

IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

PRACTICE DIRECTIONS

AMENDMENT NO. 2 OF 2015

1. It is hereby notified for general information that the Family Justice Courts Practice Directions will be amended as follows with effect from 1 September 2015:-

(a) the existing Annex to paragraph 7 will be deleted and replaced by the following new Annex:

[New Annex to paragraph 7](#)

(b) the existing paragraph 12 will be deleted and replaced by the following new paragraph:

[New paragraph 12](#)

(c) the existing paragraph 15 will be deleted and replaced by the following new paragraph:

[New paragraph 15](#)

(d) the existing paragraph 99 will be deleted and replaced by the following new paragraph:

[New paragraph 99](#)

(e) the existing paragraph 124 will be deleted and replaced by the following new paragraph:

[New paragraph 124](#)

(f) the existing paragraph 125 will be deleted and replaced by the following new paragraph:

[New paragraph 125](#)

(g) the existing paragraph 126 will be deleted and replaced by the following new paragraph:

[New paragraph 126](#)

(h) the existing paragraph 127 will be deleted and replaced by the following new paragraph:

[New paragraph 127](#)

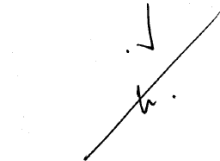
(i) the existing Form 203 shall be deleted and replaced with the following new form:

[New Form 203](#)

2. The amendment in 1(a) is to update the details of the Liaison Judges of Singapore who receive and channel incoming judicial communications and initiate or facilitate outgoing communications.
3. The amendment in 1(c) sets out the procedure for simplified uncontested divorce proceedings involving a claim and counterclaim.
4. The amendment in 1(d) changes the timeframe for the filing of written submissions for contested applications and Registrar's Appeals.
5. The amendment in 1(e) relates to the change in the location of the appeals counter of the Family Justice Courts.
6. The amendment in 1(f) clarify that paragraphs 125(1) to (10) apply to appeals filed on or after 1 January 2015 under Part 18 Division 60 of the Family Justice Rules. Paragraphs 125(11) to (13) apply to appeals filed after 1 October 2014 and before 1 January 2015 under Order 55C of the Rules of Court in relation to ancillary matters under the Women's Charter and custody proceedings under Guardianship of Infants Act or proceedings under section 17A(2) of the Supreme Court of Judicature Act.
7. The amendments in 1(g) to (h) relate to changes in the timeframe and location for submission of Submissions, Bundles and other relevant documents to the Family Division of the High Court.

8. The amendment in 1(i) amends Form 203 to require parties to state when the necessary pleadings were withdrawn for parties to proceed on an uncontested divorce.

Dated this 21st day of August 2015.

A handwritten signature in black ink, appearing to read 'Chia Wee Kiat', is written over a diagonal line that serves as a signature line.

CHIA WEE KIAT
REGISTRAR
FAMILY JUSTICE COURTS

Annex

Liaison Judge(s)

Valerie Thean

Presiding Judge

Family Justice Courts

3 Havelock Square

Singapore 059725

Foo Tuat Yien

Judicial Commissioner

Family Justice Courts

3 Havelock Square

Singapore 059725

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12. Mandatory Counselling & Mediation

