

Guide for parties in family law priority property pools under \$500,000

This guide is relevant for people who want to split property which is worth less than \$500,000 in a Family Law dispute. In these matters, NSW has a case management system called 'Priority Property Pools under \$500,000 (PPP500).'

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| Registrar*-led phase | STEP 1: Commencing proceedings + meeting with the Registrar | <p>To <u>commence</u> proceedings, you (the Applicant) must</p> <ul style="list-style-type: none"> ▪ file both: <ul style="list-style-type: none"> ○ an <i>Initiating Application (Family Law)</i>, and ○ a <i>PPP500 Financial Summary</i> ▪ serve a sealed copy of the <i>Initiating Application</i> and <i>PPP500 Financial Summary</i> on the other party (the Respondent) within 7 days after filing the application. <p>The Respondent must then file their <i>Response</i> and <i>PPP500 Financial Summary</i>, and serve these document on you (the Applicant) within 28 days.</p> <p>Both parties must also exchange:</p> <ul style="list-style-type: none"> ▪ 3 most recent taxation returns and assessments ▪ Documents about any superannuation interest of that party ▪ Bank statements for any account held by that party for the last 12 months <p>At any time in this process, the court or Registrar may make an Order in chambers concerning case management. This Order may direct you or the other party to:</p> <ul style="list-style-type: none"> ▪ file and serve a PPP500 Financial Summary (if this has not been done already) ▪ exchange financial documents between parties or produce copies of the documents to the court on the First Court date. ▪ engage in Alternate Dispute Resolution (ADR) ▪ jointly instruct an expert witness to conduct a valuation ▪ file of an affidavit |
| | STEP 2: First Court Date | <ul style="list-style-type: none"> ▪ The balance sheet will be settled ▪ The case will be referred to a conciliation conference, private mediation or Legal Aid conference. |
| | STEP 3: ADR | Internal conciliation conference or external mediation |
| | STEP 4: Second Court Date** | <p>**A Second Court Date is only needed if no agreement was reached through ADR</p> <ul style="list-style-type: none"> ▪ Re-checking of balance sheet ▪ Referred to a judge |
| | STEP 5: Procedural Hearing | <ul style="list-style-type: none"> ▪ Finalise the balance sheet, identify issues, admissible evidence ▪ Directions made for final hearing, including filing of an affidavit and Financial Statement |
| STEP 6: Final Hearing | Final Hearing | |
| Judicial phase | | |

*A Registrar is a judicial officer with the power to hear certain civil matters. A Registrar is not a judge.

This factsheet does not constitute legal advice. The legal information contained on this factsheet is current as at 5 July 2021. If you need legal advice, please contact the Family Law Service at www.mlc.org.au/contact.