

Family Justice Courts

Therapeutic Justice Model (TJ Model)



THERAPEUTIC JUSTICE
New Day, New Hope

Therapeutic Justice (TJ) at the FJC is about helping families accept the past and move towards their best possible future. It involves a judge-led process where parties and their lawyers, along with other professionals, work together to find timely and enduring solutions to the family's disagreements, within the framework of the law.

TJ Objectives

Resolve family issues amicably, and out of court where possible.

Reduce acrimony and conflict during court proceedings.

Resolve underlying issues in the interests of the family, putting the welfare of the children first.

Treat one another with **respect, attention, empathy, and support.**

Move towards the future and be enabled to resolve future issues amicably out of court.

Court Process

Parties who resolve all their issues out of court may apply to obtain final orders for divorce and related ancillary matters (AMs) through the **Full Simplified Track**.

The process below is for cases filed under the **Partial Simplified/Non-Simplified Track***.



Triage Process

- **Joint Triage Checklist (JTC)** – A simple questionnaire that parties are to answer together (although single submissions are accepted). This provides the court with a preliminary view of the case.
- **TJ Cooperative Conference (TJCC)** – If scheduled, this is the first substantive court event attended by parties and their lawyers. The TJCC mediation judge will explain the expected conduct of the parties, identify and narrow down key issues, discuss proposals and assign the next court event. If there are minor children, counselling with a Court Family Specialist (CFS) will take place after the TJCC.

Tracks

Standard Track

- Cases are managed by case management Assistant Registrars until they are ready for mediation or hearing.
- A CFS may be present during the court process.
- At a later stage, cases may be managed by a single judge until conclusion.

Teams Track (One Family, One Team)

- Cases are assigned at an early stage to be managed by a multi-disciplinary Team (mediation judge, hearing judge and CFS) until the conclusion of the case.
- The Team tailors the approach for each case, depending on the family's needs. Court resources will only be applied when required.
- Family members receive therapeutic support as early as possible.

The Roles of Parties and Lawyers

- Parties are to cooperate to find timely and enduring solutions to the family's issues. They should prioritise the children (if any), focus on shared interests and the future. This involves being willing to compromise in the spirit of give and take to carry out court orders.
- Lawyers are to educate their clients on the practice of TJ, help their clients reduce acrimony, and assist to find common ground and solutions for better outcomes.

Do's

Make genuine attempts to resolve issues amicably, such as making reasonable proposals at mediation.

Use respectful and constructive language in letters, court documents, and courtroom communications.

File only necessary applications, concise affidavits, and relevant evidence.

Take all steps to protect children from parents' acrimony and exposure to court proceedings.



Don'ts

Refuse to participate meaningfully in mediation or make unreasonable or extreme proposals at mediation.

Use inflammatory and provocative language that heightens tensions in letters, court documents, and courtroom communications.

File unnecessary applications/affidavits/evidence that serve to heighten tensions, delay proceedings and increase costs.

Expose the children to legal documents and force them to take sides; ask them to write documents to support a parent; record/photograph them for court proceedings.

* Partial Simplified/Non-Simplified Track refers to cases where parties disagree on the divorce and/or ancillary matters.