

New Family Court Laws and PROCEDURES

Proposed by: Donald James Huggins

This submission proposes new Family Court Laws & Procedures to primarily focus on and achieve an
“**Amicable Fair Shared Parenting Agreement**”.

As this is the ONLY Best Interest of the Child (where there is no abuse or violence)

This new process is supported by New Laws, (Ref. pg.2)

REAL CHANGE to the Family Court is > STOP the combative attitude / nature of the Family Court System.

It must be firstly recognised that the current FC Laws & System is of a Combative Nature and that this is absolutely NOT what a child needs or wants.

Firstly there is a critical need to correctly define what is “A Child’s Best Interest”.

A Child’s Best Interest is;

- Children need, want and love both GOOD parents.
- Children need their parents to not be fighting.
- Children do not dislike hate or be scared of a good parent, they are taught to be that way.
- Start with 50-50 shared parenting, unless valid evidence of abuse or violence.

Have strong and ENFORCED Criminal penalties for PERJURY and PARENTAL ALIENATION and for failing to act at all times with Honesty Integrity Diligence & Fairness by all FC professionals, from Judges to Court Clerks & Consultants, including Lawyers, Psychologist etc.

PROCESS

1. Each of the parents is REQUIRED to bring with them an offer of an Amicable Fair Shared Parenting Agreement, right at the start before any court hearings.

2. A 3 stage process of getting an Amicable Fair Shared Parenting Agreement.

>> Stage 1 - Immediately upon separation, within 4 weeks, the parents meet with a Mediator to determine if the parents are both REASONABLE and want an Amicable Fair Shared Parenting Agreement. If yes, then they are assisted to develop one within 2 weeks and presented to the Court for approval.

False Statements are severely prosecuted, enabling Judges to rely on Affidavits.

Any parent not wanting an Amicable Fair Shared Parenting Agreement, is compelled to intensive education in the damage to children that parental conflict causes and the benefits of an Amicable Agreement and how to have one.

No separation orders unless actual valid evidence.

If there is actual evidence of abuse or violence, then a separation order is required. Outside of this process attempts are made to rehabilitate the offender.

>> Stage 2 - is used where one or both parents are not reasonable. The children if at an appropriate age are interviewed with and without parents to get the children’s views etc check for Parental Alienation and General Psychological health etc. Children are educated and supported in regards to the family breakup.

Both parents are put through an intensive education program on the effects their fighting and any Alienation has on their children.

If both parents are now choosing to want an Amicable Fair Shared Parenting Agreement, then they return to Stage 1 to complete.

>> Stage 3 - is used where one or both parents remain unreasonable after Stage 2.

These parents then go to trial, where information gathered from Stages 1 and 2 are given to the Judge.

If any abuse or violence is identified through actual valid evidence, then this has a significant effect on the process, including. A separation order is required. Outside of this process attempts are made to rehabilitate the offender. >> supervised visits and Education & Training for the perpetrator and victim.

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TURN THE FAMILY COURT AROUND

1. Purpose being to have an Amicable Fair Shared Parenting Agreement.
2. Stop the combative attitude of the Family Court's magistrates, judges, family consultants and lawyers.
3. Start with 50-50 shared parenting, unless valid evidence of physical or emotional violence.
4. Enforce Parents to bring solutions for an Amicable Fair Shared Parenting Agreement.
5. Penalise the parent that is not working towards an Amicable Fair Shared Parenting Agreement.
6. No separation orders without valid evidence.
7. Criminal Offence for making False Statements.
8. Criminal Offence for Parental Alienation.
9. Family Court Consultants Meetings with family members must be Audio Recorded and the transcripts available.
10. There must be evidence and proper questioning before an Interim Violence Restraining Order can be issued.
11. There must be a no cost avenue for complaining against a blatant wrongful action of a magistrate, where the complaint is swiftly reviewed by a panel of 3 senior judges / magistrates and the magistrate's actions immediately overturned if deemed to be wrongful.
12. Criminal Offence for Judges, Magistrates & Family Consultants failing to Act at All Times with HONESTY, INTEGRITY, DILIGENCE, FAIRNESS and without Bias, because their wrongful actions DESTROY LIVES.

Separating a child from a good parent without any evidence is wrong.
It's like kidnaping.
There are severe prison sentences for kidnaping.

It is an absolute abuse of government power to give magistrates the right to 'Complete Independence', whilst refusing to have laws requiring the magistrates to Act at All Times with HONESTY, INTEGRITY, DILIGENCE and FAIRNESS, else be subjected to severest penalties because their wrongful actions DESTROY LIVES. All other employees are punished if they act without honesty, integrity and diligence.

The power of magistrates in the Family Court is no different to Capital Punishment (that was abolished many years ago), because wrongful acts by the magistrates to separate a good parent from their children directly cause suicides and worse, through immense mental torture and mental abuse from being wrongfully separated.

There are many benefits to his FC proposed solution, including short time in the FC system.

There's more, but that's the basics that will support a new 3 stage process, where Stages 1 & 2 are focused on getting an Amicable Agreement.

Thank You and Best Wishes