

National Judicial College of Australia

# Submission to the ALRC Issues Paper

Review of the Family Law System (March 2018)

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The National Judicial College of Australia (NJCA) provides ongoing professional development for judicial officers through the delivery of judge-led programs that enhance judicial skills and performance. The NJCA, established in May 2002, is funded by contributions from the Commonwealth, State and Territory governments. The NJCA's governing body is its Council. The Council comprises four judicial members, a member nominated by the Commonwealth Attorney-General, and a member nominated by State and Territory Attorneys-General.

This submission addresses two of the Questions in the ALRC Issues Paper, 'Review of the Family Law System' (the Issues Paper) which relate particularly to the work of the NJCA- Questions 42 and 44. Those questions in turn relate primarily to the ALRC's Term of Reference to consider whether, and if so what, reforms to the family law system are necessary or desirable in relation to: 'the skills, including but not limited to legal, required of professionals in the family law system.' The submission only addresses those questions as they relate to judicial officers exercising family law jurisdiction (whether in the federal family law courts or in courts of summary jurisdiction).

The response consists of observations regarding desirable competencies and a correlation to existing or proposed courses, which might develop or enhance these.

## **Question 42**

What core competencies should be expected of judicial officers who exercise family law jurisdiction? What measures are needed to ensure that judicial officers have and maintain these competencies?

### **General core competencies of judicial officers**

The NJCA has identified the following core competencies for judicial officers, irrespective of the jurisdiction within which they work:

- ethics and integrity;
  - engagement;
  - well-being;
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- knowledge of the law and justice system;
- critical thinking;
- self-knowledge and self-control;
- managing the case and court processes;
- building respect and understanding; and
- facilitating resolution.

As we identify below, there are some specific challenges and issues which arise for judicial officers exercising family law jurisdiction. Individually, none of these is unique to that jurisdiction. However, their presence in combination (and perhaps frequency and intensity) is what distinguishes that jurisdiction, and the experience of being a judicial officer working in it.

**“By reason of training, experience and personality” suitable...**

The unique nature of the jurisdiction was recognised in 1975. The *Family Law Act 1975 (C/W)* (“FLA”) has provided since its commencement that, in addition to the usual requirements for a judicial appointment, a person shall not be appointed as a Judge of the Family Court unless “by reason of training, experience and personality, the person is a suitable person to deal with matters of family law” (s.22(2)(b)).

The ALRC inquiry is perhaps the first opportunity to reflect upon what it is that makes (or enables a person to become) a person ‘suitable’ to ‘deal with matters of family law.’

It is not clear whether an amendment to section 22(2)(b) is being contemplated and how that would fit with the restructure of the federal family law courts (noting that section 22 only applies to the Family Court, and not the Federal Circuit Court). The NJCA notes, however, that contemporary thinking would suggest that the focus of any such provision should be on competencies, rather than ‘personality’, and might be drafted in a way which recognises the opportunity, and need for, growth and training over time.

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**Specific challenges and issues for judicial officers in the family law jurisdiction**

In the family law jurisdiction, specific issues and challenges for judicial officers include:

- the prevalence of self-represented litigants;
- the vulnerability of witnesses and parties and the need to adapt standard court processes and methods of judging and case management accordingly;
- the prevalence of litigants with mental health and/or addiction issues;
- the prevalence of disputes involving allegations of family violence and/or child abuse;
- highly emotional litigation and litigants;
- the need for urgent decision-making with limited information in high stakes situations;
- the need to make decisions about people's personal lives in a context of a growing diversity in family structures, and enormous cultural, social and other diversity;
- the highly discretionary nature of decision-making in the areas of parenting and property;
- the need to understand the perspectives and views of children;
- the limited resources generally available to litigants and within the family law system;
- a greater degree of judge-management (particularly in parenting disputes) than is typical in the adversarial system;
- the prevalence and importance of inter-disciplinary understanding and evidence;
- the complexity of the provisions which have to be applied in relation to parenting orders (noting this has been identified as a concern by the ALRC at paragraph 130 of the Issues Paper)

This submission links the specific issues and challenges identified above with the core competencies for judicial officers generally to tease out what core competencies should be expected of judicial officers exercising family law jurisdiction and to identify some measures to promote these core competencies.

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**Ethics and integrity**

Key to this core competency are issues of judicial independence, impartiality and fairness. Many of the specific issues identified above give rise to challenges within the fields of ethics and integrity.

