



aiflam
AUSTRALIAN INSTITUTE OF FAMILY LAW
ARBITRATORS AND MEDIATORS

April 2021 Newsletter

AIFLAM Membership

Your Member Profile

Please login to your member profile to ensure that the details we hold for you are accurate and up to date. As we are in the process of updating the search function on our website, it is important that you have ticked the correct boxes for arbitrator, mediator (including fixed fee) or FDRP to ensure your details are included in search results. To access your member profile please click [here](#).

New memberships and 2021/2022 membership renewals

Next month we will be sending your personal renewal notice for the 2021/2022 membership year, so this is another important reason to ensure your member profile is up to date.

While we usually offer a pro rata membership rate for new members joining between January and June, for new members joining AIFLAM from 1 May 2021, we are pleased to offer an extended membership through to 30 June 2022 – effectively a bonus of up to 2 months membership if you join in May.

AIFLAM's complaints process for FDRP

A reminder, as advised in our March Newsletter, that the complaints process provided by AIFLAM to our members has recently been updated and approved by the Attorney-General's Department. Our complaints process now extends to all of our members who are also FDR practitioners. If you are an AIFLAM member and an FDRP, please ensure that you update your record with the AGD to reflect AIFLAM as your complaints handling body.

Australian Association of Collaborative Professionals (AACP)

The AACP has launched its 2021 Road to Resolution Conference, which will run in a virtual format from April – November 2021. A copy of the Media Release, providing further details and the link to register is available [here](#).

Family Law Practitioners' Association of WA (FLPA WA)

We are pleased to advise that we are working in collaboration with FLPA WA to present a workshop on the topic of navigating your clients through a family law arbitration: a guide for solicitors and counsel. The link for FLPA members to register is [here](#). FLPA members need to be logged in to access this. Alternatively, to register manually please email admin@flpawa.com.au.

Mediation and Arbitration course update

A reminder that the following courses are currently open for registration:

Arbitration Training Course – 30 April to 1 May 2021 – only limited places remain

This will be an online format, for those family lawyers keen to secure registration as a Regulation 67B arbitrator.

Over the course of the program, participants will learn the essentials of arbitration for family law matters - what it is and is not, the rules and statutory basis of Family Law Arbitration and how it fits into the family law dispute resolution system.

Successful completion of the course will entitle attendees to be listed as a Family Law Arbitrator pursuant to Regulation 67B of the Family Law Regulations.

Please note there are pre-requisites for registration for this course.

For full details and to register please click [here](#).

NMAS Mediation Training Course – 23 to 25 June and 29 to 30 June 2021

This course will now run in an online format, for 5 days over 2 weeks – Wednesday 23 June to Friday 25 June, and Tuesday 29 June to Wednesday 30 June.

Successful completion of the course will enable participants to apply for accreditation as AIFLAM NMAS Accredited Mediators.

For full details, and to register please click [here](#).

If you have any questions regarding the courses, or difficulty with registration, please contact AIFLAM at mail@aiflam.org.au.

Recent case update

Members may be interested to note the following recent decisions of the Family Court of Australia in relation to arbitration:

Pattison & Loomis [2021] FamCAFC 41 - 1 April 2021

Unequivocal consent required to validate the arbitration process pursuant to [s 13E](#) of the [Family Law Act 1975](#) (Cth) – Where the appellant husband's consent was conditional – Where the primary judge erred in dismissing the husband's objection to the registration of the arbitration award – Appeal allowed – Costs certificates ordered.

Mukhtar & Singh [2021] FamCA 25 – 12 February 2021

A party to an Arbitration sought to object to the registration of the award on grounds which amounted to complaints about how the Arbitrator conducted the arbitration. The reasons for the objections are comprehensively recorded and discussed by Justice Wilson in the judgment at [41] to [79].

Kind regards



Andrew Davies
AIFLAM Chair