- (1) Section 50(3A) of the Women's Charter (Cap. 353) provides for mandatory counselling / mediation sessions at the Child-Focused Resolution Centre ("CFRC"). The first phase, beginning in September 2011, was for divorcing parents with any child or children below 8 years of age. The second phase, involving divorcing parents with any child or children below 14 years of age, was implemented for cases filed from 1st July 2013. The final phase was implemented for cases filed from 1 October 2014 and extended to all divorcing parents with any child or children below 21 years of age.
- (2) The location where the mandatory counselling/mediation sessions will be held for the final phase of cases would be at Family Justice Courts at 3 Havelock Square Singapore 059725 unless otherwise stipulated.
- (3) Notice(s) of attendance with location details will be sent to the plaintiff and defendant of the divorce proceedings. Attendance by the parties is compulsory. Attendance by the parties' respective counsel, if any, is required only when specifically stated in the notification.
- (4) Counsel and parties are required to attend a Family Dispute Resolution Conference ("FDR Conference") for a preliminary discussion of the issues relating to the child or children of the marriage. The purpose is to crystallise the issues on matters relating to the child or children and to agree on mutually convenient dates for the parties to attend counselling / mediation. Any unresolved issue relating to the divorce (including any ancillary issues such as the question of maintenance or the division of matrimonial assets) may also be discussed.
- (5) Counsel and parties are expected to come prepared to discuss all issues relating to or impacting the child or children.
- (6) After the FDR Conference, the parties alone will attend an Intake and Assessment Session with their assigned Family Counsellor.
- (7) Subsequent counselling sessions involving only the parties, may be fixed by the assigned Family Counsellor and the parties.
- (8) A Mediation date will be given to the parties and counsel at the FDR Conference if appropriate for the case. It is important that parties attend on the dates given and use the opportunity to discuss and resolve the issues with the help of a Judge-Mediator and / or Family Counsellor. Counsel and parties are to prepare a Summary for Mediation in Form 191 in Appendix A to these Practice Directions prior to the

mediation for submission and discussion during the mediation together with all relevant documents as may be directed by the Court.

- (9) Any consensus reached during counselling sessions will be recorded as a draft agreement. A copy of the draft will be given to the parties who are advised to consult their counsel (if any). Where interim judgment has been granted, the agreement will be recorded as a consent order by the Judge-Mediator at a subsequent mediation session upon confirmation of the terms.
- (10) Where interim judgment or judgment for judicial separation has been granted, any agreement reached by the parties at any time may be recorded as a consent order by the Judge–Mediator at a mediation session or any other Judge sitting as a Judge in Chambers upon confirmation of the terms by the parties and/or counsel. Where interim judgment or judgment of judicial separation has not been granted, the agreement will be formally recorded by the Judge and directions will be given for the setting down of the divorce on an uncontested basis on an expedited basis.
- (11) Under section 50(3B) of the Women’s Charter, the court may dispense with the attendance of the parties at mediation / counselling if it deems that it is not in the interests of the parties concerned to do so (e.g. where family violence has been committed or where Child Protection Services is involved in the case).
- (12) Counsel should advise his / her client of the consequences of non-attendance under section 50(3D) and (3E) of the Women’s Charter.
- (13) Mediation will be conducted on a without prejudice basis. All communications made in the course of mediation will be treated in strict confidence and will not be admissible in any court unless otherwise stipulated by law. If the dispute is not resolved at the mediation session, the District Judge or Registrar will give the necessary directions to enable the case to proceed to trial, and the case will be heard by a Judge other than the District Judge or Registrar conducting the mediation.
- (14) Where there is a disagreement between the parties on the terms of the agreement which were recorded at mediation, either party may write in to court for a clarification before the Judge-Mediator.

15. Request for simplified hearing track for divorce proceedings where parties have agreed on ancillary matters

- (1) Where parties to any divorce proceedings, having reached an agreement on the ancillary matters, agree to proceed with the divorce proceeding on an uncontested basis, they may request that the divorce proceedings be dealt with on a simplified hearing track.
- (2) The simplified hearing track is available where —
 - (a) the parties have reached an agreement through a Collaborative Family Practice process (CFP), whether conducted by the Singapore Mediation Centre or through private mediators using the CFP; or
 - (b) the parties have negotiated privately and reached an agreement with or without the assistance of counsel.
- (3) For the purpose of subparagraph (2)(a), the Collaborative Family Practice (CFP) is a process in which a trained counsel, i.e. the collaborative counsel, represents a party only in negotiations aimed exclusively at settlement. The CFP aims to achieve a consensual solution for family law related disputes without resort to litigation. Where the negotiations fail, the collaborative counsel will then withdraw from acting for the party concerned in order that that party may engage a new counsel to pursue the case through litigation.
- (4) Where —
 - (a) the negotiations lead to a settlement;
 - (b) the parties agree to proceed with an uncontested divorce and also file a draft consent order in respect of to the ancillary matters; and
 - (c) the requisite documents are in order,

the Court will fix the divorce proceedings filed pursuant to the settlement, for hearing on an uncontested basis upon the filing of the divorce proceedings.

