

Transcript for Amica episode – Kerry Wright (Legal Aid NSW) with Paula Meegan (Legal Services Commission of South Australia)

00:08

This is law for community workers on the go, a podcast for community and health workers produced by Legal Aid New South Wales. We would like to begin by acknowledging that this episode was recorded on Aboriginal land. We would like to acknowledge the traditional owners and elders at this land, both past and present, and extend that respect to other Aboriginal and Torres Strait Islander people listening today.

00:39

Hello, my name is Kerry Wright, and I work in the community legal education branch at Legal Aid, New South Wales. For our regular listeners, you will have noticed that we've recorded a number of episodes this year talking to legal services about online tools they have developed for people seeking help with their legal problems, including the chatbot used by Marrickville legal centre in Sydney. The traffic offences guided pathway created by Legal Aid New South Wales and FineFixer in New South Wales, both available on the LawAccess New South Wales Guided Pathways web page.

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Today's episode is about another online tool called Amica. Amica is different in that it is a National Legal Aid project, focusing on family law, and helps separating couples work out together how to divide property and care for their children. I hope you enjoy this episode and jump over to amica.gov.au to have a look after you hear all about it.

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My guest today is Paula Meegan from the Legal Services Commission of South Australia. Paula is going to talk to us about a new National Legal Aid online tool for help with family law matters called Amica. Hi, Paula. Hi, Kerry, good to be here.

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Can you tell us about your role with the Legal Services Commission?

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Sure. So I'm the team leader of the Amica team here. And that involves a few different things. One of the main things is telling people about Amaker like we're doing today, because it's quite a new tool on the legal landscape. Also some coordinating of the team, keeping our stakeholders informed and up to date about Amica and working with our developer to keep on enhancing Amica as we get user feedback and learn more about the way it's being used by people in the family law space.

03:10

Great. Thanks. So what is Amica? And why was it created?

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Good question. So as you mentioned, it's an online tool for couples who are separating in Australia. So it's a digital tool. And there are a few aspects to it. It's an information website, which has a lot of information for anyone who's separating or thinking about separating, in nice plain language very easy to navigate. On that website, there's a chat function that we're used to seeing on websites these days that people can hop onto and ask questions. And that's answered by real people. It's not a chatbot. And then the really sophisticated and interesting part is the interactive platform where people can collaborate to create agreements when they're separating about their parenting arrangements for children, and the way they'd like to divide their property in a way that's fair to both of them. And the reason it was created is really to meet a need in this space. So what we know is that 1000s of couples separate and divorce in Australia every year. And we also know that a really high percentage of those couples are amicable and generally know what they'd like to put in place but don't necessarily know the steps that they need to take to put things in place. And so Amica provides a framework for them to follow that process step by step together. And of course, that does reduce pressure on more formal pathways such as family dispute resolution and courts.

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And what do you hope people will remember when they hear the word Amica?

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Well, I guess what I hope will spring to mind, it's the words simple, smart separation because there really is a move now to help families to separate in a way that is smarter. And we've seen that with the new family court website. And Emeka certainly enables them to do it in a way that simple and smart and reduces emotional stress and cost and delay.

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And who was involved in its design?

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So the project is an initiative of National Legal Aid, which is the peak body for the legal aid organisations around Australia. And the Legal Services Commission in South Australia has been driving the project on behalf of National Legal Aid, with support from the Commonwealth Attorney

General's department. And we've collaborated with a developer in Melbourne called Portable to actually build the technical side of Amica.

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I think you've talked about this a little bit, but who should be using Amica?

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So on a broad level, anybody can hop onto that website and find helpful information about separating or topics related to separating write down, for example, pets, and things like that. But a more specific level, it really is aimed at amicable couples who have a fairly straightforward situation in respect of their children and their property. So there are some questions on the website that people can go through on their own and fairly quickly and easily work out if Amica is suitable for their situation.

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And how does it help those couples?

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Well, again, at a couple of levels, it provides broadly a framework, so a lot of people who would be amicable and don't usually want to access more formal avenues of help, often and left to navigate the system on their own. So it provides them with a broad framework and a very guided step by step pathway that takes them through their relationship information, information about the children, and then information about property and it gathers all of that in a very structured and paced sort of way they can hop on and do it at home in their own space, at their own pace. And then at a more sophisticated level, it has artificial intelligence built into it, which can actually assess their situation and make a suggestion about what would be a fair division of property in their particular circumstances. So that will weigh up their circumstances and compare them to similar circumstances. And the way the court would decide a matter in circumstances like this. So that's a really helpful sort of pathway that they might not have otherwise. And when it comes to parenting, it has a really cooperative tone built into it. And it covers a lot of things that people have told us, they wouldn't have thought of, if they were left to their own devices. So it covers things like, What will we do on special occasions, school holidays, medical practitioners, medical incidents, and that sort of thing. So it's a really holistic service. And the language on advocate is very supportive. So it makes them feel that there's a really nice care factor built into it as they're working their way through those sorts of things in a time, which is really emotional for them.

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And when people use them occur, do they have to share their personal details to be able to explore the tool?

