

Having trouble dividing your property after a separation or divorce?

Our Property Arbitration Program can help.

This factsheet explains how property arbitration works and if you will be eligible for our program.

What is the Property Arbitration Program and how can it help me?

Property arbitration uses an independent third person to help resolve a dispute.

Through our Property Arbitration Program, we can help you and your ex-partner come to a fair agreement to divide your property and finances after a separation or divorce.

Property arbitration can also save you time and money rather than going through the Family Law Courts. Our program is carried out by experienced and qualified family lawyers who have specialist training in arbitration. Decisions are made in line with current Family Law Courts practices so they will be similar to, if not the same as, decisions made by the Family Law Courts.

Am I eligible for the Property Arbitration Program?

You and your ex-partner can use our program if you:

- were in a de facto relationship and separated within the last two years, or
- were married but are now separated, or
- were divorced within the last twelve months

and you:

- meet Legal Aid Queensland's means test
- have property with a total net equity (value of property minus any debts owing) of between \$20,000 and \$400,000
- are willing to follow an arbitrator's decision
- cannot resolve a property dispute without the help of a qualified third person
- have agreed to where your children will live.

How much will property arbitration cost?

Once your property arbitration has settled, you will get a notice telling you how much you need to pay us back. This amount usually includes your lawyer's fees and half of any outlays we have paid for. Your ex-partner will also pay their lawyer's fees and the other half of our outlays.

Your arbitration costs will not be more than 20 percent of your property settlement's dollar value. Usually the amount is far less.

We pay a much lower fee to lawyers than they usually charge, so your costs will be far less than if you were a private client.

"Property arbitration aims to allocate property fairly after a separation or divorce."

