



# Information about your certificate

April 2025

Before you can make an application to the court for a parenting order, or to change an existing parenting order, you need to try family dispute resolution. There are some exceptions to this, such as where there is family violence, child abuse or the matter is urgent.

If the dispute cannot be resolved using family dispute resolution, you will need a section 60I certificate or section 66H certificate from the family dispute resolution practitioner who helped you before going to court. This certificate needs to be filed with the court when you make your application.

If you live in Western Australia, and you were never married to the other parent of your child, or, if it is not your child and the child's parents were not ever married, you will need a section 66H certificate instead.

Your FDR practitioner will be able to tell you which certificate you need.

## Who are the 'parties'?

The parties are the people who have a dispute about a child. Usually the dispute will be between ex-partners but sometimes might involve other people, such as grandparents. The parties to the dispute will be invited to attend family dispute resolution. Their names may be included on the certificate even if they did not attend.

## What are the 'issues in dispute'?

The issues in dispute are the things that you and the other party disagree about. For example, you might disagree about where the child lives, how much time they spend with each party or where they should go to school. A brief description of these issues will be included at the top of the certificate.

## Who can issue a certificate?

Only accredited practitioners can issue section 60I or section 66H certificates. You can confirm that someone is an accredited family dispute resolution practitioner on the Family Dispute Resolution Register:

<https://fdrr.ag.gov.au/>.

## How does the practitioner decide which option to select?

The certificate shows the outcome of the attempted dispute resolution. The practitioner will fill in your details and select the most relevant category on the certificate. The choices are:

### **(a) One party to the dispute did not attend family dispute resolution**

This means that both parties were invited to attend family dispute resolution but one party refused or failed to go. This meant the family dispute resolution could not go ahead.

### **(b) The practitioner decided the case was not appropriate for family dispute resolution**

Practitioners must not deliver family dispute resolution if they believe it would be inappropriate. For example, where there is a history of family violence or a risk of child abuse, family dispute resolution may not be appropriate.

It also may not be appropriate where there is a risk to the safety or the emotional, psychological or physical health of the parties. The practitioner also has to consider whether all parties are able to negotiate freely.

When a practitioner believes a that family dispute resolution is not appropriate, family dispute resolution will not take place and they may issue a section 60I or section 66H certificate.

### **(c) All parties attended and made a genuine effort to resolve the dispute**

This means all parties made a genuine effort during the dispute resolution process but were unable to resolve the dispute.

It is up to the family dispute resolution practitioner to make up their mind if a person has made a genuine effort based on the individual circumstances. A practitioner might take into account each person's willingness to join in discussions and make compromises.

If you don't come to an agreement, it is not necessarily because you did not make a genuine effort. There can be many reasons why people have different views about an issue.

A practitioner should not issue a certificate where parties come to an agreement in relation to all the issues in dispute, as you do not need one.

### **(d) All parties attended but one or both did not make a genuine effort to resolve the dispute**

This means that one or both of the parties did not make a genuine effort during the dispute resolution process.

It is up to the family dispute resolution practitioner to make up their mind if a person has made a genuine effort based on the individual circumstances. A practitioner might take into account each person's willingness to join in discussions and make compromises.

### **(e) The family dispute resolution started but part way through the practitioner decided it was not appropriate to continue**

During the dispute resolution process, the practitioner may decide that it is inappropriate to continue. This could be because the practitioner has discovered something that would make it inappropriate to continue, such as a history of family violence. It could also be because the safeguards the practitioner put in place are not working.

## **What detail does the family dispute resolution practitioner provide about themselves on the certificate?**

Family dispute resolution practitioners must provide their name, the registration number they are authorised to use, the organisation they represent (if applicable), the date they issued the certificate and the date of any previous attendance at family dispute resolution (if applicable).

## **More information**

To find out about services and advice for families visit the Family Dispute Resolution page on Family Relationships Online at [www.familyrelationships.gov.au](http://www.familyrelationships.gov.au) or call the Family Relationship Advice Line on 1800 050 321 between 8am and 8pm Monday to Friday and 10am to 4pm Saturday (except public holidays).

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