



## FAMILY COURT OF THE FIJI ISLANDS

### ORDERS ABOUT CHILDREN

#### **How can the Family Court assist children?**

Even when parents are separating the Family Court wants parents to agree whenever possible about their children. The Court will help parents and others agree about the children but if there is no agreement then the Family Court has the power to make orders about children.

#### **What are Parenting Orders?**

Parenting Orders or Parents Orders may apply to the mother, the father or some other person or people.

The Family Court must decide what is in “THE BEST INTERESTS OF THE CHILD”. [See: *Information Sheet 3*]

The Court can make ANY ORDER it considers necessary. Parenting Orders can include Residence Orders, Contact Orders, Child Maintenance Orders and Specific Issues Orders.

#### **What is a Residence Order?**

A Residence Order is a type of order that the Family Court can make about the person or people with whom a child is to live.

#### **What is a Contact Order?**

A Contact Order is a type of order the Family Court can make about contact between the child and other people.

#### **What is a Child Maintenance Order**

A Child Maintenance Order is a type of order the Family Court can make for maintenance of the child.

#### **What is a Specific Issues Order?**

A Specific Issues Order is an order the Family Court can make about any other aspect of parental responsibility.

These orders usually set out the duties, powers, responsibility or authority of parents or others in relation to the child concerned.

### **Who can apply for a Parenting Order?**

- Either or both parents,
- A person representing the child in the Court, or
- Any other person who is concerned about the care, welfare or development of the child.

### **How likely is it that the Court will grant the Parenting Order?**

The Court will **only** make an order when it considers that this is better for the child than making no order (s 66(3)).

The Court will not make a FINAL PARENTS ORDER (PARENTING ORDER) unless by agreement or there has been a conference between all the interested people about the child and a court approved counsellor or welfare officer.

### **How can I apply for a Parenting Order?**

The FORMS are available at your local Court Registry.

The FORMS are free but there may be a cost when you lodge them in the Court.

### **Is there anything I have to do before applying for a Parenting Order?**

The first step is a FAMILY CONFERENCE. Speak to your Court Registry and they will help you.