



Expression of Interest Legal Aid Commission of Tasmania

Commonwealth Family Violence and Cross Examination of Parties Scheme Register of Legal Practitioners

The Commonwealth Family Violence and Cross Examination of Parties Scheme (the Scheme) began in September 2019.

The number of Tasmanian's becoming eligible for the Scheme and requiring representation is growing. There have been over 40 applications made for representation under the scheme, with 8 applications received this year.

At the commencement of the Scheme Tasmania Legal Aid (TLA) established a Register of Legal Practitioners willing to represent parties within the scope of the Scheme, and is now seeking further interested practitioners.

Expressions of interest to be added to the register are sought from suitably qualified legal practitioners.

BACKGROUND

The *Family Law Act* 1975 was amended in March 2019 to ban the direct cross examination of parties in certain circumstances. When a ban is imposed, cross examination must be conducted by a legal representative - either privately retained or funded by the Scheme. The new provisions commenced on 10 September 2019

The Scheme is funded by the Commonwealth Government and administered in Tasmania by the TLA. Current Legal Aid fee rates for preparation and appearance at the final hearing will apply, however separate [Guidelines and Schedule of fees for the Scheme](#) are established.

GENERAL INFORMATION

A [Lawyer Information sheet](#), available on the TLA website, explains how the Scheme works and covers topics such as how to apply under the Scheme and file management.

We invite expressions of interest from practitioners willing to be added to the Register to represent eligible parties in these proceedings.

To be eligible for inclusion on the Register practitioners will have:

- Three years post admission experience, including demonstrated experience in the family law jurisdiction;
- Recent family law trial experience including having conducted cross examination;
- The capacity to interact with persons affected by family violence and understand the issues impacting on these persons and their lives; and have undertaken CPD in relation to family violence within the last 2 years (or have registered to attend CPD prior to be completed by 30 April 2021);

in addition will satisfy further criteria as set out in the Commonwealth Family Violence and Cross-Examination of Parties Scheme [Expression of Interest form](#).

HOW TO APPLY

Practitioners are asked to address the eligibility criteria above and provide details of their experience, attaching any additional information to support the expression of interest in the Commonwealth Family Violence and Cross-Examination of Parties Scheme – [Expression of Interest form](#) on the TLA website.

Expressions of interest should be marked “Personal & Confidential” and sent to: grants.officer@legalaid.tas.gov.au .

Practitioner’s names will be included on the Register until 30 November 2023 or until such time as a practitioner seeks removal of their name.

Further information regarding the scheme is available on the TLA website [Family violence & cross examination scheme](#).

ENQUIRIES

Please direct all enquiries in relation to the expression of interest to Vanessa Fenton, Associate Director - Legal Practice, grants.officer@legalaid.tas.gov.au.