



COURT FEES – 1 July 2018

FAMILY COURT OF WESTERN AUSTRALIA

This brochure will tell you

About the court fees applicable from 1 July 2018 for filing applications and having defended cases heard in this Court. The fees are set by government regulations.

Application Fees		
Form 3	Application for divorce	\$900 * reduced fee \$300
Form 1	Application for nullity	\$1275 * reduced fee \$425
Form 1	Application for declaration as to validity	\$1275
Form 1	Initiating Application - final orders – parenting OR financial	\$345
Form 1	Initiating Application - final orders – parenting AND financial	\$565
Form 1A	Response to initiating application	\$345
Form 1 or 2	Initiating Application or Application in a case – interim orders – parenting AND/OR financial	\$120
Form 11	Application for consent orders	\$165
Form 14	Issue subpoena	\$55

Setting Down and Hearing Fees	
Conciliation Conference fee	\$395
Setting down for hearing fee, if defended – case listed before a Judge	\$860
Setting down for hearing fee, if defended – case listed before a Magistrate	\$630
Please note: setting down fees are non-refundable	
Daily hearing fee for defended proceedings – case listed before a Judge (for each day, excluding the first hearing day)	\$860 per day or part thereof
Daily hearing fee for defended proceedings – case listed before a Magistrate (for each day, excluding the first hearing day)	\$630 per day or part thereof

Appeal Fees		
Setting down fee for notice of appeal from a Magistrates Court		\$860
Hearing fee for an appeal from a Magistrates Court (for each day, excluding the first hearing day)		\$860 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	\$1,360
Form 20	Application for leave to appeal to the Full Court of the Family Court of Australia	\$1,360

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 \$345 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 requests 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 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, 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 Forms page on the Court’s website at www.familycourt.wa.gov.au

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
- 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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