How to apply for simplified uncontested divorce proceedings

- (5) When filing the divorce proceedings, the applicant must select "Simplified" as the type of filing.

- (6) The following documents must be filed together with the Writ for Divorce:
- (a) Statement of Claim (the orders sought for the ancillary issues as agreed must be typed into the template fields for the ancillary prayers);
 - (b) Statement of Particulars with the following annexures:-
 - (i) the draft Interim Judgment with agreed ancillary issues duly signed by both parties or their respective counsel;
 - (ii) the bankruptcy searches of both parties, conducted in accordance with Paragraph 14(7) above;
 - (iii) the consent from Defendant to the simplified uncontested divorce in Form 193 of Appendix A;
 - (iv) a copy of the Marriage Certificate;
 - (c) Request for Setting Down Trial for Action (in Form 29 of Appendix A to these Practice Directions); and
 - (d) Plaintiff's Affidavit of Evidence in Chief.
- (7) If the divorce is to be granted based on a Claim and Counterclaim, the following documents must be filed by the Defendant within 3 working days from the filing of the Writ:
- (a) Counterclaim; and
 - (b) Defendant's Affidavit of Evidence in Chief.
- (8) In the event that subparagraph (7) above is not complied with, the Court may proceed to make the appropriate orders or directions notwithstanding the failure, such as adjourning the divorce hearing or granting the interim judgment only on the claim.

99. Written Submissions for Contested Inter Partes Applications in Chambers

- (1) To facilitate and expedite the hearing of contested *inter partes* applications before a Registrar in Chambers, District Judge in Chambers and Registrar's Appeals before a District Judge in Chambers, the applicant and the respondent to the application shall file their Written Submissions no later than 7 days prior to the hearing date fixed by the Court and shall serve a copy thereof on the other party to the application or his solicitor.
- (2) The Written Submissions filed by parties shall set out as concisely as possible:
 - (a) the circumstances out of which the application arises;
 - (b) the issues arising in the application;
 - (c) the contentions to be urged by the party filing it and the authorities in support thereof; and
 - (d) the reasons for or against the application, as the case may be.
- (3) Sub-paragraphs (1) and (2) applies only in the following matters:
 - (a) Application for determination of questions of law or construction of documents under rule 345 of the Family Justice Rules;
 - (b) Application to set aside judgment under rule 334 or rule 417 of the Family Justice Rules;
 - (c) Application to strike out pleadings and endorsements under rule 405 of the Family Justice Rules;
 - (d) Registrar's Appeals under Part 18, Divisions 57 and 58 of the Family Justice Rules; and
 - (e) Any other application as may be directed by the Court.

124. Appeals

- (1) Any appeal filed on or after 1st October 2014 against the decision or order of a District Judge of the Family Justice Courts made in any family court proceedings shall be made to the Family Division of the High Court.
- (2) Any appeal filed on or after 1st October 2014 against the decision or order of the Registrar or Deputy Registrar or Assistant Registrar of the Family Justice Courts made in any family court proceedings shall be made to a District Judge of the Family Justice Courts.
- (3) Any appeal filed on or after 1st October 2014 against the decision or order of the Registrar, Deputy Registrar or Assistant Registrar of the Family Justice Courts made in any Family Division of the High Court proceedings shall be made to the Family Division of the High Court.
- (4) Any appeal filed on or after 1st October 2014 against the decision or order of a District Judge of the State Courts made in any family court proceedings shall be made to the Family Division of the High Court, and any appeal filed on or after 1st October 2014 against the decision or order of the Registrar or Deputy Registrar of the State Courts made in any family court proceedings shall be made to a District Judge of the Family Justice Courts.
- (5) The appeals counter of the Family Justice Courts Registry is located in the Family Registry of the Family Justice Courts Building at 3 Havelock Square Singapore 059725.

