

### What happens to the agreements reached at FDR?

If you reach an agreement on the division of your property, that agreement is not legally binding or enforceable until it is lodged with the court and consent orders have been obtained.

### What if FDR does not work?

The FDRP will help you recognise when FDR is not working and if other pathways to a resolution need to be explored. Some parties may reach a partial agreement, limiting and defining the outstanding issue(s).

### FDR Practitioners

Our FDR Practitioners are registered and accredited with the Attorney General's Department. FDRPs are impartial. The FDRP does not take sides and helps you to look at problems in a constructive and pragmatic way. The FDRP will check that both parties have all the information required to make a decision, and that everyone understands what is being said and agreed upon.

### Contact Us

Canberra, Cooma and Goulburn: 02 6122 7100  
Riverina: 02 6923 9100  
Bega: 02 6492 2155  
Moruya: 02 4474 3630

Website: [www.racr.relationships.org.au](http://www.racr.relationships.org.au)

Relationships Australia Canberra & Region is an independent not-for-profit organisation that has been supporting people for over 47 years. Our programs and services include counselling for individuals, couples, children and families, family dispute resolution, relationship skills courses and workplace services.

Our services are for everyone, regardless of religious belief, age, gender, sexual orientation, lifestyle choice, cultural background or economic circumstances.



Relationships Australia believes that negotiating your own mutually acceptable property agreement is the best way to finalise your cash, assets and liabilities you have acquired during your relationship.

## What is Family Dispute Resolution?

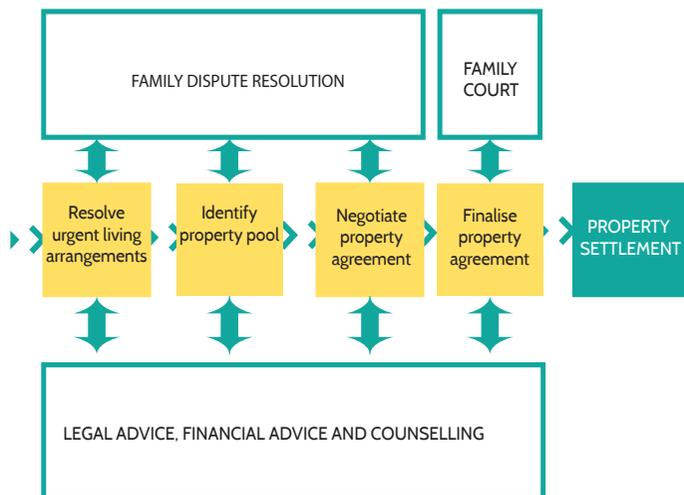
Family Dispute Resolution (FDR) offers mediation services that help couples affected by separation and divorce to resolve their parenting and property dispute. Mediation is a structured, problem solving process designed to assist parties to make independent decisions. With the assistance of a mediator, parties identify the relevant issues in dispute, and explore options with a view to negotiating a mutually agreed outcome.

## FDR in Property and financial matters

Property FDR assists you to negotiate short term financial arrangements and/or facilitates a property settlement that allows you to finalise the financial affairs between you and the other party.

## Why try FDR?

FDR allows you to determine and negotiate an outcome that best suits both parties. FDR is a quick, inexpensive and an informal means of achieving a settlement. FDR reduces conflict and avoids long and costly litigation.



## How to get started

Initially, each party has an assessment with a Family Dispute Resolution Practitioner (FDRP). The FDRP will provide you with general information on the requirements for a property settlement under the Family Law Act.

Property mediation is not suitable in every situation. In such cases the FDRP will discuss alternate pathways with you. If FDR is suitable, a joint session will be arranged.

## Joint Sessions

Joint sessions are intended for parties to explore the relevant issues, develop options and enter into negotiations. Parties will commonly attend one or more joint sessions.

Your preparation for the joint sessions is essential:

- A final property settlement relies on full and frank disclosure between the parties of all matters relevant to their financial and property circumstances.
- Legal advice is important to help you negotiate on what may constitute a fair and equitable division of your assets

## Confidentiality

Anything you say in front of an FDRP is confidential and cannot be used as evidence in any other proceedings except in certain circumstances such as to report harm or risk to a child, yourself or another adult, or to prevent the commission of a crime.

## What if you are feeling unsafe?

Speak to us if you have concerns about your safety or the safety of your family. In some circumstances FDR may not be an appropriate way to resolve the dispute. Your practitioner will make this assessment and discuss the alternative pathways with you.



## Legal Advice

The FDRP is unable to give you any legal advice. Appropriate legal advice is essential to the property FDR process. We recommend that all clients seek legal advice. FDRPs are able to work collaboratively with lawyers to bring matters to final settlement.

## Is Property FDR compulsory?

The 2006 changes to the family law system make FDR compulsory before commencing court proceeding in relation to parenting matters, although some exceptions apply.

FDR for property matters is still a voluntary process, although the Federal Magistrates Court may refer your matter for Property FDR after court proceedings have commenced.

## What will it cost?

FDR is quicker and a lot cheaper than going to court. FDR services charge a fee according to your financial circumstances. These fees will be discussed with you at your initial intake.