

# Overview of the New Family Justice Rules

with effect from 15 October 2024

## The new Family Justice Rules consist of four volumes:



1. General
2. Probate and Other Matters
3. Protection from Harassment
4. Criminal Proceedings in Youth Courts

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## Objectives of the new General rules:



1. Fair access to justice
2. Expeditious proceedings
3. Cost-effective resolution of cases
4. Fair and practical results for parties
5. Efficient use of court resources
6. Child's welfare as the paramount consideration where a child is a party or subject of the proceedings

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## Structural and terminology changes in new rules



Four volumes: each volume contains only rules applicable to specific proceedings.

Simplification and streamlining of rules:  
Re-arrangement of Rules to follow the life cycle of a case.

Reference to provision: Part x, rule y.

Complex legal terms replaced by simpler and easily-understood terms.

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## Expansion of simplified track for divorce and judicial separation proceedings



Simplified track to cover judicial separation proceedings.

Available if parties agree on the fact(s) for divorce or judicial separation but have not agreed on ancillary matters.

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## Revised Practice Directions and redesign of court forms



Practice Directions reorganised to follow the structure of new rules.

Key court forms in proceedings under General Rules are redesigned.

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## Enhancement of judge-led approach



Strengthen the Court's judicial oversight over family proceedings to achieve the Objectives.

Court given enhanced judicial powers through legislative amendments to the Family Justice Act 2014.

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## Amicable resolution of disputes



A party has the duty to consider amicable resolution of the dispute before commencement and during any action/appeal.

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## Single mode of commencement in the General Rules and harmonising the number of affidavits filed:



Applicable to all civil proceedings in the General Rules.

Four key steps in the case flow:

1. Applicant commences an action by filing an Originating Application ("OA")
2. Applicant serves the OA on the Respondent
3. Respondent files his/her response
4. Case proceeds for hearing

Generally one supporting/reply affidavit per party. No further affidavits to be filed without the permission of the Court unless the Rules allow.

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## General Rules: Timelines and Calculation of time



Generally, timelines are in multiples of 7, i.e. 7, 14, 21 and 28 days.

For timelines of 6 days or less, these exclude non-working days.

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## General Rules: Replacing fact and position sheet with the binding summary of positions



Parties to file a Binding Summary of Positions setting out a summary of the parties' respective positions in all proceedings for ancillary relief.

A party is bound by his or her position as set out in the party's summary.

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## General Rules: Simplifying the disclosure process



Each party entitled to file one application for disclosure.

Using easily-understood terms: disclosure of documents and information.

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