



# COURT FEES – 1 July 2016

## FAMILY COURT OF WESTERN AUSTRALIA

### This brochure will tell you

About the court fees applicable from 1 July 2016 for filing applications and having defended cases heard in this Court. The fees are set by government regulations.

<b>Application Fees</b>		
Form 3	Application for divorce	\$865 * reduced fee \$290
Form 1	Application for nullity	\$1225 * reduced fee \$410
Form 1	Application for declaration as to validity	\$1225
Form 1	Initiating Application - final orders – parenting <b>OR</b> financial	\$330
Form 1	Initiating Application - final orders – parenting <b>AND</b> financial	\$545
Form 1A	Response to initiating application	\$330
Form 1 or 2	Initiating Application or Application in a case – interim orders – parenting <b>AND/OR</b> financial	\$115
Form 11	Application for consent orders	\$160
Form 14	Issue subpoena	\$55

<b>Setting Down and Hearing Fees</b>	
Conciliation Conference fee	\$380
Setting down for hearing fee, if defended – case listed before a Judge	\$825
Setting down for hearing fee, if defended – case listed before a Magistrate	\$605
Daily hearing fee for defended proceedings – case listed before a Judge (for each day, excluding the first hearing day)	\$825 per day or part thereof
Daily hearing fee for defended proceedings – case listed before a Magistrate (for each day, excluding the first hearing day)	\$605 per day or part thereof

<b>Appeal Fees</b>		
Setting down fee for notice of appeal from a Magistrates Court		\$825
Hearing fee for an appeal from a Magistrates Court (for each day, excluding the first hearing day)		\$825 per day or part thereof
Form 20	Notice of appeal to the Full Court of the Family Court of Australia from orders made by a Judge or a Family Law Magistrate	\$1,305
Form 21	Application for leave to appeal to the Full Court of the Family Court of Australia	\$1,305

**Amended Applications:** Where a new issue is added by way of amended application, the fee applicable will be assessed on the new issue. (Eg: Form 1 Parenting amended to Form 1 Parenting *and Financial* will require a further filing fee of \$330 for the new issue)

## \* Exemptions and Reduced Fee

**Exemption from payment of court fee:** In some cases an exemption may be sought if you hold certain government concession cards or can demonstrate financial hardship. In these cases the Court may approve the exemption and the fee will not be payable.

Regulation 2.05A exempts Independent Children’s Lawyers from filing fees for interim order applications and request for issue of a subpoena.

**Reduced fees - Divorce – Nullity:** In cases where a reduced fee may apply, if for example, you hold certain government concession cards or can demonstrate financial hardship, in these cases the Court may approve the payment of a reduced fee.

NOTE: Where there is more than one applicant to an application (eg. Form 3 joint Divorce Application ) **ALL PARTIES** must meet the requirements for an exemption/reduction or the full fee applies.

If you want to know more, or are unsure about fees, access the Fees page on the Court’s website at [www.familycourt.wa.gov.au](http://www.familycourt.wa.gov.au), read the *Guidelines for the reduction of court fees – general or financial hardship* or ask registry staff.

## Deferral of fees

Under the Regulations, in some cases fees do not have to be paid at time of filing or setting down. A Registrar may defer the payment of a fee on application, for instance if the matter is **URGENT** or having regard to the financial circumstances of the party it would be oppressive or unreasonable to require payment at that time. If you want to know more, or are unsure about fees, access the Fees page on the Court’s website at [www.familycourt.wa.gov.au](http://www.familycourt.wa.gov.au), or ask registry staff.

## Payments

Payments of court fees can be made by:

- CHEQUE or MONEY ORDER

made payable to the *FAMILY COURT OF WESTERN AUSTRALIA*

- CASH or DEBIT CARD

only accepted if paid in person to the registry cashier

- CREDIT CARD

Visa or Mastercard if paid in person or by credit card payment authority form from the Fees page on the Court’s website.

## Need more information?

For more information about the **Family Court of Western Australia**, including access to the legislation, forms or publications listed in this brochure:

- go to [www.familycourt.wa.gov.au](http://www.familycourt.wa.gov.au)
- call **08 9224 8222** or **1800 199 228**; or
- visit the Family Court of Western Australia registry.

NOTE: GST does not apply to any Family Court fees.

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