



FAMILY COURT OF THE FIJI ISLANDS

PRE-HEARING CONFERENCES

What is a Pre-Hearing Conference?

The pre-hearing conference is the last formal court event prior to a final hearing and the last formal opportunity for the parties to settle their case. A Registrar or Deputy Registrar conducts the conference. The parties and their lawyers must attend the conference **in person** (Rule 9.01).

How should parties prepare for Pre-Hearing Conferences?

The parties and their lawyers are expected to have complied with the directions made at the conciliation conference, and in particular should have filed and exchanged all of the affidavits upon which they seek to rely at the final hearing. They must bring to the conference all documents relevant to the issues in dispute between them (Rule 9.04).

What is the purpose of the Pre-Hearing Conference?

The Registrar will assist the parties to resolve their dispute as in a case assessment and conciliation conference.

If the case **cannot** be resolved by agreement, the Registrar is to make any further directions necessary to ensure that the matter is ready for a final hearing (in court before a Magistrate), and allocate a hearing date.

How is the hearing date decided?

The Family Court will have a Listing Co-ordinator, whose task it will be to liaise with the lawyers and set an appropriate hearing date and advise the lawyers in writing of that date. The file will be referred to the Listing Co-ordinator by the Registrar who conducted the pre-hearing conference with a request that a hearing date be allocated.

How long would a hearing take?

The Registrar conducting the pre-hearing conference must ascertain a realistic estimated hearing time for the trial and make directions regarding payment of the hearing fee.