

Family Court (Supporting Families in Court) Legislation Bill

Yesterday, a motion was passed to accord urgency to a number of bills to go through the House including the Family Court (Supporting Families in Court) Legislation Bill introduced yesterday. The bill amends COCA by repealing section 7A to allow legal representation in all proceedings under the Care of Children Act 2004, and amends the Legal Services Act to allow the provision of legal aid for eligible parties in COCA proceedings. Click [here](#) to view the bill.

Budget 2020

There were a number of items in the budget announced yesterday that benefit the family law jurisdiction. These included funding for:

- leading a whole-of-government approach to prevent, address and reduce family violence and sexual violence, as well as services and support to Ministers
- providing services and support for children in state care
- NGO providers to deliver services critical to the running of Oranga Tamariki
- programmes to support Community Law Centres
- family dispute resolution services, including PTS.
- legal aid across all jurisdictions including family
- the cost of family court professionals including court-appointed counsel
- maintaining critical technology to ensure the delivery of justice services

We understand that “funding the cost of family court professionals” will mean an increase in the remuneration rate to all court-appointed counsel. We do not have the detail of that as yet, but we understand there will be an announcement by the Minister of Justice, Andrew Little, in the very near future.

Family court – alert level 2

All lawyers were sent an email bulletin from the Law Society on 13 May in respect of the latest [update](#) from the Chief Justice and the various [court protocols](#) that will operate during alert level 2. Please note the courts will start to operate under alert level 2 from **Monday 18 May** to enable people to make necessary arrangements.

Legal aid – alert level 2

Legal Aid have advised that policy and process changes made in response to covid-19 will continue to apply for at least the next two weeks. There are FAQs for legal aid providers on the ministry's [website](#).

Oranga Tamariki – alert level 2

Oranga Tamarki has provided guidance for [Family Group Conferences](#) and [whanau contact](#) arrangements for tamariki in alert level 3. More guidance on alert level 3 is available from the Ministry's [website](#).

This is the last bulletin that I will be sending out. This afternoon I step down from the role of chair after nearly three years.

I am delighted that my last bulletin can include the above information including a long fought battle for an increase in the rate paid to court appointed counsel. I understand that the rate will increase incrementally over the next few years with the first increase at the beginning of July this year. Given the financial challenges resulting from covid-19, which sees significant competition for funding, any increase must be seen positively.

It is also wonderful to see that lawyers will again be able to be involved in COCA proceedings from the outset – this will be a very real benefit to our clients and parties that have tried to struggle with making applications without representation.

I would like to thank you all for the support that you have shown to me and to the Family Law Section, especially over the last couple of months as we have been addressing unprecedented difficulties in ensuring access to justice for families. A final big thank you

to the executive committee and to Kath Moran. I am confident that the executive will continue in good heart and look forward to receiving bulletins rather than writing them in the future.

Nga mihi

Kirsty Swadling

FLS Chair