

WHAT IS A SECTION 60I CERTIFICATE?

The *Family Law Act* requires that parents that are not in agreement about their child's parenting arrangements must attend mediation, and obtain a Certificate of Attendance (Section 60I Certificate) before an Application for a parenting Order, can be made to the Court.

Presently, the types of section 60I certificates, which may be issued by Family Dispute Resolution Practitioners (mediators approved by the Federal Attorney-General), are:

- you did not attend because the other party refused or failed to attend;
- you did not attend because the practitioner (mediator) considered that your circumstances were not appropriate for Family Dispute Resolution;
- you did not attend and the parties did not make a genuine effort to resolve the issues; or
- you did attend and the other party (or you) did not make a genuine effort to resolve issues.

From 1 March 2009, Family Dispute Resolution Practitioners have been able to issue an additional type of certificate, stating that the Family Dispute Resolution (mediation) started, but the practitioner considered that it would not be appropriate to continue.

When filing an Application, the Court requires that a copy of the Section 60I Certificate be filed with the Court Application, unless the Court is satisfied that an exemption applies. There are very limited reasons why a Court would accept an Application for filing, without a Section 60I certificate.

FINDING A FAMILY DISPUTE RESOLUTION PRACTITIONER

We strongly suggest that you obtain independent legal advice prior to attending Family Dispute Resolution. However, to find a Family Dispute Resolution Centre or a list of registered Family Dispute Resolution Providers, visit the Family Relationships website at www.familyrelationships.gov.au/.