



## FAMILY COURT OF THE FIJI ISLANDS

### CONCILIATION CONFERENCES

#### **What is the purpose of the Conciliation Conference?**

The purpose of a conciliation conference is to assist the parties to settle their case. It is expected that the parties and their lawyers will have complied with the orders or directions made at the procedural hearing [See GIS 3 "*PROCEDURAL HEARINGS*"] and that they are ready and fully prepared to negotiate their case. The parties must each make a genuine attempt to settle their case (Family Law Rule 9.02).

#### **Who attends the Conciliation Conference?**

The conciliation conference is conducted by a Registrar or Deputy Registrar of the Family Court. Each of the parties must attend the conference **in person**, and if they are represented by lawyers, their lawyers must also attend (Rule 9.01).

#### **What should parties bring to the Conciliation Conference?**

The parties must bring with them to the conference all documents they have relevant to the issues in dispute between them, for example, valuations, bank statements, school reports and medical reports (Rule 9.04).

#### **What happens during the Conciliation Conference?**

The Registrar will usually conduct the conference with both parties and their lawyers present; however the Registrar may see the parties separately in appropriate circumstances. The parties will be told of the financial costs of proceeding further through the court system and the emotional costs of continuing the proceedings. The Registrar may give his or her opinion as to the respective merits of each party's case and as to the likely outcome if the matter proceeds to a final defended hearing.

#### **How does the Conciliation Conference end and what happens next?**

Parties and their lawyers are often given time before and during the conference to take a break and have confidential discussions and negotiate between themselves.

If the matter does not resolve at the conference, the Registrar must make appropriate directions setting the matter down for a pre-hearing conference [See GIS 5 "*PRE-HEARING CONFERENCES*"] and making directions for the parties to commence their preparation for a final defended hearing. The matters to be considered by the Registrar are set out in Rule 9.08 and include amending documents, obtaining further valuation evidence, discovery and inspection, interrogatories, the issue of subpoenas or witness summonses, and the filing of affidavits for the purposes of the final hearing.

#### **How much time will the Conciliation Conference take?**

Generally conciliation conferences will last at least 60 minutes and often substantially longer.

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