125. Filing of records of appeal and written cases

Filing of records of appeal and written cases for appeals filed on or after 1 January 2015 from the Family Courts to the Family Division of the High Court under Part 18 Division 60 of the Family Justice Rules

- (1) In practice, the District Judges may furnish grounds of decision, and if so, within 8 weeks of the filing of the notice of appeal although the furnishing of grounds of decision is not a requirement under the Part 18 Division 60 of the Family Justice Rules.
- (2) To facilitate the conduct of appeal hearings before the Judge of the Family Division of the High Court in Chambers, parties are required to file the following documents prior to the appeal hearing:
 - (a) the appellant shall, within one week from the date of the release of the notes of evidence and grounds of decision (if any), file his submission, the record of appeal, and where the record of appeal exceeds 1000 pages, a core bundle, and serve a copy thereof on every respondent to the appeal or his solicitor; and
 - (b) the respondent shall, within one week from the date of the service of the documents referred to in sub-paragraph (2)(a), file his submission and a supplemental core bundle, where necessary, and serve a copy thereof on the appellant or his solicitor.
- (3) The submissions to be filed by parties shall set out as concisely as possible:
 - (a) the circumstances out of which the appeal arises;
 - (b) the issues arising in the appeal;
 - (c) the contentions to be urged by the party filing it and the authorities in support thereof; and
 - (d) the reasons for or against the appeal, as the case may be.
- (4) The parties shall file together with their submissions a bundle of authorities relied on by the Court below as well as other authorities to be relied on at the hearing of the appeal and serve such bundle of authorities on the other party.
- (5) The record of appeal shall consist of:
 - (a) the notice of appeal;

- (b) the certified copy of the grounds of decision;
 - (c) the certified copy of the notes of evidence;
 - (d) the originating process and all subsequent pleadings;
 - (e) the affidavits filed or referred to by parties for the hearing and any other documents, so far as relevant to the matter decided and the nature of the appeal; and
 - (f) the judgment or order appealed from.
- (6) The core bundle shall contain a copy of:
- (a) the grounds of decision;
 - (b) the judgment or order appealed from;
 - (c) the documents, including notes of evidence, pleadings and affidavits or portions thereof that are of particular relevance to any question in the appeal or that will be referred to at the appeal; and
 - (d) an index of the documents included therein, which shall cross-refer each document to its location in the record of appeal.
- (7) If the respondent intends to refer to documents at the appeal that are not included in the core bundle filed by the appellant, the respondent shall file a supplemental core bundle that contains a copy of the documents, together with an index of the documents which shall cross-refer each document to its location in the record of appeal.
- (8) The core bundle filed by the appellant shall not exceed 100 pages and the supplemental core bundle filed by the respondent shall not exceed 50 pages. In computing the number of pages, the copy of the order appealed from, the grounds of decision and the index of documents shall be excluded. The Judge of the Family Division of the High Court may take into consideration any failure to comply with this direction in deciding the costs to be awarded at the hearing of the appeal.
- (9) The submissions, the record of appeal, the core bundle and the respondent's core bundle shall be filed at the appeals counter of the Registry of the Family Justice Courts.

- (10) In order to assist the Judge hearing the appeal, the appellant and the respondent are to tender one hard copy of the record of appeal, submissions and the core bundle, where applicable, as well as any bundle of authorities to be relied upon to the Correspondence Clearance Centre at Level 1, Supreme Court Building not less than 10 days before the hearing of the appeal.