For example:

- The exercise of power to make discretionary decisions readily gives rise to challenges alleging the imposition of the judicial officer's own values, lack of transparency (fairness) and impartiality.
- The need to ensure fairness to self-represented litigants can give rise to challenges to the perception of judicial independence and impartiality, as well as fairness to represented litigants.
- Similar issues arise from the need to closely manage the Court process, particularly in parenting matters pursuant to Division 12A of Part VII of the FLA, including for example, to make decisions limiting the cross-examination of witnesses.
- In such an intensely personal area of the law, judicial officers' own experiences (or lack of them) could have an impact on the decisions which they make and/or their approach to particular litigants and/or disputes.

A key element in addressing these difficulties is self-awareness (which is a separate general core competency). The ability to understand their own values and experiences, and how they may impact on decisions which they make, is perhaps particularly important for judicial officers making decisions in the family law jurisdiction. Equally important is the ability to understand cultural contexts which are different from their own, particularly in a family law system which seeks to recognise social change, diversity, dignity and privacy (all considerations identified for the ALRC in its Terms of Reference for this inquiry).

The ability to articulate clearly, and in a way that is accessible to the parties to family law litigation, why a discretion has been exercised to produce a particular result is a vital skill for judicial officers working in the jurisdiction. Apart from anything else, it will assist with 'public understanding and confidence in the family law system' (Issues Paper, Terms of Reference).

The ALRC might consider recommending the development of programs that specifically address the issues involved in decision-making under a discretionary framework, which might incorporate

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some of the issues identified above, as well as more tailored judgment delivery, both written and oral. The latter in particular would be useful to promote further efficiency in this jurisdiction.

Such programs might be offered to judicial officers who work in other jurisdictions where there is broad discretion, creating opportunities for sharing of practice, skills and knowledge and development of support networks. The NJCA has offered a number of conferences on sentencing, for example, which explore that discretionary area of decision-making. The papers from those conferences are available on request.

Programs could also build on the NJCA's current *Writing Better Judgments* Program, designed to enhance participants' judgment writing skills through analysis, discussion and rewriting of judgments in small groups. The course provides participants with relevant, practical tools and tips for better judgment writing, a high level of interactivity including group workshops, and individual feedback. Topics include: preparation and planning for judgments; what is good legal writing?; issue-based reasons for decision; structure; how to write judgments that are clear, comprehensive, concise, coherent and convincing; and, getting started and keeping going.

### Engagement

This core competency includes maintaining a strong work ethic, participation in self-improvement activities and contributing to a positive and supportive court environment.

As for judicial officers in other jurisdictions, those working in the family law area face the challenge of working with limited resources, and often in circumstances of urgency, risk, and limited resources. Enabling judicial officers to engage fully requires that each officer have the space and time to focus on the level of risk and urgency other than the immediate need to hear and decide a matter and write a judgment.

### Well being

We address this issue in our submission on Question 44. The NJCA regards judicial well being as a core competency for all judicial officers. Through its courses at all levels, from orientation to programs specifically developed for heads of jurisdiction, the NJCA promotes judicial officers developing physical and psychological self-care behaviours to manage stress, build resilience, and improve 'on the job' function.

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**Knowledge of the law and justice system  
and  
Critical thinking**

It goes without saying that knowledge of the law and justice system and critical thinking are core competencies for judicial officers.

In the family law jurisdiction so far as it concerns parenting matters, the legislative provisions require consideration of a large number and range of factors, and the working through of complex legislative pathways. The complexity of the provisions has been reflected upon by Judge Riethmuller of the Federal Circuit Court of Australia in 'Deciding Parenting Cases Under Part VII: 42 Easy Steps' (2015) 24(3) *Australian Family Lawyer*, 38. The complexity of the provisions in Division 11 of Part VII which enable judicial officers from courts of summary jurisdiction to vary parenting orders when making family violence orders, has probably contributed to them being used less than that might otherwise be the case.

The NJCA's *Applying Family Law to Parenting and Property* Program for judicial officers from Courts of Summary Jurisdiction aims to increase the confidence and competence of such judicial officers in applying that Division, as well as making other decisions under Part VII.

Along with the need to grapple with complex legislative provisions, judicial officers exercising family law jurisdiction have a need for more interdisciplinary (non-legal) understanding than in most other jurisdictions. There are similarities in that respect with the care and protection jurisdiction.

