

Family Law Process - Estimated Timelines

STAGE 1

2 - 3 months

Pre-Action Procedures

- Letter to the other party setting out your position and proposal.
- Obtaining and reviewing disclosure documents from you and other party.
- Negotiating an offer to settle by way of correspondence.

Application for Consent Orders

- If agreement is reached by negotiation, drafting and filing of a Form 11 Application to formalise your agreement.

STAGE 2

3 months - 1 year

Mediation Style Conference

- Solicitor preparation and attendance at a Mediation Style Conference with the other party, chaired by a former Family Court Judge or Magistrate, or Barrister.

Application for Consent Orders

- If agreement is reached by negotiation at the Mediation Style Conference, drafting and filing of a Form 11 Application to formalise your agreement.

STAGE 3

3 months - 1 year

Commencing Family Court Proceedings

- Drafting and filing of an Initiating Application in the Family Court, commencing proceedings.
- Solicitor attendance at the First Return date, and procedural court events.

Interim Applications

- Drafting and filing of an Interim Application in the Family Court, seeking orders for interim issues.
- Solicitor attendance at the procedural court events and the Interim Hearing.

STAGE 4

1.5 year - 2.5 years

Trial Documents and Readiness Hearing

- Drafting and filing of Trial documents.
- Attendance at a Readiness Hearing and Callover securing for Trial.

Formalising an Agreement at Court

- At any stage during court proceedings if an agreement is reached, orders can be made by consent and the process finalised.
- Drafting Minute of Consent Orders.
 - Attendance at Court if required.

STAGE 5

2 - 3 years

Trial in the Family Court of Western Australia

- Estimated cost for a 2-3 day trial in the Family Court.

Legal fees are charged on an hourly basis as set out in your Cost Agreement. Factors that may affect your cost include:

- Complexity
- The time spent in presenting your case
- The other party's attitude and how it affects the way the case is conducted
- Out-of-pocket expenses
- Barrister's fees

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