

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
FAMILY COURT OF AUSTRALIA**

Question No. AE16/061

Senator Xenophon asked the following question at the hearing on 9 February 2016:

1. With respect to the greater Sydney Metropolitan Area:
 - a. What are the current caseloads across the Family Court?
 - b. What was the total caseload number for each of the past 5 financial years?
 - c. How many Family Court Judges are there presently in the area?
 - d. How many Family Court Judges are set retire from the area?
 - i. If there are to be retirements, when is the Attorney likely to appoint replacement judges?
 - ii. How often has the Chief Justice made (informal or formal) representations with respect to the replacement of those judges?
 - e. How many Family Court Judges were there in the area at the conclusion of each of the past 5 financial years?
 - f. What is the current average time frame from application to first hearing?
 - g. How does this average time frame compare to the each of the past 5 financial years?
 - h. What is the current average time frame for matters to be handled from application to finality in the court's original jurisdiction?
 - i. How does this average time frame compare to the each of the past 5 financial years?
2. Please provide the same answer set for the greater Melbourne Metropolitan Area
3. Please provide the same answer set for the Adelaide Area.

The answer to the honourable senator's question is as follows:

1. Sydney Metropolitan Area

- a. The latest caseload statistics for final order applications in the Sydney and Parramatta registries:

YTD as of 31 August 2016*	Family Court of Australia
Filed	187
Finalised	233
Pending	1485

*Financial year

- b. The trend in final orders caseload for the past five years is as follows:

Family Court of Australia	2011-12	2012-13	2013-14	2014-15	2015-16
Filed	1178	1100	1297	1421	1371
Finalised	1252	1156	1064	1311	1341
Pending	1212	1156	1389	1499	1531

- c. Fourteen as at 8 September 2016.
- d. As at 8 September 2016, no Justices have advised the Governor-General of their intention to retire.

- i. Not applicable.
 - ii. Not applicable.
- e. Number of Family Court judges in the area at the conclusion of each of the past five financial years:
- Fourteen as at 30 June 2015
 - Thirteen as at 30 June 2014
 - Fourteen as at 30 June 2013
 - Fourteen as at 30 June 2012, and
 - Thirteen as at 30 June 2011.
- f. The latest statistics for median time from filing to first defended hearing:

YTD as of 31 August 2016*	Family Court of Australia
Median months to first defended hearing – interim applications	7.76
Median months to first defended hearing – final orders	22.72

*Financial year

- g. It is a slight increase.
- h. The latest statistics for median time from filing to final orders finalisations (for all matters – not just those that went to trial):

YTD as of 31 August 2016	Family Court of Australia
Median months to finalisation	9.27

*Financial year

- i. It is a slight decrease.

2. Greater Melbourne Metropolitan Area

- a. The latest caseload statistics for final orders applications in the Melbourne and Dandenong registries:

YTD as of 31 August 2016*	Family Court of Australia
Filed	121
Finalised	136
Pending	774

*Financial year

- b. The trend in final orders caseload for the past five years is as follows:

Family Court of Australia	2011-12	2012-13	2013-14	2014-15	2015-16

Filed	851	780	773	834	938
Finalised	941	815	770	815	819
Pending	683	648	651	670	789

- c. Seven as at 8 September 2016.
- d. As at 8 September 2016, no Justices have advised the Governor-General of their intention to retire.
- i. Not applicable.
 - ii. Not applicable.
- e. Total Family Court judges in the area at the conclusion of each of the past five financial years:
- Seven as at 30 June 2015
 - Seven as at 30 June 2014
 - Six as at 30 June 2013
 - Six as at 30 June 2012, and
 - Five as at 30 June 2011.

f. The latest statistics for median time from filing to first defended hearing:

YTD as of 31 August 2016*	Family Court of Australia
Median months to first defended hearing – interim applications	3.34
Median months to first defended hearing – final orders	14.46

*Financial year

- g. It is a slight increase.
- h. The latest statistics for median time from filing to final orders finalisations (for all matters – not just those that went to trial):

YTD as of 31 August 2016*	Family Court of Australia
Median months to finalisation	6.82

*Financial year

- i. It is a slight increase.

3. Adelaide Area

a. The latest caseload statistics for final orders applications in the Adelaide registries:

YTD as of 31 August 2016*	Family Court of Australia
Filed	21
Finalised	14
Pending	122

*Financial year

b. The trend in final orders caseload for the past five years is as follows:

Family Court of Australia	2011-12	2012-13	2013-14	2014-15	2015-16
Filed	65	63	83	80	95
Finalised	82	60	92	84	77
Pending	107	110	101	97	115

c. Three as at 8 September 2016.

d. One – Justice Dawe, 3 March 2017 (will cease sitting as of 4 November 2016 and take long leave).

- i. The replacement judicial appointment to the Family Court of Australia is under consideration by the Government.
- ii. Not applicable.

e. Total Family Court judges in the area at the conclusion of each of the past 5 financial years:

- Three as at 30 June 2015
- Three as at 30 June 2014
- Two as at 30 June 2013
- Two as at 30 June 2012, and
- Three as at 30 June 2011.

f. The latest statistics for median time from filing to first defended hearing:

YTD as of 31 August 2016*	Family Court of Australia
Median months to first defended hearing – interim applications	4.29
Median months to first defended hearing – final orders	18.80

*Financial year

g. It is a slight increase.

h. The latest statistics for median time from filing to final orders finalisations (for all matters – not just those that went to trial):

YTD as of 31 August 2016*	Family Court of Australia
Median months to finalisation	11.47

*Financial year

i. It is comparable.