

Supplementary funding for legal aid commissions to respond to demand arising from case management transition in the Federal Circuit and Family Court of Australia

FEDERATION FUNDING AGREEMENT – AFFORDABLE HOUSING, COMMUNITY SERVICES AND OTHER

Table 1: Formalities and operation of schedule	
Parties	<p>Commonwealth</p> <p>New South Wales</p> <p>Victoria</p> <p>Queensland</p> <p>South Australia</p> <p>Tasmania</p> <p>Australian Capital Territory</p> <p>Northern Territory</p>
Duration	This Schedule is expected to expire on 30 September 2024.
Purpose	<p>This Schedule will support the delivery of timely and effective family law representation services by legal aid commissions in response to increased demand in the Federal Circuit and Family Court of Australia arising from the new case management approach.</p> <p>The additional funding will ensure legal aid commissions have the capacity to support the implementation of, and transition to, the new case management approach in the Federal Circuit and Family Court of Australia.</p> <p>It will support access to representation services in family law matters during this transition period, so that Australian families experiencing disadvantage are able to have their issues resolved safely and without further delay.</p>

<p>Estimated financial contributions</p>	<p>The Commonwealth will provide an estimated total financial contribution to the States of \$33.620 million (GST exclusive) in respect of this Schedule.</p> <table border="1" data-bbox="378 365 1417 853"> <thead> <tr> <th data-bbox="378 365 895 450">Table 1 (\$ m)</th> <th data-bbox="895 365 1098 450">2022-23</th> <th data-bbox="1098 365 1300 450">2023-24</th> <th data-bbox="1300 365 1417 450">Total</th> </tr> </thead> <tbody> <tr> <td data-bbox="378 450 895 499">Estimated total budget</td> <td data-bbox="895 450 1098 499">16.542</td> <td data-bbox="1098 450 1300 499">17.078</td> <td data-bbox="1300 450 1417 499">33.620</td> </tr> <tr> <td data-bbox="378 499 895 548">- New South Wales</td> <td data-bbox="895 499 1098 548">4.968</td> <td data-bbox="1098 499 1300 548">5.129</td> <td data-bbox="1300 499 1417 548">10.097</td> </tr> <tr> <td data-bbox="378 548 895 598">- Victoria</td> <td data-bbox="895 548 1098 598">4.200</td> <td data-bbox="1098 548 1300 598">4.336</td> <td data-bbox="1300 548 1417 598">8.536</td> </tr> <tr> <td data-bbox="378 598 895 647">- Queensland</td> <td data-bbox="895 598 1098 647">4.128</td> <td data-bbox="1098 598 1300 647">4.262</td> <td data-bbox="1300 598 1417 647">8.390</td> </tr> <tr> <td data-bbox="378 647 895 696">- South Australia</td> <td data-bbox="895 647 1098 696">1.770</td> <td data-bbox="1098 647 1300 696">1.827</td> <td data-bbox="1300 647 1417 696">3.597</td> </tr> <tr> <td data-bbox="378 696 895 745">- Tasmania</td> <td data-bbox="895 696 1098 745">0.700</td> <td data-bbox="1098 696 1300 745">0.723</td> <td data-bbox="1300 696 1417 745">1.423</td> </tr> <tr> <td data-bbox="378 745 895 795">- Australian Capital Territory</td> <td data-bbox="895 745 1098 795">0.512</td> <td data-bbox="1098 745 1300 795">0.529</td> <td data-bbox="1300 745 1417 795">1.041</td> </tr> <tr> <td data-bbox="378 795 895 853">- Northern Territory</td> <td data-bbox="895 795 1098 853">0.264</td> <td data-bbox="1098 795 1300 853">0.272</td> <td data-bbox="1300 795 1417 853">0.536</td> </tr> </tbody> </table>	Table 1 (\$ m)	2022-23	2023-24	Total	Estimated total budget	16.542	17.078	33.620	- New South Wales	4.968	5.129	10.097	- Victoria	4.200	4.336	8.536	- Queensland	4.128	4.262	8.390	- South Australia	1.770	1.827	3.597	- Tasmania	0.700	0.723	1.423	- Australian Capital Territory	0.512	0.529	1.041	- Northern Territory	0.264	0.272	0.536
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<p>Additional terms</p>	<ol style="list-style-type: none"> 1. The States will be responsible for: <ol style="list-style-type: none"> (a) ensuring that the services delivered with this funding are included in the reporting and Legal Assistance Service Data provided to the Commonwealth per the requirements of Part 4 and Schedule D of the National Legal Assistance Partnership 2020-25, and the funding is treated as if it were Commonwealth baseline funding for that purpose; and (b) ensuring data is collected and reported consistent with the National Legal Assistance Data Standards Manual. 2. The States will provide performance reports in accordance with Table 2. These performance reports are to contain: <ol style="list-style-type: none"> (a) a statement confirming that this funding will be, or has been, used by the legal aid commission to respond to service demand in the Federal Circuit and Family Court of Australia arising from the new case management approach; and (b) an account by the legal aid commission of the impact of the new case management approach, including examples or case studies that compare the experience of users under the new and previous case management approaches. 3. The Commonwealth may provide templates to be used for the performance reports required under Table 2 of this Schedule. If provided, reports must be completed in accordance with these templates. 																																				

