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LawTalk Blog



Huge hike in divorce fees expected

Date: Tuesday May 19, 2015

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We have updated the content of this blog as there have been further recent developments with this.

The updated content can be viewed at [Family Law Court fees decreased as at 12 August 2015](#).

The original content was:

As part of the recent Federal Budget, the Government has announced that the fee for obtaining a divorce from the Federal Circuit Court will significantly increase as from 1 July 2015. It is anticipated that the Court filing fee which is currently \$845.00 may increase to \$1,500.00 or more.

If you are in receipt of a concession or healthcare card then you may be able to apply for a reduction of the Court filing fee. However we think that it is likely that this "reduced fee option" may also increase as of 1 July 2015.

If you are considering making a Family Law application for divorce you may wish to make that application prior to 1 July 2015 and avoid higher Government charges.

It should be noted however, that you must be separated for 12 months before you can make application for a divorce.

There are many reasons to make an application for a divorce after your separation. It is the best way to ensure that your property and possessions, superannuation and life insurance go to who you choose and not automatically to your former spouse. A Divorce Order is one of the steps to provide certainty to your wishes once you have made that decision to finalise your relationship. The

other is to address your property settlement as soon as possible.

If you have a Will that leaves your assets to your spouse then just because you separate does not mean that your spouse won't inherit your property. Only the granting of a Divorce Order or new Will works to nullify your former spouse's claims to your property.

If you've been separated for 12 months or more and are contemplating divorce, we urge you consider contacting our office to assist you in preparing your application for divorce prior to 30 June 2015 when the higher fees will apply. We can also assist you with your new Will.

Please note, this Blog is posted in Adelaide, South Australia by Andersons Solicitors. It relates to Australian Federal legislation. Andersons Solicitors is a medium sized law firm servicing metropolitan Adelaide and regional South Australia across all areas of law for individuals and businesses.