

FAMILY LAW WORKSHEET

Part 4 of the VLA Handbook

Section 6 of the Notes on the Guidelines.

1. CLASS OF MATTER FOR WHICH AID IS SOUGHT

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| ☐ Parenting Orders | ☐ <i>Living with</i> | ☐ <i>Spending time with</i> |
| ☐ Property | ☐ <i>Superannuation and/or</i> | ☐ <i>Family Home</i> |
| ☐ Variation of Orders | ☐ <i>Material change in circumstances</i> | ☐ <i>Court Order imperative</i> |
| ☐ Child Support | ☐ <i>Arrears</i> | |
| ☐ Spousal Maintenance | ☐ <i>Arrears</i> | |
| ☐ Paternity Testing | ☐ <i>Court Orders obtained</i> | |
| ☐ Contravention/Enforcement Orders | | |
| ☐ Nullity of Marriage | | |
| ☐ *Recovery/Location/Information Orders: Parenting Orders already exist? ☐ YES ☐ NO | | |
- (*Where no parenting orders are in place they should also be sought in conjunction with these orders.)

2. MERIT TEST

- ☐ Reasonable prospects of success test, and
- ☐ Prudent self-funded litigant test, and
- ☐ Appropriateness of spending limited public legal aid funds test

3. PRIMARY DISPUTE RESOLUTION (must be considered before a litigation grant is sought)

Where assistance is recommended for FDR, such services are to be conducted by VLA's RDM. Aid may be recommended regardless of the respective positions of the parties

- ☐ Matter might be resolved by Family Dispute Resolution
 - ☐ Not suitable for RDM & 60I Certificate obtained, by reason of
 - ☐ *Urgent matter;*
 - ☐ *Current reported allegations, investigations or proceedings about child abuse;*
 - ☐ *Immediate risk of removal or relocation of the child;*
 - ☐ *Clearly documented refusal of other party to participate*
 - ☐ *On advice from RDM or other FDR Practitioner*
 - ☐ *Other*
- Basis _____

4. LITIGATION

- ☐ 60I Certificate obtained from VLA RDM or other FDR practitioner, and
- ☐ Substantial Issue in Dispute, and
- ☐ Satisfies Priority Matter criteria, evidenced by:
 - ☐ Child at risk of harm by being exposed to neglect, abuse or family violence.
 - ☐ Incapacity of party to care for child alleged
 - ☐ Physical problems
 - ☐ Mental Problems
 - ☐ Substance Abuse Problems
 - ☐ Proposal or conduct of party substantially prejudices maintaining a meaningful relationship with child

☐ INTERIM ORDERS AND INJUNCTIONS / URGENT MATTERS

- ☐ Priority Matter criteria satisfied (above), and
- ☐ "6 week rule" satisfied ☐ Does not apply because:
 - ☐ Child's or applicant's safety / welfare at risk;
 - ☐ Immediate risk of removal of child from Australia or to remote area in Australia;
 - ☐ Assets preservation or other exceptional circs (child seriously ill, party dies)

☐ FORUM TEST

- ☐ Victoria is the appropriate jurisdiction (eg. resident parent lives in Vic.)