The ALRC might consider a recommendation that judicial officers working in the family law jurisdiction should be supported and encouraged to attend programs within other relevant disciplines, including psychology, psychiatry, social work, child development, cross cultural studies, anthropology, demography and philosophy. Alternatively, the NJCA might be funded to create a program, either intensive or in a different format such as an on-line interactive program, which exposes family law judges to essential, current knowledge from other relevant disciplines. This is not to say that judges should attempt to become experts in such fields but, rather, that they be assisted to more easily understand these areas.

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The NJCA has offered programs in specific areas of relevance to judicial officers exercising family law jurisdiction, which we outline here:

#### Children and the Courts

A particular issue for judicial officers exercising family law jurisdiction is the need to hear and understand the voices and perspectives of children, and a number of questions in the Issues Paper relate to this issue (Questions 34-40).

The NJCA ran a successful conference 'Seen and Heard: Children and the Courts Joint Conference' in February 2015. Papers from that conference are available on request. One of the papers was by Judge Peter Callinicos, who gave a paper entitled 'Participation of Children and Young Persons within the New Zealand Family Court'. In it Judge Callinicos explores one of the possibilities for hearing children's voices- namely by a judicial officer 'interviewing' or meeting with children who are the subject of particular proceedings. Judge Callinicos writes about how he conducts meetings, and the importance of establishing rapport with the child. While the practice of a judicial officer meeting directly with children is very rare in Australia, the development of guidelines where this occurs has been recommended (Issues Paper, para 257).

#### The NJCA *Family Violence in the Court* Program for judicial officers

The ALRC identifies one of the possible deficiencies or gaps in skills and knowledge needed by family law system professionals is in relation to family violence and child sexual abuse.

The NJCA developed this education under contract from the Commonwealth Government for delivery to all jurisdictions nationally. This one-day program is made up of seven modules that include an overview of family violence, statistics nationally and by state/territory jurisdiction, the impact of family violence on the complainant and children, respondents of family violence, judicial responsibilities and the court, controlling the courtroom, communicating from the bench and judicial officer well-being. Program development and delivery is by volunteer judicial officers.

To date this program has been undertaken by 260 judicial officers, including those working in the family law jurisdiction.

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The NJCA's *National Judicial Orientation Program* and *National Magistrates Orientation Program* provide introductions to cultural issues within the courtroom including working with interpreters. The Judicial Commission on Cultural Diversity, of which the NJCA is a member, has overseen the preparation of eLearning resources addressing cultural diversity and the development of a suite of information fact sheets for judicial officers.

The NJCA *Applying Family Law to Parenting and Property Program* for judicial officers from Courts of Summary Jurisdiction

This recent program developed by the NJCA is one designed to increase the confidence and competence of judicial officers in courts of summary jurisdiction in exercising family law jurisdiction. Developed under contract from the Commonwealth Government, this education provides a full-day program on parenting, and a full-day program on property.

The ALRC might consider recommending the provision of ongoing funding to enable all judicial officers in courts of summary jurisdiction to maintain their expertise in this area.

A tangential benefit of such programs undertaken by judicial officers from courts of summary jurisdiction is that there is then a larger pool of judicial officers to share learning and support each other in the family law jurisdiction. There is also the benefit of potential opportunities for the sharing of practice, skills and knowledge between the children's care and protection jurisdiction exercised by Children's Courts and the family law jurisdiction. This might also facilitate greater cooperation (and possibly even consistency) between the two systems. Formal and informal networks might be established which will support the work of judicial officers and may enhance their wellbeing.

### **Self-knowledge and self-control**

This core competency requires of judicial officers that they develop reflective practices regarding personal ways of thinking, values, preferences, and mental status. They must also manage emotions and self-monitor biases in judgment and behaviour. These competencies are likely to be even more necessary for judicial officers working in the family law jurisdiction than in other jurisdictions, including for the reasons referred to above under 'Ethics and Integrity'.

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The explicit and open consideration of these issues is encouraged by the NJCA in its programs. In 2019 the NJCA will host a Conference 'Judges: Angry, Biased, Burned Out' which addresses the fact that Courtrooms and tribunal hearing rooms are emotion-charged arenas: 'Decision-makers with relentless workloads get angry; litigants get angry; practitioners get angry. In the midst of all this emotion what happens to impartiality? Are decision-makers affected by implicit bias? Does burnout affect decision making and if so how do you avoid it?' Speakers include: Judge Andrew J Wistrich, *California Central District Court*, Justice Stephen Gageler AC, *High Court of Australia*, Judge Felicity Hampel, *County Court of Victoria*, Dr Heather Conway, *Queens University Belfast*.