Filing of records of appeal and written cases for appeals filed after 1 October 2014 and before 1 January 2015 on ancillary matters or custody matters or s17A(2) SCJA proceedings from the Family Courts to the Family Division of the High Court under Order 55C of Rules of Court

- (11) Appeals filed after 1 October 2014 and before 1 January 2015 against final orders made by a District Judge in chambers on ancillary matters in matrimonial proceedings under the Women's Charter (Cap. 353), custody proceedings under the Guardianship of Infants Act (Cap. 122) or proceedings pursuant to section 17A(2) of the Supreme Court of Judicature Act (Cap. 322) are governed by Order 55C of the Rules of Court. In practice, the District Judges furnish grounds of decision within 8 weeks of the filing of the notice of appeal although the furnishing of grounds of decision is not a requirement under the Rules of Court.
- (12) To facilitate the conduct of appeal hearings before the Judge of the Family Division of the High Court in Chambers, parties are required to file the following documents prior to the appeal hearing:
- (a) the appellant shall, within one week from the date of the release of the notes of evidence and grounds of decision, file his submission, the record of appeal, and where the record of appeal exceeds 1000 pages, a core bundle, and serve a copy thereof on every respondent to the appeal or his solicitor; and
 - (b) the respondent shall, within one week from the date of the service of the documents referred to in sub-paragraph (12)(a), file his submission and a supplemental core bundle, where necessary, and serve a copy thereof on the appellant or his solicitor.
- (13) Sub-paragraphs (3) to (10) apply to such appeals.

126. Appeals before the Family Division of the High Court from tribunal or person under Part 18 Division 55 of the Family Justice Rules

- (1) Rule 805(4) of the Family Justice Rules states that it is the appellant's duty to apply to the Judge or other person presiding at the proceedings in which the decision appealed against was given, for the signed copy of any note made by him of the proceedings and to furnish that copy for the use of the Court. For the avoidance of doubt, the onus is on the appellant to file a record of proceedings, comprising the signed copy of the notes of proceedings, and any further grounds of decision, in the Family Division of the High Court.
- (2) The appellant and the respondent are to tender one hard copy of the notes of proceedings, grounds of decision and any skeletal arguments or bundles of authorities to be relied upon to the Correspondence Clearance Centre at Level 1, Supreme Court Building not less than 7 days before the hearing of the appeal, to assist the Judge of the Family Division of the High Court.
- (3) No affidavits shall be filed in respect of the appeal without the leave of court.

127. Skeletal arguments for appeals before the Family Division of the High Court

- (1) This paragraph does not apply to appeals from Registrar to a Judge in Chambers.
- (2) The term “skeletal arguments” includes “skeletal submissions”, “written submissions”, “written arguments” and all other variant terms by which such documents are known.
- (3) Counsel should submit skeletal arguments for the hearing of the appeal or matter and give a copy to counsel for the other parties. Hard copies of skeletal arguments may be printed on one side or both sides of each page.
- (4) Skeletal arguments are abbreviated notes of the arguments that will be presented. Skeletal arguments are not formal documents and do not bind parties. They are a valuable tool to the Judges and are meant to expedite the hearing of the appeal. These notes should comply with the following requirements:
 - (a) they should contain a numbered list of the points proposed to be argued, stated in no more than one or 2 sentences;
 - (b) each listed point should be accompanied by a full reference to the material to which counsel will be referring, i.e., the relevant pages or passages in authorities, the record of appeal, the bundles of documents, affidavits, transcripts and the judgment under appeal;
 - (c) all pages should be paginated, with the first page (not including any cover page) numbered as “Page 1”;
 - (d) the minimum font size to be used is Times New Roman 12 or its equivalent;
 - (e) the print of every page shall be double-spaced; and
 - (f) every page shall have a margin on all 4 sides, each of at least 35mm in width.

