

# REQUEST TO COMMENCE FAMILY LAW ARBITRATION



## 1. APPLICANT DETAILS (PLEASE PRINT)

Title:  Mr  Mrs  Ms  Dr Other

Last name:  First name:

Email address:

Postal address:

Postcode:

Phone No: ( )  Mobile No:

## 2. RESPONDENT DETAILS

Title:  Mr  Mrs  Ms  Dr Other

Last name:  First name:

Email address:

Postal address:

Postcode:

Phone No: ( )  Mobile No:

## 3. LEGAL RESTRICTIONS ON COMMUNICATION:

YES NO (PLEASE TICK)

Is there a family violence restraining order or any other restraining order in force between the applicant and the respondent?

Is there an undertaking in place given by either party as a result of violence restraining order proceedings?

Is either party subject to a bail undertaking?

Are there any Family Court orders restraining the parties from communicating or which might impact on either party's capacity to participate in arbitration?

(Please attach any relevant restraining orders, undertakings, bail undertakings or Family Court orders.)

**4. ARBITRATION INFORMATION**

Arbitration is a process (other than a judicial process) in which parties to a dispute present arguments and evidence to an arbitrator, who makes a determination to resolve the dispute.

Each party is still expected to try and negotiate a resolution of their dispute during arbitration. However, if they are unable to negotiate an outcome, a decision is made by an independent and qualified arbitrator, which promptly provides the parties with finality and certainty.

A family law arbitrator is only able to make a determination about property and financial issues, including property settlements, spousal maintenance or disputes about financial agreements. Arbitration is not available for child-related proceedings.

You can find more information about arbitration on the website of Benn Hill, [www.bennhill.com.au](http://www.bennhill.com.au)

**5. FEES AND CHARGES**

There is a non-refundable fee of \$200 (including GST) to commence family law arbitration. The \$200 fee includes all work associated with commencing the arbitration and includes the cost of your attendance at the initial arbitration conference, where parties are expected to negotiate and sign an arbitration agreement in relation to their arbitration.

When you return this completed form, you will be issued a Tax Invoice. Once you have paid your Tax Invoice, the arbitrator will contact the respondent to invite them to participate in arbitration.

The respondent is required to pay a \$200 fee (including GST) which includes all work associated with commencing the arbitration and includes the cost of their attendance at the initial arbitration conference.

If your former partner does not agree to attend arbitration, the arbitration process will not proceed.

Applicant's signature:

Date:   /   /

**6. CREDIT CARD PAYMENT**

Card Number: \_\_\_\_\_ Expiry Date:   /

Card Type: (Please tick) Mastercard  Visa  Amount

Cardholder's Name:   
(Please print)

Signature:

Please return your completed request form to the address below:

By email: [benn@bennhill.com.au](mailto:benn@bennhill.com.au)

By facsimile: (08) 9301 1438

By post: Benn Hill  
Unit 18, 15 Barron Parade  
JOONDALUP WA 6027

If you have any questions in relation to how to commence family law arbitration or the progress of your family law arbitration, please telephone Benn Hill on 0413 856 299.