



Family Court 2014 Changes - draft Panel report

From Steven Zindel **Date** Wednesday, 23 January 2019 5:31:34 p.m.
To FamilyJusticeReforms
Cc
Subject Family Court 2014 Changes - draft Panel report

I've had more than thirty years of legal experience but not so much Family Court children cases, anymore. Plenty of relationship property, still, so I know the pressure on the Family Court.

The 2014 changes were counter-productive; no lawyer I have spoken to thinks otherwise.

But legal aid is also very stretched and the fixed fee approach has affected quality and lawyers "going the extra mile" routinely for their clients because the extra mile does not get remunerated and simple cases eg quiet men of low expectations, away at sea a lot are favoured when there is cherry picking to be done.

Domestic violence and sexual abuse aspects for vulnerable and sometimes reluctant to trust victims take far longer and the "one size fits all" legal aid system does not accommodate those cases well.

There is a real shortage of lawyers working on legal aid in this area generally as the experienced lawyers get paid better by the court to be lawyers for the children and the junior lawyers aren't taken on so much because of lengthy and costly accreditation requirements, again required by the legal aid system. It is difficult as a graduate to find work in a legal aid firm. So, there will be retention and supply issues over the coming years. Locally, places like Marlborough and the West Coast are extremely short of lawyers and many are ruled out by conflicts of interest, acting as they do for others within the family group.

My suggestion is that legal aid allows admitted solicitors and graduates to work immediately on family cases as lead providers and that rates and hours are increased, so that those parents who want legal representation can get it more easily. Currently, they have to knock on many doors before a law firm may take them in. And it will only get worse if lawyers are allowed to practise again in the so-called non-urgent cases.

Perhaps Family Court Judges could take a pay cut, too, so that more Judges may be appointed to deal with the backlog, sitting without Registrars as they are busy also.

Steven Zindel

ZINDELS
Barristers & Solicitors
NELSON

P O Box 1023
21 New Street
DX WC 70055

s 9(2)(a)

IMPORTANT NOTICE: This is an email from the law office of Zindels. The partners are Steven Julian Zindel

LL.M (Hons) and Kenneth Wayne Jones LLB. We do not accept responsibility for any changes to this email or its attachments made after we have transmitted it. We do not accept responsibility for attachments made by others to this email. We do not represent that files attached to this email are free from computer viruses or other defects.

The content of this e-mail (including any attachments) is confidential and may contain copyright information and/or legally privileged information. If this e-mail is not intended for you, you must not use, read, distribute or copy it. Any unauthorised use of the contents is prohibited. If you have received this e-mail by mistake please call the sender immediately on +64-3-5480039 and erase the original message and any attachments. Nothing in this e-mail message constitutes a designation of an information system for the purposes of section 11(a) of the Electronic Transactions Act 2002 (New Zealand). You agree that if you respond to this e-mail, the time of receipt will be when the message actually comes to the attention of the addressee.

All incoming e-mail messages are scanned for content and viruses and cleared by MailMarshal at Zindels. This could result in the deletion of a legitimate e-mail before it is read by its intended recipient at our firm.