

2021

Family Dispute Resolution Practice (FDRP) Handbook



Master your career.

Real-world programs to
master your career.

collaw.edu.au/FDRP



"Being a Family Dispute Resolution Practitioner has given me enhanced skills and a career that assists people to deal with the difficult times in their lives."

Linda Kochanski

Practice Leader for Dispute Resolution Programs, The College of Law

Linda was awarded Family Dispute Resolution Practitioner ('FDRP') of the Year and Alternative Dispute Resolution ('ADR') Academic of the Year (2018) and has worked in mediation for nearly 30 years.



What is a Family Dispute Resolution Practitioner (FDRP)?

A Family Dispute Resolution Practitioner (FDRP) is an independent person who helps people affected by separation or divorce to resolve their disputes.

Why become a registered FDRP?

- Enable and empower people to make difficult decisions.
- Further your practical skills in a likely area of growth.
- Diversify your practice and potential revenue streams.
- Add a postgraduate qualification and expand your career prospects.
- Issue Section 60I certificates.

What is this? A section 60I certificate is a prerequisite to going to court if the dispute is not resolved after a family dispute resolution conference.

How do you become a registered FDRP?

In order to become an accredited FDRP, you will need to:

STEP 1: Enrol in an accredited Family Dispute Resolution Practitioner Course

STEP 2: Successfully complete the coursework component and the 50 hours practicum component of the course to satisfy the core units of competency.

Coursework and Practicum components (Five core subjects)

- FDR1 Family Law and Mediation*
- FDR2 Children's Matters, Family Law and Family Dispute Resolution
- FDR3 Advanced Family Dispute Resolution
- FDR4 Case Management in Family Dispute Resolution Capstone (30 hours of required practicum)
- FDR5 Virtual Simulated Practice - (20 hours of required practicum)

STEP 3: Apply for accreditation with the Commonwealth Attorney-General's Department.

STEP 4: Once accredited, you can call yourself a Family Dispute Resolution Practitioner.

*Current Nationally Accredited Mediators are eligible for advanced standing in FDR1 Family Law and Mediation.



Why choose us?

- You are guaranteed completion of the course with the practicum component included.
- You can apply for a FEE-HELP loan to assist with fees.
- Learn the best range of skills with interactive workshops, webinars and written work.
- Be guided by leading presenters in their field who will provide essential updates and individualised feedback along the way.
- Complete your study within nine months.

How is the course delivered?

The duration of each of the first four subjects (FDR1-4) is six weeks long and is comprised of:

- online readings
- module coursework and assessments
- teleconference discussions with the subject leader and classmates
- The duration of FDR5 is eight weeks and is comprised of: five days of online workshops, held via video conference
- three intakes and three mediation sessions
- assessments.

Who teaches the program?

Our Family Dispute Resolution Practice Faculty includes:

- **Linda Kochanski** Practice Leader for Dispute Resolution Programs, The College of Law
- **Susan Hamilton-Green** Family Lawyer and FDRP, Intandem Legal Services, Creative Family Law Solutions, Accredited Specialist (Family Law and Mediation), AIFLAM, LEADR, VADR
- **Lisanne Iriks** Life Mediation
- **Helen Jarvis** Transitions Counselling and Mediation
- **Bobbi Reilly** Gold Coast Mediation and Counselling



Graduate Diploma vs Masters

You can enrol in the Graduate Diploma of Family Dispute Resolution Practice or Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice. Both programs satisfy the requirements set out by the Commonwealth Attorney-General's Department.

Graduate Diploma of Family Dispute Resolution Practice (FDRP)	Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice
Entry requirements <ul style="list-style-type: none"> • An undergraduate degree or higher qualification in Psychology, Social Work, Law, Conflict Management, Dispute Resolution, Family Law Mediation or equivalent; or • Accreditation under the National Mediator Accreditation System (NMAS); or • Mediation skill set from the Community Services Training Package (CHC). 	Entry requirements <p>You must have a law degree or valid practising certificate to undertake a Master of Laws (Applied Law) at The College of Law.</p>
Five subjects <ul style="list-style-type: none"> • FDR1 Family Law and Mediation • FDR2 Children's Matters, Family Law and Family Dispute Resolution • FDR3 Advanced Family Dispute Resolution • FDR4 Case Management in Family Dispute Resolution Capstone • FDR5 Virtual Simulated Practice 	Eight subjects <p>There are eight subjects total for the Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice:</p> <ul style="list-style-type: none"> • FDR1 Family Law and Mediation • FDR2 Children's Matters, Family Law and Family Dispute Resolution • FDR3 Advanced Family Dispute Resolution • FDR4 Case Management in Family Dispute Resolution Capstone • FDR5 Virtual Simulated Practice • Three additional Master of Laws (Applied Law) elective subjects or a second major*



Students may apply for Recognition of prior learning for FDR5 Virtual Simulated Practice if they source and complete 20 hours of external practicum. Please contact postgrad@collaw.edu.au for further information.