Timelines for submission of skeletal arguments for appeal

- (5) Where the appeal is a civil appeal before the Family Division of the High Court, the skeletal arguments should be sent to the Correspondence Clearance Centre at Level 1, Supreme Court Building at least 7 days before the hearing of the appeal.

FORM 203

Para 18

**REQUEST FOR DISPENSATION OF PARTIES' ATTENDANCE AT THE
UNCONTESTED DIVORCE HEARING**

Date

To: Registrar
Family Justice Courts, Singapore

DIVORCE SUIT NO. _____ OF _____
TITLE AS IN ACTION

**REQUEST FOR DISPENSATION OF PARTIES' ATTENDANCE AT THE
UNCONTESTED DIVORCE HEARING**

- 1 a) We act for the Plaintiff in the above proceedings. M/s _____ acts for the Defendant or Defendant acts in person*. We write to confirm that the above divorce will proceed on an uncontested basis as *(please tick all the applicable paragraphs)*
- (i) the Defendant has filed an Memorandum of Appearance indicating the Defendant is not contesting the divorce; or
 - (ii) an Order for Dispensation of Service on the Defendant was granted on _____; or
 - (iii) Acknowledgment of Service/Affidavit of Service* has been filed on _____ and Defendant did not enter appearance; or
 - (iv) Defendant had failed to file the Defence within the timelines stated in the Family Justice Rules; or
 - (v) both parties have agreed that the divorce will proceed on an uncontested basis on the Claim/and Counterclaim*. The Defence & Counterclaim/Reply and Defence to Counterclaim/Reply to Defence to Counterclaim* has/have been withdrawn on *(insert date)*.

(to use the following paragraph if proceeding on the Counterclaim only)

- b) We act for the Defendant in the above proceedings. M/s _____ acts for the Plaintiff or Plaintiff acts in person*. We write to confirm that the above divorce shall proceed on an uncontested basis as:-
- (i) both parties have agreed that the divorce will proceed on an uncontested basis on the Counterclaim. The Statement of Particulars/Defence/Reply and Defence to Counterclaim/Reply to Defence to Counterclaim* has/have been withdrawn on *(insert date)*.; or

- (ii) the Plaintiff has failed to file the Defence to Counterclaim within the timelines stated in the Family Justice Rules

2 We confirm as follows:

(a) Grounds of Divorce:

- (i) adultery by Plaintiff and/or Defendant*
(ii) unreasonable behaviour by Plaintiff and/or Defendant*
(iii) 2 years' desertion by Plaintiff/Defendant*
(iv) 3 years' separation with consent
(v) 4 years' separation.

Ancillary Matters

- (b) (i) There are no ancillary matters to be adjourned to be heard in Chambers.
(ii) All of the ancillary matters have been agreed and the Draft Consent Order has been filed on _____(date).
(iii) Some of the ancillary matters have been agreed and the Draft Consent Order has been filed on _____(date) and Prayers (__) to (__) of the Statement of Claim/Counterclaim are to be adjourned to be heard in Chambers. We request for:-
 - o ___ weeks to file and exchange the Affidavit of Assets and Means and a Case Conference to be fixed; or
 - o A mediation session as both parties have agreed to attend.
- (iv) The ancillary matters have not been agreed and Prayers (__) to (__) of the Statement of Claim/Counterclaim are to be adjourned to be heard in Chambers. We request for:-
 - o ___ weeks to file and exchange the Affidavit of Assets and Means and a Case Conference to be fixed; or
 - o A mediation session as both parties have agreed to attend.

3 We confirm that parties will not be making any further applications (e.g. abridgment of time, cost, withdrawal or amendment of pleadings etc.).

4 Parties understand that the Court may not make the required orders as requested if any of the papers are not in order, in which case a further hearing (in open court or in chambers with counsels present) will be scheduled.

Signature

Name of Solicitor for the Plaintiff/Defendant*

Name of Law Firm

cc Solicitor for the Defendant/Plaintiff or Defendant-in-person/Plaintiff-in-person*

*Delete where inapplicable