



New approach for family law property disputes saves time, money and stress for people facing family violence and other risks

Today, the Federal Circuit and Family Court of Australia (Division 2) (the Court) officially commences the national expansion of its case management process known as the Priority Property Pool (PPP) which provides a simplified way of resolving property disputes and aims to minimise risk, legal costs, and to preserve the parties' assets.

The PPP pilot has been operating since March 2020 in Adelaide, Brisbane, Melbourne and Parramatta in which cases were carefully managed by registrars to ensure they were able to progress quickly to dispute resolution conferences or, if necessary, a timely and streamlined trial before a Judge.

The PPP generally involves property disputes where the net asset pool is valued up to \$550,000 (excluding superannuation), and for other cases that have been identified as being suitable for the PPP, which may include those that are less complex or feature family violence or other risks to the parties.

Chief Justice Alstergren AO said that the Court is proud of the success of the pilot and is pleased that the Commonwealth Government has provided ongoing funding of \$7.6 million annually through the [Women's Economic Security package](#) to enable the PPP to be expanded to include all (17) filing registries throughout Australia which will benefit many more families nationally.

"It is well known that litigation in the courts can be very costly and time-consuming and can lead to long-term acrimony between the parties. Many people, particularly those who have been victims of family violence, are also very reluctant to engage in court action due to the cost and the ongoing conflict with the perpetrator.

"Research also shows that many women are reluctant to leave an abusive relationship because they have no money, nowhere to live, and no access to resources. The PPP process aims to provide a simple and safe solution.

"The PPP has been developed for parties who are at risk and may be reluctant to engage with the court system by making the process easier to navigate, reducing costs and importantly, minimising acrimony between parties.

“The PPP is one of many initiatives that have been implemented by the Court in recent years to improve access to justice, and to keep families safe.

“The Court acknowledges the work that has been achieved by the Women’s Legal Services in this area and we look forward to working collaboratively with them and the state-based legal aid bodies, law societies and Bar associations to continue to help families in need,” Chief Justice Alstergren said.

MORE INFORMATION

The PPP pilot was positively evaluated by the [Australian Institute of Family Studies](#) which noted:

- the model was a quicker and more efficient way to assist parties with modest pools to resolve financial matters;
- over the period of the pilot approximately 78% of cases were managed and finalised by registrars within approximately 5 months of filing;
- the model yielded favourable social return on investment and social value outcomes for parties including improvements in their financial wellbeing; and
- vulnerable parties including those with allegations or evidence of family violence accessed quick settlement outcomes, or pathways to judicial determination where required.

As a result of the sustained success of this focussed, cost-effective case management by Judicial Registrars, the Court has received funding to expand the initiative to all filing registries, and the criteria for inclusion as a PPP Case has been expanded to afford a greater number of parties access to this case management model.

From 30 October 2023 a matter will be eligible to be designated a Priority Property Pool Case (PPP Case) where:

- the Initiating Application seeks only financial relief (ie alteration of property interests and/or spousal maintenance only); and
- involves either:
 - an asset pool with a total net value of up to \$550,000 (excluding superannuation) or
 - a net asset pool which has a value greater than \$550,000 (excluding superannuation) but the Court, in its discretion, designates the matter as a PPP Case having regard to relevant features including family violence, limited complexity and/or risk of disproportionate costs or delay.

More information, including [Updates to the Profession](#), is available from the Courts’ [website](#).