*If students will elect to complete a second major, they will need to complete additional 4 subjects rather than three to satisfy requirements of the second major.



Intake 1 subject	Start date	Census date	End date
FDR1	15 Feb 2021	24 Feb 2021	26 Mar 2021
FDR2	29 Mar 2021	07 Apr 2021	07 May 2021
FDR3	10 May 2021	19 May 2021	18 Jun 2021
FDR4	21 Jun 2021	30 Jun 2021	30 Jul 2021
FDR5	6 Sep 2021	16 Sep 2021	29 Oct 2021

Intake 2 subject	Start date	Census date	End date
FDR1	28 Jun 2021	7 Jul 2021	6 Aug 2021
FDR2	9 Aug 2021	18 Aug 2021	17 Sep 2021
FDR3	20 Sep 2021	29 Sep 2021	29 Oct 2021
FDR4	1 Nov 2021	10 Nov 2021	10 Dec 2021
FDR5	Note this subject will be offered in February 2022. Dates to be confirmed.		

See collaw.edu.au/postgrad for workshop dates.

Subjects



FDR1 Family Law and Mediation

This subject forms the foundation of the FDRP Program. In this subject you will be introduced to Family Law and the place of Mediation within Family Law. You will acquire the requisite knowledge to enable you, as a family dispute resolution practitioner (FDRP), to contextualise and understand each party's unique situation within the family law framework, and assist each of them to understand your function and their respective roles in the process.

At the end of this subject you will be able to:

- discuss the role, obligations, and ethical practices required of the Family Dispute Resolution Practitioner (FDRP) within the Australian family law framework
- critically evaluate the advantages and disadvantages of the various dispute resolution options, appraising and evaluating party suitability for dispute resolution
- assist participants to understand and engage with the facilitative mediation process with effective communication skills and applying dispute conflict diagnostic skills
- conduct a facilitative mediation in an appropriate procedural manner, and determine when it would be suitable to terminate a mediation where you no longer deem the process appropriate, and assisting parties to reach successful outcomes.

This subject also discusses where mediation sits on the dispute resolution spectrum and how the process assists in the resolution of family disputes.

By the end of the subject, you will have completed all the requirements under the National Mediation Standards to apply for assessment and subsequent accreditation as an accredited mediator. Visit collaw.edu.au/mediation for more information.

*Registered Nationally Accredited Mediators are eligible for advanced standing in FDR1 Family Law and Mediation.

FDR2 Children's Matters, Family Law and Family Dispute Resolution

An understanding of families involves an introduction to the meaning and purpose of the family system, and how the family is impacted through separation. This subject introduces you to the nuances of working with conflicted families. We will focus on understanding how family groups function and how they are affected by conflict. In particular, we will explore how children exposed to parental conflict can be impacted.

You will also be introduced to the legislative framework around children's matters.

At the end of this subject you will be able to:

- identify and discuss the broad definitions of families and family dynamics using genograms
- critically analyse the impacts of separation across the broad family system, and the challenges for post-separation families and the predictors of outcomes for parents and children in post-separation families

- consider the specific challenges of family dispute resolution, particularly with respect to the "child's best interest" principles and the individual parent, their needs, and conflict styles and approaches to dispute resolution with differing personalities and styles
- implement strategies that will assist parents to resolve their future parenting arrangements, with their children's best interests at the centre of their decision-making, and create parenting plans that meet your clients' needs and are enforceable, and
- recognise the children and parenting provisions of the *Family Law Act 1976* (Cth) (FLA) that relate specifically to the role of the Family Dispute Resolution Practitioner.

FDR3 Advanced Family Dispute Resolution

This subject explores some of the advanced concepts surrounding mediating with families, such as recognising and managing ethical dilemmas, screening and assessing family and domestic violence, and managing the complexities of working with perpetrators of violence.

It is important that family dispute resolution practitioners (FDRPs) are able to assess whether their clients and cases are suitable for dispute resolution processes such as mediation and conciliation. It is also important that they are able to identify matters such as power imbalances and cultural issues that may impact on their clients' ability to negotiate effectively within these processes.

From a broad-based perspective, this subject also encompasses wider factors such as gender, disability, race, ethnicity, religion, language, level of education and the effect of inter-generational differences.

