

This knowledge guide deals with matters relating to common family law proceedings such as divorce, division of matrimonial assets, custody, maintenance and domestic violence at the intermediate level[†] and complex family law matters at the advanced level.

The practice comprises the following knowledge: (i) substantive family law in common and complex family law proceedings, (ii) family procedure, Family Justice Courts’ initiatives and ethical rules, (iii) Alternative Dispute Resolution (in particular, mediation) and (iv) methods of effective management of family law clients.

Knowledge Proficiency Levels	
Intermediate	Advanced
<p>Substantive law in case law and statutes (Women’s Charter 1961, Guardianship of Infants Act 1934):</p> <ul style="list-style-type: none">• Divorce. Grounds of divorce and 6 facts for proving irretrievable breakdown of marriage, spousal marital obligations, divorce as a last resort, nullity, etc.• Division of Matrimonial Assets. Definition of matrimonial asset, division methodologies, valuations, pre-nuptial agreements, etc.• Custody. Applications under the Guardianship of Infants Act 1934, concepts of custody, care and control and access, judge-and-child session, enforcement of custody orders, etc.• Maintenance. Standalone maintenance application in existing marriage, interim and final maintenance applications ancillary to divorce, maintenance enforcement, etc.• Domestic Violence. Definition, legal test, available legal remedies, policy considerations, etc.	<p>Cases involving Cross-jurisdictional Aspects</p> <ul style="list-style-type: none">• Relocation• Contested proceedings with cross-jurisdictional elements, e.g. conflicts of law rules, <i>forum non conveniens</i> doctrine• Recognition / enforcement of foreign judgments (common law enforcement, REFJA, Maintenance Orders (Reciprocal Enforcement) Act 1975, obtaining mirror orders)• Cross-jurisdictional considerations when drafting marital agreements, e.g. drafting of pre-nuptial agreements for clients who have multiple citizenships / changing domicile, assets in multiple jurisdictions, etc.• Financial relief consequent on foreign divorce (Chapter 4A of Women’s Charter 1961)• Involvement of foreign law experts in contested proceedings <p>High-conflict Family Law Proceedings</p> <ul style="list-style-type: none">• Cases involving excessive gatekeeping, multiple breaches of access / care and control orders, committal proceedings, multiple summonses and appeals• Proceedings involving complex financial assets, overseas assets, dissipation, novel points of law, and / or public policy issues• <i>Ex-parte</i> injunctions (custody / division of matrimonial assets)• Involvement of multiple party experts in contested proceedings• Cases involving non-family law satellite litigation, e.g. tort, contract, defamation, etc. <p>Awareness of Key International Trends</p> <ul style="list-style-type: none">• Developments in family law and family justice systems• International conventions on family law that apply in Singapore, e.g. UNCRC on the Rights of the Child, the Hague Convention on the Civil Aspects of International Child Abduction (“Hague Convention”), etc.

[†]The assumption is that family practitioners at the intermediate level will be able to obtain knowledge on other less common family law proceedings where necessary, e.g. adoption, guardianship, deputyship, probate, protection from harassment, maintenance of parents, etc. The knowledge involved in such proceedings may be obtained in ways that are generally similar to the knowledge captured under the intermediate level.

Knowledge (cont'd)
Proficiency Levels

Intermediate	Advanced
<p>Family Justice Court procedures, initiatives and ethical rules:</p> <p>Pre-filing. Therapeutic Justice Model, Family Justice Rules 2024, Family Justice Courts Practice Directions 2024, ethical obligations under Legal Profession Act (Professional Conduct Rules) 2015 (Rules 15A & 15B), Joint Triage Checklist (JTC), Offer to Settle</p> <p>Post-filing. TJ Cooperative Conference (TJCC), simplified track divorce filing, contested divorce / nullity trial</p> <p>Interlocutory. Judge-led approach, procedures for interlocutory applications, Amicable Settlement of Disputes (Part 10A of Women's Charter 1961), summons hearings in chambers (single joint court)</p> <p>Final hearings. Ancillary matters hearing, e.g. discovery, binding summary expert witnesses, valuations, calculations</p> <p>Post-proceedings. Maintenance enforcement process, e.g. Maintenance Enforcement Officers, custody enforcement process, e.g. Enforcement of Child Access Orders mechanism, enforcement process for financial orders</p> <p>Other types of proceedings. Procedures for originating summonses, application, pre-trial and trial process for personal protection order (PPO / SS), application, pre-trial and trial process for standalone maintenance order (MSS), Shariah Court family procedures</p>	<p>Procedures related to areas of complex family law:</p> <ul style="list-style-type: none"> • Applications in cross-jurisdictional / complex family law proceedings • Service of court documents overseas and long-arm jurisdiction • Expert witness affidavits / testimony and cross-examination • Notifying Central Authority under the Hague Convention • Appeals, e.g. leave to appeal, stay of execution, threshold to adduce further evidence and consequential orders, etc.

Techniques, Methodology, and Processes
Proficiency Levels

Intermediate	Advanced
<p>Mediation that is likely to form the bulk of family practice work, e.g. preparing the client for mediation, preparing mediation statement, facilitating settlement, etc.</p>	<p>Specialised mediation processes and advice, e.g. reality testing with the client, caucus mediation, etc., and advising on the use of mediation at different stages of proceedings to minimise acrimony and protect the child's best interests (bifurcation of proceedings)</p>
<p>Problem-solving required under the Therapeutic Justice Model, e.g. non-adversarial Therapeutic Justice approach to assist court, holistic consideration of the family's needs, effective collaboration with Court Family Specialist, etc.</p>	<p>Problem-solving required under the Therapeutic Justice Model, e.g. sensitive and skillful handling of high conflict cases, innovative ways to apply a Therapeutic Justice approach, etc.</p>
<p>Managing clients effectively and empathically, e.g. theoretical and practical understanding of the client's emotional and psychological needs, demonstrating empathy techniques, when to refer the client to counselling / social work / mental health professional, etc.</p>	<p>Managing challenging clients and family situations, e.g. understanding the client's/family's underlying problems, awareness and sensitive handling of mental health needs, and comprehensive application of the ethical obligations owed by family practitioners, etc.</p>
<p>Alternative Dispute Resolution (ADR) of court-connected mediation and other avenues of ADR such as private mediation, collaborative family practice, negotiations through legal correspondence and round-table negotiations</p>	<p>Mediation in cross-border family matters, e.g. Hague Convention proceedings, and for complex family law matters</p>
<p>Oral and written advocacy, e.g. methods / techniques of drafting pleadings, affidavits, written submissions, drafting of comprehensive consent orders, MSS, AM hearings at Family Justice Courts, basic cross-examinations, etc.</p>	<p>Written and trial advocacy relating to the above complex family law matters at the General Division of the High Court (Family Division), Appellate Division of the High Court and/or Court of Appeal levels</p>