

Information for providers

Family Court (Supporting Families in Court) Legislation Act 2020

What is this factsheet

This factsheet for lawyers outlines changes arising from the [Family Court \(Supporting Families in Court\) Legislation Act 2020](#).

What are the changes?

From 1 July, 2020, the new law amends the following Acts:

- S7A of the Care of Children Act 2004
- S143(3A)(c) of the Care of Children Act 2004
- S7(3A) Legal Services Act 2011
- S7(3B) Legal Services Act 2011
- S7(6) Legal Services Act 2011.

How do the changes affect pending proceedings?

From 1 July 2020 a lawyer may act for any party to Family Court proceedings under the Care of Children Act 2004, including parenting or guardianship orders and settlement conferences that have already begun.

Similarly, legal aid may be granted for these proceedings, where eligible.

How does this affect the Family Legal Advice Service (FLAS)?

The Family Legal Advice Service (FLAS) will continue to provide legal assistance:

- to explain the family justice system so that court participants understand their responsibilities and options;
- to assist with completion of court entry forms for parenting or guardianship orders if the dispute continues to court, or if the parties want to make an agreement enforceable.

In the second activity it is expected that most cases would use legal aid rather than FLAS, however, there may be cases where legal aid is not available. In these cases, FLAS can continue to be used.

Legal Aid Schedule

The [legal aid family fixed fees schedule](#) and the [fixed fees family invoice](#) have been updated to reflect the change in activities of legal aid lawyers in Care of Children/Guardianship cases.