

Rules for support persons

A support person is bound by the **rules of confidentiality** during a Conference. This means they must not disclose what they hear during a Conference to anyone else at any time, including the Court, or in any other way, such as via social media. Breaching confidentiality can have serious consequences.

Support persons must sign a **confidentially agreement** indicating that they understand these rules before the Conference is held.

The Chairperson may ask a support person to leave the Conference at any time if the Chairperson finds them disruptive or not helpful to the process.

Support persons are not eligible for a grant of legal aid for the Conference.

For more information, please contact us

If you have any questions about the role of a support person or other supports available, or to tell the FDR Unit who you intend to bring as your support person, contact the FDR Unit.

Email FDRsecretary@lsc.sa.gov.au

Call 8111 5534

Legal Helpline 1300 366 424
Child Support Advice 8111 5576

Legal Services Commission Offices

- Adelaide Office
159 Gawler Place
Adelaide 5000
Call 8111 5555
- Elizabeth Office
Suite 2 Windsor Building
1 Windsor Square
(off Playford Boulevard)
Elizabeth Shopping Centre
Elizabeth 5112
Call 8111 5400
- Noarlunga Office
Noarlunga House
Ramsay Place
Noarlunga Centre 5168
Call 8111 5340
- Port Adelaide Office
263 St Vincent Street
Port Adelaide 5015
Call 8111 5460
- Port Augusta Office
34 Flinders Terrace
Port Augusta SA 5700
Call 8686 2200
- Whyalla Office
17A Forsyth Street
Whyalla 5600
Call 8620 8500

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This information is general and not a substitute for legal advice. The Legal Services Commission provides free legal advice for most legal problems.

Legal Help for all South Australians

Legal Reference Guide

Support Persons in FDR



Family Dispute Resolution (FDR)

The Family Dispute Resolution (FDR) Unit at Legal Services helps separating families work out future arrangements by providing a family dispute resolution service called **Family Law Conferencing**. This service allows parties to be represented by a **lawyer** during a Conference.

Some people find it **helpful** and **calming** to have a **support person** with them at a Conference, especially if there are or have been concerns about safety.

Support persons

If you have a lawyer at a Conference, you may not need to bring a support person. In addition to your lawyer, you can bring one other support person to attend a Conference with you. This might be a **family member, close friend**, or other **support worker** (such as a social worker or case worker). You may also bring a therapy or assistance animal to a Conference if needed.

You should not bring a support person who may have a potential **conflict of interest** or who is also a **party** to the Conference.

If someone involved in the Conference does not agree to your chosen support person attending with you (including the other person involved in the dispute, the Chairperson, or a lawyer), your support person will not be able to attend.

The Chairperson will ask your support person to leave if they believe that your support person is **inappropriate** or may **hinder** the success of the Conference.

You should **tell the FDR Unit** and your lawyer well before the Conference who you intend to bring as your support person so we can ensure they are suitable to attend.

The role of a support person

A support person provides '**silent support**' during a Conference. They do not play an active role and are not a party to the Conference. Support persons must not participate in any discussions or negotiations about the issues that arise during the process. A support person cannot advocate on your behalf unless they are a lawyer you instruct.

A support person can help you arrive and exit a Conference safely. They can also sit with you during the Conference and support you in this time. Generally, parties will remain in separate, **private rooms** during a Conference. The parties will not usually be 'face to face' and the Chairperson will 'shuttle' between the private rooms with the lawyers during the session.

A support person can help you deal with your feelings during the Conference at any scheduled break. You can also ask the Chairperson for a break at any time.

A support person **cannot** provide instructions to your lawyer, discuss issues with the Chairperson, or speak to the other party's lawyer or an independent children's lawyer involved in a Conference. They also cannot make a complaint on your behalf following a Conference.

Can children attend at a FDR Conference at Legal Services?

Children are not considered as support persons for the purposes of a Conference. It is **not appropriate for children under the age of 18 to attend** at any FDR Conference. The Chairperson will not allow a Conference to proceed if children are present. Legal Services does not have childcare facilities. Please arrange childcare for the children in your care during a Conference.

Children should also not be within earshot or be involved in a Conference held online or via telephone.

Children who are infants or breastfeeding may attend a Conference with you if required. Please advise the FDR Unit beforehand if you are bringing an infant so that additional arrangements can be made.



A support person may be a family member, close friend or other support worker. If you have a lawyer at a Conference, you may not need to bring a support person.