



COURT FEES – 1 July 2021

FAMILY COURT OF WESTERN AUSTRALIA

This brochure will tell you

About the court fees applicable from 1 July 2021 for filing applications and having defended cases heard in this Court. The fees are set by government regulations.

Application Fees		
Form 3	Application for divorce	\$940 * reduced fee \$310
Form 1	Application for nullity	\$1335 * reduced fee \$445
Form 1	Application for declaration as to validity	\$1335
Form 1	Initiating Application - final orders – parenting OR financial	\$365
Form 1	Initiating Application - final orders – parenting AND financial	\$595
Form 1A	Response to initiating application	\$365
Form 1 or 2	Initiating Application or Application in a case – interim orders – parenting AND/OR financial	\$125
Form 11	Application for consent orders	\$170
Form 14	Issue subpoena	\$55

Setting Down and Hearing Fees	
Conciliation Conference fee	\$415
Setting down for hearing fee, if defended – case listed before a Judge	\$900
Setting down for hearing fee, if defended – case listed before a Magistrate	\$660
Please note: setting down fees are non-refundable	
Daily hearing fee for defended proceedings – case listed before a Judge (for each day, excluding the first hearing day)	\$900 per day or part thereof
Daily hearing fee for defended proceedings – case listed before a Magistrate (for each day, excluding the first hearing day)	\$660 per day or part thereof

Appeal Fees		
Setting down fee for notice of appeal from a Magistrates Court		\$900
Hearing fee for an appeal from a Magistrates Court (for each day, excluding the first hearing day)		\$900 per day or part thereof
Form 20	Notice of appeal to the Full Court of the Family Court of Australia from orders made by a Judge or a Family Law Magistrate (unless the below fee has been paid)	\$1,425
Form 20	Application for leave to appeal to the Full Court of the Family Court of Australia	\$1,425

Form 20	Application for leave to appeal under section 211 of the Family Court Act 1997 from an interlocutory order of a Family Law Magistrate	\$1425
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Amended Applications: Where a new issue is added by way of amended application, the fee applicable will be assessed on the new issue. (E.g. Form 1 Parenting amended to Form 1 Parenting *and Financial* will require a further filing fee of \$365 for the new issue)

* Exemptions and Reduced Fee

Exemption from payment of court fee: In some cases an exemption may be sought if you hold certain government concession cards or can demonstrate financial hardship. In these cases the Court may approve the exemption and the fee will not be payable.

Regulation 2.05A exempts Independent Children’s Lawyers from filing fees for interim order applications and requests for issue of a subpoena.

Reduced fees - Divorce – Nullity: In cases where a reduced fee may apply, if for example, you hold certain government concession cards or can demonstrate financial hardship, in these cases the Court may approve the payment of a reduced fee.

NOTE: Where there is more than one applicant to an application (e.g. Form 3 joint Divorce Application) **ALL PARTIES** must meet the requirements for an exemption/reduction otherwise the full fee applies.

If you want to know more, or are unsure about fees, access the Fees page on the Court’s website at www.familycourt.wa.gov.au or ask registry staff.

Deferral of fees

Under the Regulations, in some cases fees do not have to be paid at time of filing or setting down. A Registrar may defer the payment of a fee on application, for instance if the matter is **URGENT** or having regard to the financial circumstances of the party it would be oppressive or unreasonable to require payment at that time. If you want to know more, or are unsure about fees, access the Fees page on the Court’s website at www.familycourt.wa.gov.au, or ask registry staff.

Payments

Payments of court fees can be made in a number of ways:

- Filing fees can be paid online via credit/debit card (VISA and Mastercard) when e-filing your application on the Commonwealth Courts Portal at www.comcourts.gov.au
- Hearing and setting down fees can be paid online via credit/debit card (VISA and Mastercard) at <https://eservices.comcourts.gov.au/> once you have received a statement with your PID number
- All fees can be paid for in the registry via eftpos (CHQ, SAV or CREDIT) or by mail by providing credit/debit card details (VISA and Mastercard) on a credit card payment authority form.

Need more information?

For more information about the **Family Court of Western Australia**, including access to the legislation, forms or publications listed in this brochure:

- go to www.familycourt.wa.gov.au
- call **08 9224 8222** or **1800 199 228**

NOTE: GST does not apply to any Family Court fees.

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