.

On this day you should be in a position to advise the status of your matter and whether or not the matter is ready to proceed to hearing. If the matter is not ready, the Judge will make further directions, otherwise the matter will be allocated a hearing date. The parties should be in a position to submit a "Balance Sheet" being a schedule of the parties' assets and liabilities.



FINAL HEARING



JUDGMENT DELIVERED AND ORDERS MADE