The NJCA has another program in development titled *New Perspectives on Courtroom Leadership* which is likely to be highly relevant to family law judges. The course aims to educate judicial officers on current thinking in brain theory, communications skills and reflective practice. If necessary, a version of the program could be tailored specifically for family law judges.

### Managing the case and court process

This requires that judicial officers:

- model effective time management (including through preparation for court, punctuality, schedules, and reinforcing deadlines with court stakeholders);
- manage their own competing priorities and demands; and
- effectively manage their dockets, cases, and court room.

Every judicial officer needs to manage cases and the court process but the demands of this are particularly significant in the family law jurisdiction. In part this is because of the difficulty of predicting what issues will arise over the course of a matter (particularly a parenting matter) and the urgency with which some matters will have to be dealt with. A degree of flexibility and reflexivity in approach is required. A large number of self-represented litigants also contribute to the challenges of managing the case and court process in the family law jurisdiction.

The *New Perspectives on Courtroom Leadership* Program is pertinent to these issues.

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### **Building respect and understanding**

This core competency requires judicial officers to apply effective behavioural management skills, two-way communication and social awareness to their interactions with colleagues, court employees and parties appearing before the court. Again, this core competency is perhaps particularly necessary (and tested) in the family law jurisdiction.

### **Facilitating resolution**

This core competency involves applying consensus building and conflict resolution skills to problem solving when working with other judicial officers, court staff and other professionals to inform case progress with a focus on resolution. Again, this is perhaps particularly important in a context where a family's limited financial resources will be depleted by legal costs, and where simply the fact of ongoing litigation can have serious implications for children's wellbeing.

The Terms of Reference for the ALRC include as a key issue 'the desirability of encouraging the resolution of family disputes at the earliest opportunity and in the least costly and harmful manner' as well as 'the desirability of finality in the resolution of family disputes and the need to ensure compliance with family law orders and outcomes.'

On the other hand, judicial officers also need the skills and understanding to assess whether a resolution proposed is appropriate or not- particularly in cases where there is family violence or other issues of risk. This is critical to the protection of the best interests of children and their safety. Again, the NJCA's *Family Violence in the Court* Program addresses these issues.

It would be desirable to have the NJCA develop a specific alternative dispute resolution program for the family law jurisdiction which would educate judges on the application of alternative approaches both within and without the litigation process.

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**Release for Professional Development programs**

The NJCA would support the proposal for 'professional development for judicial officers in family violence, cultural competency, trauma-informed practice and the impacts of family violence on children and their attachment relationships' (Issues Paper, para 283).

As the Issues Paper recognises [para 284], judicial officers cannot be compelled to participate in training following appointment to the bench. The NJCA has, by working with judicial officers, developed a model of professional development for judges which is tried and tested, and attracts high levels of (voluntary) participation. "Judicial Education in Australia" overviews the approach of the NJCA, and is available on request.

In general, the NJCA recommends that each judicial officer should be able to spend at least five days each calendar year participating in professional development activities relating to that judicial officer's responsibilities, and that judicial officers be released from court duties to enable them to meet this standard. More time than this is likely to be necessary in circumstances where there is significant change to be addressed by judicial officers.

Recently, the International Organisation for Judicial Training has made a Declaration of Judicial Training Principles (8 November 2017). Available from the IOJT website <http://www.iojt.org/~media/Microsites/Files/IOJT/Microsite/2017-Principles.ashx> and outlined in brief here:

**'PRINCIPLES**

*1. Judicial training is essential to ensure high standards of competence and performance. Judicial training is fundamental to judicial independence, the rule of law, and the protection of the rights of all people.*

**INSTITUTIONAL FRAMEWORK**

*2. To preserve judicial independence, the judiciary and judicial training institutions should be responsible for the design, content, and delivery of judicial training.*

*3. Judicial leaders and the senior judiciary should support judicial training.*

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4. All states should:

*(i) Provide their institutions responsible for judicial training with sufficient funding and other resources to achieve their aims and objectives;*

*and*

*(ii) Establish systems to ensure that all members of the judiciary are enabled to undertake training.*

5. Any support provided to judicial training should be utilized in accordance with these principles, and in coordination with institutions responsible for judicial training.

