



## What is a directions hearing or court mention?

**Date: Monday May 24, 2021**

When your matter is listed in either the Family Court of Australia, Federal Circuit Court of Australia or the Family Court of Western Australia, often the court orders will indicate the matter is listed for “mention only” (court mention) or “directions only” (directions hearing). When people see this prescribed in their orders, frequently, the next question is, “what does that mean”?

When your matter is listed for mention or directions, this can mean your Judge, Registrar, or Magistrate has included your matter in a list to be programmed through the court (that is, setting it in motion for what action or next steps should be taken) or to check compliance with orders.

## What happens when my matter is listed for directions or mention?

The court will list your matter to see what needs to happen to progress your case out of the court system.

Does your matter need to be programmed to [Alternative Dispute Resolution](#)?

Does your matter need to be programmed to trial?

Has a family report been ordered? Has a single expert witness been ordered? Has the report been published?

Have all valuation and discovery orders been complied with and issues resolved?

Do Family Court Counselling services need to be involved further?

Does your matter fall under the cross-examination scheme? (in matters where there is [family violence](#))

There are a number of reasons why your matter may have been listed for mention or directions. Often the reason can be observed from the orders made on the previous court appearance date.

## **What to expect at your family court directions hearing or mention?**

How long will the direction/mention take? This is a great question which is often asked and to which there is no defined answer.

Matters listed for directions or mention may only take a few minutes, or you could be there all day.

If the other side presses for an urgent matter to be heard, or at the Magistrate or Judge or Registrar's discretion, consideration is made to hear a contested issue on that day. The court may stand your matter down, seek that you (your lawyer) confer with the other side for agreement and then re-list your matter later that same day.

It is not uncommon for your matter to be listed at 9.30 am, stood down at 11.30 am and then relisted again at 2.15 pm. You need to be prepared for this.

## **What do I need to prepare for a directions hearing or mention?**

Prior to a mention hearing or directions hearing, make sure you have read the orders made on the previous occasions and complied with all of these orders.

If the other party has filed any application, have you filed a response?

If you have filed an application, what directions do you wish to be made?

If your matter is urgent, are you prepared to run an argument on this day?

Make sure if the court asks these questions of you, you are ready to answer.

## **Do I need a lawyer to represent me on this day?**

Whether you need a lawyer depends on many factors. Some of these include:

Your confidence to self-represent in a court setting. Do you feel confident in answering the questions before the Judge?

The risks associated with the application before the Judge or Magistrate or Registrar;

Your capacity to pay for legal representation.

## Get help from a family lawyer

With delays in the court system (and particularly so in the Family Court system), court events can be valuable occasions to resolve or progress your matter. Often each court event can be months apart.

An interim hearing within the court at the time of writing this article can be a wait of several months. A trial can be many years away. As such, using resources (both financial and emotional) in best preparing and presenting your case at a court event can be invaluable.

The team of solicitors at Meillon & Bright are experienced in appearing in the Family Court of Australia, the Federal Circuit Court of Australia and the Family Court of Australia.

If you require assistance with preparing or representation at a mention hearing or directions hearing, please make an appointment with one of our lawyers today. The better prepared you are, the more likely you will achieve a successful outcome before the court.

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*The information contained in this article is of general nature and should not be construed as legal advice. If you require further information, advice or assistance for your specific circumstances, please contact us.*