At the end of this subject you will be able to:

- identify and apply the legal and ethical responsibilities in family dispute resolution regarding family violence
- identify the role of the family dispute resolution practitioner and the state/territory in protecting children "at risk"
- conduct a risk assessment of parties in family mediation and then develop safety plans for parties at risk of family violence, and
- create an environment that supports the physical and emotional safety of vulnerable parties and understand ways family dispute resolution practitioners can alter their practice to accommodate the needs of the vulnerable, and manage volatile clients.

FDR4 Case Management in Family Dispute Resolution Capstone

This subject is designed to be the clinical subject to underpin the theory of family dispute resolution practice. By the end of this subject, you will have an understanding of family dispute resolution case management principles. By completing this subject, you will have the opportunity to manage family dispute resolution cases within simulated workplace experiences. You will take the carriage of four matters of various complexities that you will manage from intake, through to assessment, education and referral, culminating in conducting the mediation.

Successful completion of this subject will provide 30 hours out of 50 hours of clinical placement under the FDRP practicum requirements.

At the end of this subject you will be able to:

- understand and critically compare good operating practices in family dispute resolution matters
- use advanced analytical and problem-solving skills with respect to client instructions and objectives, the law, practice guidelines, procedures and processes in special family dispute resolution contexts
- integrate specialised writing, drafting, and communication skills to produce essential documents for family dispute resolution practice and procedure, and
- demonstrate advanced analytical, problem-solving, and decision-making skills to plan, manage, and conduct mediation in family dispute resolution contexts.

FDR5 Virtual Simulated Practice

This subject is designed to provide students with the virtual simulation practice in family dispute resolution setting. This subject will consist of the items of practical coursework. During this subject, students will be required to lead or co-facilitate on three matters concerning the following matters: children matters and property matters. These matters will be conducted over four full days over three weeks. As part of this subject, students will be required to conduct intake assessment and mediation session as well as document the agreement at the end of each matter. Students will also be required to analyse their own mediation sessions as well as observing and providing their feedback on other mediation sessions and complete professional reflection.

Successful completion of this subject will provide remaining 20 hours out of 50 hours of clinical placement under the FDRP practicum requirements. Successful completion of both FDR4 and FDR5 subjects will enable students to complete their practicum component requirement.

At the end of this subject you will be able to:

- Judge the overall effectiveness of your mediation process and your mediation skills to identify areas of continual improvement.
- Write effective intake documents.
- Write effective agreements reached during the mediation sessions.

- Appraise, evaluate and support your facilitation skills and the facilitation skills of colleagues in dealing with the matters including children matters and property matters.
- Distinguish and examine good interpersonal skills for mediators by working with other mediators on a variety of matters in the capacity as facilitator, co-facilitator and participant.

Subject structure

This subject will be conducted over 8 weeks with 5 days online face to face sessions to be spread over 4 weeks. Each student will be allocated three matters and will be required to conduct an intake for each of the matters as well as a mediation session. Students will also be required to complete several assessments associated with the matters such as written agreements, intake assessment forms and matter analysis. The online face to face sessions will be conducted in the following weeks:

- Week 3 – 1 day online face to face;
- Week 4 – 3 days online face to face; and
- Week 7 – 1 day online face to face.

Students will be allocated in the groups of four and assigned a supervisor for the assessments and feedback and a mentor for support.

Recognition of prior learning

Registered Nationally Accredited Mediators are eligible for advanced standing in FDR1 Family Law and Mediation. You will need to make an application for Recognition of Prior Learning when you enrol online.

You will also need to provide proof of confirmation of status as Nationally Accredited Mediator, if applying for advanced standing.

Students may apply for Recognition of prior learning for FDR5 Virtual Simulated Practice if they source and complete their own external practicum after completion of FDR1-4. Please contact postgrad@collaw.edu.au for further information.

How to enrol

Visit collaw.edu.au/FDRP today to commence your online application.

Application checklist

- A certified copy of your official academic transcript, graduation certificate or practising certificate – please refer to the entry requirements. If you are from a non-English speaking country or your degree was in a language other than English, please refer to the Program Manual (visit collaw.edu.au/documents) in relation to the English proficiency requirement.
- Payment or Tax File Number (if paying by FEE-HELP)
- Confirmation of status as Nationally Accredited Mediator, if applying for advanced standing
- Proof of name change (if applicable)

Fees

The 2021 subject fee is \$3450 per subject (GST exempt). The College's fees are reviewed annually and may be varied during your period of study.

Payment options:

- FEE-HELP loans
- Electronic Funds Transfer (EFT)
- Credit card

Enrolment date

Applications should be received by the Friday before the intake starts.



Have questions?

Please contact Stewart, our friendly Customer Engagement Advisor, to have a conversation about your studies.

Hours: **1300 506 402**
Phone: **9am - 5pm (AEST)**
Website: **collaw.edu.au/FDRP**
Email: **postgrad@collaw.edu.au**