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So people can hop on and sign up on their own without sharing anything, but they won't get very far if they're doing it on their own, because it really is built as a collaborative tool. So once they send an invitation to their former partner, and therefore my partner does sign up, then there'll be sharing information in that space, that neutral space online together.

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So when you say sign up, how much detail that they have to provide when they sign up initially?

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So to sign up, you just enter your name and your email address, and you nominate your former partners email address to send an invitation to them through Amica. And that will arrive in their inbox by email.

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Well, let's find out how does it work?

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Okay, so there's a few things to cover here. So I'll try and break it down for people because it is quite a new innovative kind of service. And I'm not sure if everyone knows what to picture when we talk about Amica. So I'll talk about the user experience first and the interface. So like I mentioned, someone signs up who will call A and they send an invitation to their former partner who we can just call B to make it easy to talk about them. And then once B signs up, they can both see the information that the other one has entered. And it's takes a very staged approach or a progressive approach so they need to answer some questions in say the first part of Amica before they move on to the next part, so the first part is about their relationship, and when they've entered everything and they both agree to what the other one as entered, two ticks appear on the screen that's quite visual, quite clear about where you're up to. And then you can move on to parenting, and or property. Obviously, you don't need to do parenting if you don't have children.

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So it's divided into parts. And people only see a certain amount of information at one time. So it really reduces the cognitive load. And that really reduces stress. And that, like I mentioned, that AI is built into Amica. So it does the maths for them, they're not guessing at the way to divide their property. So once they've entered all the information about their property pool, it will suggest, for example, Kerry and Paula, you could divide your property pool 60/40, would you like to agree to this suggestion or make another suggestion within a range, that has to be a reasonable range, it won't take suggestions outside that range. And you can add a message about why you've made an alternative suggestion. So it's very collaborative, very communicative. And people can work out their property pool that way, once they've agreed those percentages, they can then move on and select what they would like to do with each piece of property that they've entered into Amica up to that point. So real estate vehicles, and special things that has the capability to deal with special items that you might be attached to, that you can nominate to keep your grandma's table or something like that. So it's really quite specific. When it comes to parenting. Like I said, it has a menu of really co-operative statements to cover off the everyday issues. And one part that people have told us is really appealing is what we call the scheduler, or the calendar. So there's a nice coloured dots to nominate what nights you'd like the children to spend with you. And you can add a message about why you've chosen those nights. And you can pick a cycle that's either one week or two weeks or three weeks long to suit people's working arrangements. And people can nominate those times to spend with their children really, really nice,

intuitive way that looks like a real calendar, I guess you'd say. And then that's translated into nice plain language in a parenting agreement at the other end of the process.

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Yes. So does it take into account the different family courts that exist in Australia?

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Yeah, absolutely. It's a national initiative. And it's for everyone in Australia. So it can be used even by a couples in Western Australia where the family court forms are a little bit different. And the AI accesses the database that was created by lawyers right across Australia with over 1000 scenarios. So that takes into account the way matters would be considered in the jurisdictions all around Australia.

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Right? And what about the merger between the family court and Federal Circuit Court that occurred on the first of September, this year? 2021.

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Yep, that's very hot off the press. So a lot of what people do on Amica is agreements between them that don't involve the court. But there is an ability on Amica to create an application for consent orders covering properties. So the consent orders are not about children through Amica, just property orders. And there is a grace period for the court that the court has provided everyone to bring their documents up to date in line with the new court forms. So we'll be making sure that the applications that are generated by Amica are in line with any changes to the court forms for consent orders for property.

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And what happens to the information that is uploaded into America by both parents?

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So we use data centres within Australia managed by Amazon Web Services, which is pretty standard for digital services like this in Australia. And we certainly want to reassure people that are listening that we don't give any information to any other organisations that's entered onto the Amica.

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And after they've finished using it, what happens to it?

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Then it just stays stored on those web services, and nobody else can access it.

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If someone's using Amica and they find out it doesn't suit their circumstances, or they need additional help with their separation. What happens then?

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So we have what we call a no dead in policy. So if someone does hop on to Amica and find that either they're not amicable anymore, or it doesn't suit their situation, they can download everything that they've entered up to that point, and it will arrive in an email all nicely laid out and they can take that email to seek advice or help from some other avenues such as free legal help services or financial counsellors or wherever it is that suits them best. So they do that by going onto their profile and selecting a selection there that says export your progress. And that's free.

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And Amica, the tool provides some contact phone numbers for people if they're looking for who to speak to about that. There's a lot of references to other support services and resources all throughout America from start to finish, really. So there's contact numbers for all the free legal help lines across Australia, and links to support services ranging from financial services to general counselling services, family violence services, and they pop up really throughout the the Amica tool to make sure that people feel really well supported, and they are connecting into services that are relevant and necessary and suitable in their situation.

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Yeah, so that takes me to my next question, what if family violence is the feature of the relationship or the way people are communicating with each other on Amica?