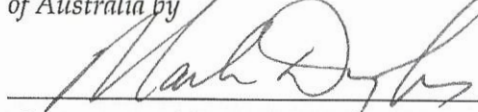
	<p>4. The parties will meet biannually on a bilateral basis to discuss the operation of this Schedule. This can take place in conjunction with existing bilateral meetings under the National Legal Assistance Partnership 2020-25.</p>
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Table 2: Performance requirements, reporting and payment summary

Output	Performance milestones	Report due	Payment
Delivery of representation services in family law matters in the Federal Circuit and Family Court of Australia by legal aid commissions	Continued delivery of representation services in family law matters in the Federal Circuit and Family Court of Australia by the legal aid commission	On execution of this Schedule	100% of a State's 2022-23 allocation in Table 1 (Paid)
	Provision of a performance report relating to the operation of representation services by the legal aid commission in family law matters in the Federal Circuit and Family Court of Australia from 1 July 2022 to 31 December 2022	31/03/2023	Nil
	Continued delivery of representation services in family law matters in the Federal Circuit and Family Court of Australia by the legal aid commission	On execution of amended Schedule	50% of a State's 2023-24 allocation in Table 1
	Provision of a performance report relating to the operation of representation services by the legal aid commission in family law matters in the Federal Circuit and Family Court of Australia from 1 January 2023 to 31 December 2023	31/03/2024	50% of a State's 2023-24 allocation in Table 1
	Provision of a performance report relating to the operation of representation services by the legal aid commission in family law matters in the Federal Circuit and Family Court of Australia from 1 January 2024 to 30 June 2024	30/09/2024	Nil

The Parties have confirmed their commitment to this schedule as follows:

Signed for and on behalf of the Commonwealth of Australia by

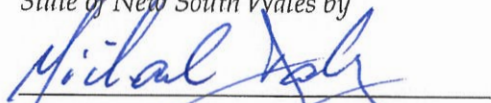


The Honourable Mark Dreyfus KC MP
Attorney-General of the Commonwealth of Australia

[Day] [Month] [Year]

9th February 2024

Signed for and on behalf of the State of New South Wales by



The Honourable Michael Daley MP
Attorney General of the State of New South Wales

[Day] [Month] [Year]

19 March 2024

Signed for and on behalf of the State of Queensland by

The Honourable Yvette D'Ath MP
Attorney-General of the State of Queensland

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Signed for and on behalf of the State of Tasmania by

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The Honourable Chanston Paech MLA
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Signed for and on behalf of the Australian Capital Territory by

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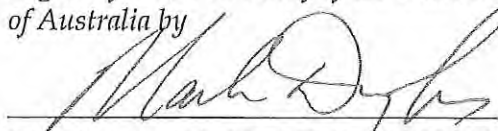
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18 / 03 / 2024

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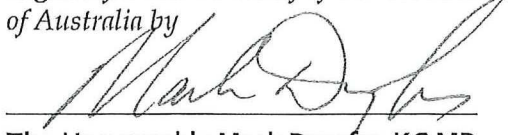
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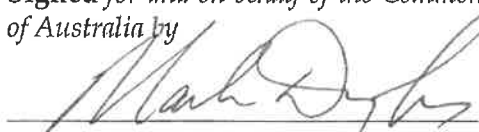
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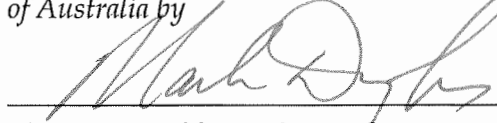
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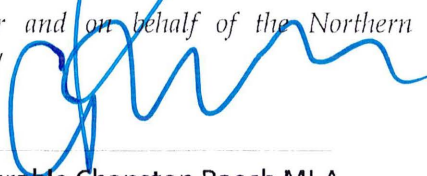
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