

RESOURCES FOR PRACTITIONERS



PROTOCOL FOR COMMUNICATING WITH CHAMBERS

The use of the docket system in the Family Court has greatly increased the amount of direct communication that takes place between the profession, parties and the Judges' Chambers. Some of this communication is inappropriate and whilst we are creating generic addresses for this purpose it needs to be remembered that contact with a Judge's Associate is to be regarded as an exception rather than a rule and subject to appropriate safeguards. First, before contacting a Judge's Associate enquiry should usually be made to docket Registrars or Case Coordinators in the Registry if the enquiry is about the case generally.

Practitioners are reminded that it is never appropriate for a party or legal practitioner to attempt to contact a judge about a matter for which that judge is responsible. It is also usually not appropriate for any party or legal practitioner to contact the judge's associate about a matter for which the judge is responsible, unless all parties are in agreement that this should occur and then only for good reason.

Should it become necessary to contact a judge (through their associate) about any substantive issue relating to a matter, it is expected that the following protocol is followed:

The party and/or practitioner seeking to contact the associate will first contact each other party or practitioner involved in the case. Any necessary communication will thereafter be joint and in writing.

In the event that genuine urgency or other good reason is said to prevent joint written communication, the person seeking to contact an associate should first seek, in writing, consent from each other party/practitioner to contact being made and provide full details of the reason for, and nature of, the intended communication.

In cases of genuine urgency, or in the event that consent is not forthcoming within a reasonable period of time, contact with a judge's associate should be made in writing and contemporaneously. A copy of that communication should be forwarded to each party/practitioner.

A party should not seek to have oral communication with the associate about any substantive issue save in appropriate, extraordinary circumstances.

In all cases, except in appropriate, extraordinary circumstances, all communication from a judge's associate to parties and/or practitioners about a matter will occur in writing and be sent contemporaneously to all parties/practitioners.

Generic email addresses have been created for judges of the Family Court of Australia. All communication with chambers should be sent to: Associate.JusticeXX@familycourt.gov.au in line with this protocol.

For communication with the Deputy Chief Justice please use the following email address:
Associate.DCJFaulks@familycourt.gov.au

Any communication about appeals should be addressed to the Appeal Registrars in each region as is the current practice.

MORE INFORMATION

For enquiries relating to a file contact the case coordinator.

For general family law enquiries contact the National Enquiry Centre:

- Phone 1300 352 000
- Email at enquiries@familylawcourts.gov.au
- Live Chat