



**Vayshali Chandra**  
Senior Associate

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### Qualifications

- Bachelor of Social Science majoring in Criminology - University of Western Sydney 2014
- Bachelor of Laws - University of Western Sydney 2014
- Admission to the Supreme Court of NSW and High Court - 2015
- Current Practising Certificate - Law Society of NSW
- Masters of applied Family Law majoring in Family Dispute Resolution - 2021
- Registered as a Family Dispute Resolution Practitioner by the Attorney General's Department and her registration number is F2002379

### Experience

- 2011** Commenced working at Marsdens Law Group
- 2015** Admitted as a Solicitor to the Supreme Court of NSW
- 2019** Appointed as a Senior Associate at Marsdens Law Group
- 2023** Appointed as a Partner at Marsdens Law Group

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# Family Dispute Resolution



**Vayshali Chandra**  
Partner

# Court proceedings and litigation doesn't have to be the only way.

The alternative is mediation or what is referred to by the Family Law Act as "Family Dispute Resolution". Family Dispute Resolution is a process whereby parties can meet with a Family Dispute Resolution Practitioner "FDRP", who is also commonly referred to as a mediator, to discuss their issues and think of options to resolve disputes that may have resulted from their separation.

FDR is ideal to discuss parenting arrangements post separation as well as property matters.

Parents or other interested persons in a child's life cannot go to court for parenting orders unless a certificate has been issued by an accredited Family Dispute Resolution Practitioner to indicate that the parties have attempted FDR. There are exceptional circumstances where such certificate is not required, however, the general rule is mediation is necessary before court proceedings are commenced.

Mediation or FDR is an opportunity to discuss the party's concerns and the options available to try and reach an agreement without the matter escalating further or requiring a determination by a Judge or a Magistrate.

A Family Dispute Resolution Practitioner must remain impartial and not take sides whilst assisting the parties to reach an agreement. The mediation is an opportunity for the parties to speak freely but with respect and without interruption.

All discussions held during the mediation are confidential and, accordingly, any information exchanged between the parties is not allowed to be used in subsequent court litigation. There are exceptions to this rule such as where threats are made against the other person or the other person's property or there is a disclosure that the child may have been subjected to abuse or there is a risk of abuse.

The mediation process can be attended either by the parties on their own or the parties with their lawyers, if they have engaged lawyers or if they wish to have the lawyers present with them.

The aim of a mediation is to reach agreement to finalise a dispute, however, even if no agreement is reached, usually the conferences are useful in narrowing the issues in dispute and helping the parties communicate better in the future.

If an agreement is reached in relation to parenting matters, then the agreements can be formalised by way of either a parenting plan or consent orders.

FDR is a cost effective way of dealing with disputes, however, it is not appropriate in every case particularly in matters involving family violence. FDR is determined on every matter after speaking to both parties and completing the intake procedure.

We have facilities available and are able to conduct the mediations at our offices or an alternative venue as agreed between the parties.

## Procedure

1. After one party initiates the mediation, a brief intake process will be conducted. This is usually conducted through direct communication with each of the parties and also the completion of a questionnaire. The intake process is to determine the appropriateness of FDR in each particular case. This is to ensure that FDR is appropriate in the circumstances and that mediation should proceed. In the event it is determined that mediation is not suitable then a Section 60I Certificate will be issued.
2. If one of the parties fails to return the questionnaire or refuses to participate in mediation also, a Section 60i Certificate will be issued in those circumstances.

## Fee Schedule

Fee	Service
\$250.00	Intake, including issuing of Section 60i Certificate (non refundable)
\$1,350.00 (per party)	Mediation - half day
\$300.00	For every additional hour
\$2,100.00 (per party)	Mediation - full day

All fees are inclusive of GST.

Mediation fees are payable by both parties no less than seven (7) days before the date scheduled for the mediation.

As a professional firm, we strive to provide the best quality service in FDR. However, should you have any concerns or should you be unhappy about the services provided by our office, we suggest that you contact the Law Society of NSW on telephone (02) 9926 0333 to register any complaints that you wish to make or alternatively contact our Managing Partner, Mr Joe Bonura, on (02) 4626 5077.