

COVID-19 Family Mediations - Help wanted

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(on behalf of the Family Law and Facilitative Professional Development Group, Resolution Institute)

The aim of this piece is to assist FDRPs working with families under the current COVID-19 restrictions by providing them with links to very practical information recently made available on the internet by Legal Aid NSW, the Family Court of Australia and NSW State Government. The links have been selected to specifically assist FDRPs and are not to be a comprehensive list of resources currently available.

Family Dispute Resolution Practitioners (FDRPs) are increasingly seeing parties who have parenting arrangements (whether by court orders, parenting plans or arrangement) and who are not able to facilitate some aspect of the arrangement because of the impact of COVID-19 restrictions. FDRPs are now therefore required to encourage parties: to carefully consider these restrictions; and, to maintain a best interest of children focus that complies with the spirit of any existing orders/parenting plans; and to COVID-19 reality test any proposals made. FDRP practice must be current and evidence-based; knowledge of informative practitioner information and relevant website updates will ensure FDRP best practice in these unprecedented times.

The COVID-19 restrictions on social distancing, gatherings, freedom of movement and employment have all impacted upon the parenting and property arrangements that FDRPs assist families to make in family law mediations.

FDRPs face challenges to stay abreast of daily state Premier's COVID-19 statements, inconsistencies between State and Federal directives, Public Health and Family Law legislative changes and knowledge of available information.

To assist FDRPs with their Family Law practice the following information is provided:

Legal Aid NSW factsheets: The following Legal Aid NSW COVID-19 Fact Sheets are freely available to practitioners and families at: <https://www.legalaid.nsw.gov.au/get-legal-help/covid-19> and are inclusive of but not limited to:

1. COVID-19: Participating in mediation by telephone
2. COVID-19: Child support and family payments
3. COVID-19: It's not safe for me to stay at home. What should I do?
4. COVID-19: Are you worried about domestic and family violence?
5. COVID-19: Financial stress for separating families
6. COVID-19: Apprehended Violence Orders
7. COVID-19: Example parenting plan
8. COVID-19: I already have parenting orders; what happens now?
9. COVID-19: Making parenting arrangements if you and your partner separate
10. COVID-19: What court consider when making orders about children

Family Court: The Family Court of Australia website at <http://www.familycourt.gov.au/wps/wcm/connect/fcoaweb/about/covid/covid-news-hp> that provides [COVID-19](#) provides updates and information for parents and professionals and links to the March 26 statement from the Hon Will Alstergren on Parenting Orders and COVID-19 and the Australian Government Department of Health.

NSW Government: The NSW State Government website at: <https://preview.nsw.gov.au/covid-19/what-you-can-and-cant-do-under-rules>, outlines what people can and cannot do under the Public Health (COVID-19 Restrictions on Gathering and Movement) Order 2020 regarding staying at home and gatherings rules and reasonable excuses to these rules.

The COVID-19 pandemic has changed our professional practice overnight. For many FDRPs the most significant challenge will have been the sudden move to electronic interaction with clients. Only time will reveal the lessons learned for FDRPs from the COVID-19 restrictions; not the least significant of which may be enhanced skills in electronic communication platforms and a revision of our views towards telephone mediations.