TRAINING AS PART OF THE JUDICIAL ROLE

6. *It is the right and the responsibility of all members of the judiciary to undertake training. Each member of the judiciary should have time to be involved in training as part of their judicial work.*

7. *All members of the judiciary should receive training before or upon their appointment, and should also receive regular training throughout their careers.*

TRAINING CONTENT AND METHODOLOGY

8. *Acknowledging the complexity of the judicial role, judicial training should be multidisciplinary and include training in law, non-legal knowledge, skills, social context, values and ethics.*

9. *Training should be judge-led and delivered primarily by members of the judiciary who have been*

10. *Judicial training should reflect best practices in professional and adult training program design. It should employ a wide range of up-to-date methodologies.'*

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**Question 44**

What approaches are needed to promote the wellbeing of family law system professionals and judicial officers?

Key challenges to the wellbeing of judicial officers exercising this jurisdiction may include:

- a tendency (which is probably changing over time) in some parts of the professional and related communities to not regard family law jurisdiction as 'complex' nor as technically difficult as other areas of the law;
- a tendency among some not to value appropriately the work of family law;
- persistent exposure to evidence of trauma, including family violence and child sexual abuse;
- the fact that many judicial officers working in the family law jurisdiction specialise in it, bringing the benefit of development of expertise, but the possible risk of "burn out" and/or boredom;
- persistent criticism (often uninformed) in the media and in public discourse of the work of the courts and judicial officers in this area;
- the highly emotional nature of the circumstances being litigated;
- the sense of responsibility for children and other vulnerable members of the community;
- excessive workloads and insufficient resources.

Again, these challenges are not unique to the family law jurisdiction but they may arise with particular force and effect in that jurisdiction.

As indicated in our response to Question 42, the NJCA regards wellbeing as so important that it has identified it as a core competency for judicial officers. Information and tools to support judicial wellbeing are incorporated into all of the NJCA's programs for judicial officers.

For example, sessions that cover the importance of wellbeing, the insidiousness of vicarious trauma (recognised as a possible issue for judicial officers in the Issues Report at para 292), building resilience and the practice of mindfulness are integrated into the NJCA's *National Judicial Orientation Program* and *National Magistrates Orientation Program* and included in the *Family Violence in the Court Program*.

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The NJCA supports a recommendation for making available to judicial officers 'training on how to identify and manage vicarious trauma' and 'support programs to build resilience and emotional wellbeing' (para 293 of the Issues Paper refers).

The NJCA regards mentoring as a valuable means of alleviating stress on judicial officers, as well as enhancing collegiality. It is currently working with the Australasian Institute of Judicial Administration to develop mentoring guidelines, including minimum standards with respect to the amount of mentoring newly appointed judicial officers should receive. The NJCA are keen to use these standards to develop a well-structured and supported mentoring program for judicial officers that includes:

- Training for mentors; and
- National database of trained mentors, facilitating the matching of mentees with a 'best match' mentor.

The ALRC may want to make recommendations in support of such a program, noting the benefits it could bring to judicial officers in the family law jurisdiction in particular.



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Appendix

## **Forthcoming programs**

### **NJCA/ANU Joint Conference: Judges: Angry? Burned Out;? Biased;?**

The National Judicial College of Australia in conjunction with the ANU College of Law, will present their annual conference.

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### **Writing Better Judgments**

*Open to judges, magistrates and tribunal members*

The Writing Better Judgments program designed to enhance participants' judgment writing skills through analysis, discussion and rewriting of judgments in small groups. The course provides participants with relevant, practical tools and tips for better judgment writing, a high level of interactivity including group workshops, and individual feedback.

Topics include: preparation and planning for judgments; what is good legal writing?; issue based reasons for decision; structure; how to write judgments that are clear, comprehensive, concise and coherent; and, getting started and keeping going.

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### **Refresher Judgment Writing**

*Open to judges, magistrates and tribunal members*

A committee of experienced judges are coming together to develop a follow-up program for those who have attended the NJCA's Writing Better Judgments program.

Experience has shown, often despite good intentions, there is reversion to previous "bad" writing habits, with the result that judgments often, once again, are too long, at times difficult to understand and contain unnecessary material. The program will focus on detecting and rectifying problems of "back-sliding"; help participants deal with troubling and negative judgment writing anxieties; and provide an opportunity for each participant to spend time rewriting a judgment with support from experienced judge facilitators.

