

Filing your divorce application online

How to eFile your divorce application on the Commonwealth Courts Portal



DIVORCE FACTSHEET 4

What is the Commonwealth Courts Portal?

The Commonwealth Courts Portal is a secure online system that allows you to access information about cases in the Federal Circuit Court and Family Court of Australia (FCFCOA).

If you are applying for a divorce, you can use the Commonwealth Courts Portal to:

- start a new Application for Divorce
- file your Application for Divorce and other documents
- view and download documents that you and the other party have filed
- view future court dates
- view and download court orders and
- view and download your divorce order.

To access the Commonwealth Courts Portal, you will first need to register using an email address.

How do I register for the Commonwealth Courts Portal?

Go to www.comcourts.gov.au and click on [register now](#). You will need an email address to register.

If you have an existing case, you can link your court file using your:

- file number or
- client number.

If you do not know your file number or client number, email registerme@comcourts.gov.au with your:

- full name
- date of birth
- telephone number, and
- name of the other party.

The court will verify your identity and link your court file for you in the Commonwealth Courts Portal.

How do I start a new application for divorce?

1. Log on to the Commonwealth Courts Portal with your username and password.
2. Select **Start a new file**. Click **Confirm**.
3. Tick a box to confirm you are filing on your own behalf and select **Continue** then **Confirm**
4. Read the eFiling obligations and tick the box to confirm you understand and agree to the eFiling obligations then select **Confirm**.
5. Select **Application for Divorce**. Then click **Continue**.
6. Select the appropriate court then **Continue**.
7. Type in a name and description for the application. Click **Create** and then **OK**.
8. Complete parts A to F of the application. Save each page as you go. You can complete and save parts in any order. You can save and stop filling out the application and log out of the portal at any time. Information you have entered will be saved for 90 days.
9. After you complete all the parts of the application, you can click **Print preview** to create a draft copy of the application. This allows you to check your application before locking it (see step 11).
10. Upload your supporting documents:
 - marriage certificate (if your marriage certificate is not in English, you will need to upload a certified translation of your marriage certificate and Affidavit – Translation of Marriage Certificate).
 - proof of citizenship or residency in Australia for the past 12 months (e.g. your citizenship certificate or visa paperwork).
 - certificate from marriage counsellor (if you have been married less than two years and
 - affidavit (if required) (e.g. if your current name is different to your name on the marriage certificate or you and your spouse were separated under the same roof).
11. Check your application and make sure all the information is correct. Click **Lock and continue**. You will not be able to make any changes to your application after you lock it.
12. Print your application and the **Affidavit for eFiling Application (Divorce)**. You must sign the Affidavit for eFiling Application (Divorce) in front of a Justice of the Peace (JP) or a lawyer.

If you are making a joint application, you and your spouse must both sign the Affidavit for eFiling Application (Divorce) in front of a JP or lawyer but you do not have to do this at the same time, or with the same JP or lawyer.

13. **Scan and upload** the signed Affidavit for eFiling Application (Divorce) on the portal. See section below under heading, 'How to e-file documents on the Commonwealth Courts Portal'.
14. Print the *Marriage Families and Separation* brochure and **select the check box**.
15. Select a location for the divorce hearing. If you wish to do so, select that you wish to attend the divorce hearing. Depending on your circumstances, you may have to attend the hearing. If you are making a sole application and there are children under the age of 18 you must attend.
16. Select **payment option** (or apply for a reduction of fees).
17. **Submit application**.
18. After successful payment, you will be asked to select a date and time for the divorce hearing.
19. If you are making a sole application, print the documents for service. If you are making a joint application, print the documents for your own records.

How do I eFile documents on the Commonwealth Courts Portal?

1. Scan each document and save in a place where you will be able to find them easily.
2. Log on to the portal using your username and password. Select **Available Files**. Select your file number next to access the court file.
3. Under **Existing Applications** select the appropriate application.
4. Select **Add Document**.
5. Go to the drop-down menu at document type and select the appropriate document type.
6. Select your name to choose who the document is filed on behalf of.
7. Click **Choose File**, select the document from where you had saved it at Step 1. This document must be:
 - in PDF format
 - under 10 Mb and
 - not more than 100 pages (including attachments).
8. Click **Upload**.

Need help?

LawAccess NSW

Provides free telephone legal information, advice and referrals to other services, including to your nearest Legal Aid NSW office, community legal centres, private lawyers and other organisations that can help.

1300 888 529

www.lawaccess.nsw.gov.au

Family Law Early Intervention Unit

The Family Law Early Intervention Unit (EIU) is a state wide specialist service of Legal Aid NSW. It provides free family law services in courts and community organisations throughout NSW. Call **1800 551 589** or see www.legalaid.nsw.gov.au/what-we-do/family-law/family-law-earlyintervention-service.

The Federal Circuit and Family Court of Australia (FCFCOA)

You can get further information about court processes, forms, publications and Do-It-Yourself kits on the FCFCOA website www.fcfcga.gov.au or by phoning the National Enquiry Centre (NEC) on **1300 352 000**.

Public libraries

Public libraries have computers and scanners. You will need to make an appointment. See www.nswnet.net/libraries.

There are five factsheets in the divorce series:



Factsheet 1

Applying for divorce

How to get started.



Factsheet 4

Filing your divorce application online

How to eFile your divorce application on the Commonwealth Courts Portal.



Factsheet 2

Serving your divorce documents

How to give your divorce documents to your partner.



Factsheet 5

Serving divorce documents when your spouse is in prison

Special rules for giving divorce documents to your partner when they are in prison.



Factsheet 3

Separation under the same roof

How to apply for a divorce if you've been living with your partner while separated.

This brochure is a general guide to the law. You should not rely on it as legal advice, and we recommend that you talk to a lawyer about your situation.

The information is correct at the time of printing, however it may change. For more information contact LawAccess NSW on **1300 888 529**.



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Do you need help to contact us?



If you need an interpreter, call the Translating and Interpreting Service (TIS National) on **131 450** (9am – 5pm) and ask for LawAccess NSW.

Do you find it hard to hear or speak?



If you find it hard to hear or speak, call us through the National Relay Service (NRS) on **133 677** and ask for LawAccess NSW or visit: www.relayservice.gov.au

