

FAMILY LAW COURTS ADVISORY GROUP MEETING

Minutes of Tele-Meeting
Thursday 1 April 2010 – 1pm (EDST)

Present: Chief Justice Bryant (CJ), Chief Federal Magistrate Pascoe (CFM), Justice Watts (WJ), Richard Foster (RF), Leisha Lister (LL) (Minutes)

Apologies: Ian Govey (IG), Federal Magistrate Baumann (BFM)

Meeting commenced: 1.05 p.m.

1. Minutes from 5 March 2010 approved

Minutes accepted as accurate

1. Action items

Discussion about the CJs recent trip to Ottawa and the Court's data collection and reporting mechanisms she observed. Ottawa have agreed to provide further information to the Courts. CJ will brief Tony Lansdell.

All action items from 5 March meeting now complete.

Agenda Items

3.1 Update on savings strategies

RF provided an update on the agreed savings strategies – see database for the updated savings strategies and the committees tasked with these. Terms of reference for each of the savings strategies will be circulated next week prior to the combined PAC meeting.

Further discussion about the reasons for the review of Conciliation conferences and the pilot for outsourcing these conferences and whether this would create any savings for the Courts. RF advised that it is too early to determine whether there will be any savings from outsourcing conciliation conferences at this stage.

CFM suggested that Burchardt FM be the FMC representative on the Review of Conciliation Conferences Committee.

Action Items:

Leisha to circulate the T.O.R prior to the Combined PAC meeting

CFM to invite Burchardt FM to be the FMC representative on the Committee to review Conciliation Conferences.

3.2 Replacement for Ian Govey

As of Monday 29 March Ian Govey will up the position of CEO of the Australian Government Solicitor. Dr. James Popple will be acting as Dep Sec pending permanent filling of the position. Ian Govey suggested that it is useful to continue to have a Departmental representative on the Group and recommended, given her background in family law and the Courts, Alison Playford perform that role.

The FLCAG agreed that Alison Playford would be best placed to attend these meetings.

Action Item:

Leisha to draft a letter to Ian Govey thanking him for his support and commitment to FLCAG for the CJ.

Leisha to draft a letter to Alison Playford inviting her to be the AGD observer at FLCAG meetings for the CJ.

3.3 Agenda for Combined PAC meeting

The FLCAG settled the Combined PAC agenda. See database.

RF recommended that the settled agenda and associated papers be distributed to members of the FCoA CJPAC and the FMC PAC.

CJ requested a list of attendees for the meeting.

Action Item:

Leisha to forward a list of attendees to the Combined Pac meeting to the FLCAG

Kristen Murray to forward the settled agenda and associated papers to members of the FCoA CJPAC.

Steven Taylor to forward the settled agenda and associated papers be to members of the FMC PAC.

3.4 Appointments – Approach to the Attorney

RF sent the proposed number of FMs provided by the CFM to Alison Playford at AGD. This information will now be forwarded to the Attorney.



Action Item:

RF to contact Alison Playford regarding the FM vacant position in Brisbane.

3.5 Effect of High Court Decision in Rosa

CJ talked about the Patrick Parkinson (PP) and Richard Chisholm (RC) paper that was sent to the AG and copied to her. See database for a copy of the paper.

CJ raised her concerns about the article with RC who in turn spoke with PP. RC suggested that they would not publish the article at this stage. The CJ is talking with AGD regarding changes to legislation.

Action Item:

No action items

3.6 IT Committee Update

RF provided a brief update on the IT Committee and the development of an IT Future Directions proposal which will be presented to the Combined PAC meeting on 9 April.

Action Item:

No action items

3.7 New Business**3.7.1 Update on Restructure of Courts**

The courts have received a letter from the AGD indicating that they are preparing legislation which will deal with the Military Court and restructure of the FMC and Family Court. It is understood that the FMC will be retained to do non family law work and that the bulk of FMs will be offered commissions in the Family Court in a second tier. Some rudimentary drafting has begun and the heads of jurisdiction have been asked to assist with matters they think require attention in relation to the structure and operation of the second tier.

Both the CJ and CFM will consult with a small group from each court to assist them.

Action Item:

No action items

3.8 Future Meeting Dates

- . Wed 9 June 10-12 noon – A New date to be confirmed
- Wed 11 Aug 10-12 noon
- Wed 6 Oct 10-12 noon
- Wed 8 Dec 10-12 noon

Action Item:

CJ & CFM to consider and advise of the next meeting date as Wednesday 9 June is now not suitable.

Meeting closed 1.40 noon