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Yeah, so obviously, that's a really, really important consideration in a digital tool in the family law space. And that was a really high focus from the outset in the development stage. So what we wanted to do was balance the ability to give everyone information that's helpful about separating, but to make sure that it's only ever used to safely and in situations that are suitable, so if someone doesn't feel comfortable or safe to share information with their former partner, we wouldn't want them to sign up and use Amica. But we would like them to be able to find information on the website, which is just a static website. And on the website, permanently pinned at the top is the number for the DV gateway. And also on the right, there's a quick escape button. So we have tried to build in some of those safety features. And in those questions that I mentioned, where people need to consider whether Amica is right for them, the very first topic that they need to answer questions or look at questions about his family violence, and it's a safety first approach. So it's a very clear message there not to sign up if you don't feel that it would be safe for you to share information with your former partner.

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Okay, so is there a cost to use Amica, Paula?

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If either of the parties is on an income support payment from centerlink, it's free. If that's not the case, and neither party is on one of those income support payments, there are some costs but they're very low when compared to the usual cost of Family Law matters. So a parenting agreement is \$150. And that can be converted into a parenting plan at no extra cost. A property agreement is \$150. And people who choose to go on and create or generate documents to apply for property consent orders, that's a

cost of \$250. Usually people would choose either a property agreement or consent orders and not usually both.

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And what are those fees used for?

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So legal aid bodies across Australia are all not for profit. So the fees are really to just continue to resource Amica and not for any other sort of for profit purposes.

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So you were saying at the beginning, it was funded by the Australian Government to start with?

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Yeah, it's funded by the Commonwealth Attorney General's department.

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Right. And are those agreements that you've talked about that are made using Amica? Are they legally enforceable?

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So the agreements, the property agreement, and the parenting agreement between couples are not legally enforceable as such, but they are obviously there's a high compliance rate, because they're made by couples who are amicable, and every step of the way they've had to take off that they agree to each stage that's gone into making that agreement. So we expect that most people would be happy to comply with an agreement that they did make amicably. But if people do generate an application for consent orders, and do obtain consent orders from the family, Federal Circuit and Family Court of Australia, then those orders will be enforceable in the way that any court orders are enforceable.

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So they could take the resources they've generated through Amica, to a family lawyer to get some advice about that?

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The application documents they can file in the court, they're ready to go when they're generated by Amica. But if people have generated anything through Amica, and do you want to go and get advice from a solicitor later, they can take the documents or they can download their progress, like we talked about before.

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So has there been much uptake to date with Emeka.

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So we know that a lot of people using the website we've had over 290,000 visits to the website. And then with the interactive part of Amica, we've had over 3000 people sign up, we know that some of them are exploring. So they're not sending an invitation to their former partner, about two thirds are sending an invitation to their former partner. And then again, about two thirds, are accepting that and signing up. So it's great that we've had so many people in just over a year, but we're obviously keen to get the word out there, let people know that it's available and really increase the uptake.

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And if you had any feedback from people about the usefulness of Amica, in their situations?

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Yeah, for sure. So we've had some people that told us that it really took the heat out of the conversation, that it covered things they wouldn't have thought of, on their own, even though they were very amicable, they wouldn't have thought of some of the things around parenting that are available for the parenting agreements. And for one guy, he said it was a godsend, because they knew what they wanted. They just didn't know how to have the conversation. So we've had some really great feedback, which is really, really nice to hear.

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So Paula, what are one or two final messages for our audience about helping clients who may be separating from their partner and looking for an option like Amica to help?

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I guess I'd say just to remember, Amica is that simple, smart separation option, and it's available in the legal assistance landscape now. And it's not just restricted to amicable couples. On the website, it's really helpful information on a whole range of topics for everyone and anyone, and they can find that at www.amica.gov.au Amica won a national award in 2020 for digital products, which is really rewarding. And if people would like to know a little bit more, or see some visuals, there's also some socials and a YouTube channel. So we're on Facebook as Amica, Australia, Instagram, Amica, Australia and YouTube as Amica, Australia. And there's some nice little videos on the YouTube channel, which explain a bit more about how it looks and how it works.

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So community workers support workers could show their clients, their YouTube videos, just to get an idea about how it works.

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Yeah, that's a really ideal thing that they can do. So the videos, there's a 25 second video, and one that's about one minute, 50 seconds. So really quick, really easy to watch really clear, nice visuals, nice colours, to let people know what it is and how it works and what it offers them.

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So you preempted my final question, which was where do they find Amica? Do you want to tell us again? How do you find it?

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Yeah, sorry about that. But I'm happy to say it more than one. That's okay. So you find Amica at www.amica.gov.au. That's a m i ca.gov.au. Okay. Well, thanks very much, Paula, for your time today. It's been really interesting hearing about the development of Amica and that it's proving to be such a great success. Congratulations on your award, by the way. And, yeah, let's hope that the word continues to get out across Australia about this wonderful online tool. Thanks, Kerry. Thanks again.

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Thanks so much for joining us today. If you enjoyed the episode and found it useful, please share it with your organisation, colleagues, and communities. To access any of the information spoken about in the episode, see the links in the show notes below. Until next time, thanks for all of us here in the community legal education branch at Legal Aid New South Wales