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## **Oral Judgments**

*Open to judges, magistrates and tribunal members*

This program will contain some theory concerning oral decisions and a larger, practical component in which participants will deliver oral decisions and receive individualised feedback designed to enhance their skills.

The program will assist judicial officers in determining when it is appropriate to deliver oral decisions; preparing for and delivering oral decisions; using a structured approach for oral decision and efficient use of hearing or trial time.

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## **National Magistrates Orientation Program**

*Open newly appointed magistrates or magistrates that have not had the opportunity to attend an orientation program*

This five-day residential program is open to magistrates only. The program provides an opportunity for professional development, reflection, workshops and the opportunity to meet magistrates from other jurisdictions.

It will have a strong emphasis on using the knowledge and skills of people who are familiar with the challenges inherent in the work of a magistrate.

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## **National Judicial Orientation Program**

*Open to newly appointed judges or to judges who have not had the opportunity to attend an orientation program*

This five-day residential program has been developed by a steering committee of experienced judges and judicial education professionals, drawn from courts and educational bodies throughout Australia.

The primary objective of the program is to assist newly appointed judges with their transition to judicial office by facilitating the development and refinement of the skills, knowledge and attitudes necessary for effective judging.

The program will offer insights into the role and responsibilities of a member of the judiciary, provide the opportunity for new appointees to benefit from the knowledge and experience of senior judges who attend the program as speakers, and allow an exchange of ideas and experiences among participants.

Many of the sessions are interactive, relying on discussion by participants and using practically based case scenarios.

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## **Family Violence in the Court**

This one-day program provides a guide to the National Domestic and Family Violence Bench Book (NDFVBB) and its use. National and jurisdiction specific statistical information on family violence, national and local service provider information and professional presentations on themes for example: support of vulnerable witnesses; behavioural change programs for the respondent; the effect of childhood trauma on the developing brain; and judicial self-care.

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## **Applying Family Law to Parenting and Property**

Applying Family Law to Parenting and Property is a two-day face-to-face national training program for magistrates, consisting of nine modules that cover 35 topics in total.

One central scenario runs through the parenting and property topics providing judicial officers with opportunities for theoretical discussion and practical application during the program delivery.

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## **Mastering Judicial Presentations**

This day and a half, invitation only workshop will provide NJCA volunteer judicial officers with an opportunity to interact with fellow presenter colleagues while learning how to master the art of judicial presentations.

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## **Leadership – Heads of Jurisdiction**

The Leadership Program is open to all Heads of Jurisdiction of general courts and superior courts in Australia, New Zealand, Papua New Guinea and Hong Kong. The program will enable leaders to examine their own leadership style, consider their impact as a leader and reflect on effective leadership styles and on their public role as a head of jurisdiction, and discuss how to manage change in the dynamic environment in which courts operate.

The program will enable participants to exchange ideas and experiences.

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## **New Perspectives on Courtroom Leadership**

The National Judicial College of Australia has developed a new two-day program to promote judicial leadership in the Courtroom. The program will enable participants to:

- Understand how their judicial role may be conceptualised as one of leadership in the courtroom;
  - Enhance their existing judicial skills, making them more effective leaders within the courtroom;
  - Acquire new skills for leadership within the courtroom;
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- Acquire greater confidence in their ability to manage the courtroom; and;
- Become more aware of their personal resources for managing the unexpected.

This program may be of particular benefit to judges who are capable of increasing their leadership skills, as well as those judges who wish to obtain a deeper understanding of courtroom dynamics.

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### **Dialogues on Being a Judge**

This two and a half day residential program has been developed specifically for experienced (mid-career) judges and magistrates. It will provide an opportunity for judicial officers to reflect and share with colleagues their approaches to their work through the exploration of contemporary themes.

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### **Judges with Leadership Responsibilities**

The Leadership Program will be open to all heads of specialist courts and others with judicial leadership roles in Australia and New Zealand.

It will enable leaders to examine their own leadership style and consider their impact as a leader of their court. A focus of the program is effective leadership with discussions on how to manage change in the dynamic environment in which courts operate.

The program will enable participants to exchange ideas and experiences.

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### **Jury Management**

The purpose of this program is to look at ways of dealing with the many practical issues connected with managing a jury in the course of a jury trial.

These include communicating effectively with juries, effective post-empanelment communication, dealing with issues during the trial, effectively delivering the charge, dealing with longer jury trials.

The program will include sessions on communication, the use of question trails, and the effect of the availability of social media on jury behaviour.

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