

**FAMILY LAW EXPERT WITNESS – PROPERTY VALUATION SERVICES
VALUATIONS WA**

FAMILY LAW RULES 2004 – SINGLE EXPERT WITNESS

VALUATIONS WA VALUERS

- Has professional knowledge of the Family Court of Australia requirements as regards to a single expert witness.
- Is qualified to act as Single Expert Witness on the understanding that:

Expert Means an independent person who has relevant specialised knowledge, based on the person's training, study or experience.

Expert's Report Means a report by an expert witness, including a notice under subrule 15.59(5).

Expert Witness Means an expert who has been instructed to give or prepare independent evidence for the purpose of a case.

Single Expert Witness Means an expert witness who is appointed by agreement between the parties or by the court to give evidence or prepare a report on an issue.

Valuations WA provide professional valuation reports that are bound to the Court's guidelines.

Single Expert Witness's Report:

1. A single expert witness must prepare a written report.
2. If a single expert witness was appointed by the parties, the expert witness must give each party a copy of the report at the same time.
3. If the single expert witness was appointed by the Court, the expert witness must give the report to the Registry Manager.
4. An applicant who has been given a copy of a report must file the copy but does not need to serve it.

Expert Witness's Duty to the Court:

1. A single expert witness has the duty to help the court with matters that are within the expert witness's knowledge and capability.

2. The single expert witness's duty to the Court prevails over the obligation of the expert witness to the person instructing, or paying the fees and expenses of, the expert witness.

Expert witness's duty to the Court [continued]

3. The expert witness has a duty to:
 - a) Give an objective and unbiased opinion that is also independent and impartial on matters that are within the expert witness's knowledge and capability.
 - b) Conduct their functions in a timely way.
 - c) Avoid acting on an instruction or request to withhold or avoid agreement when attending a conference of experts.
 - d) Consider all material facts, including those that may detract from the expert witness's opinion.
 - e) Tell the Court:
 - i If a particular question or issue falls outside the expert witness's expertise; and
 - ii If they believe that the report prepared by the expert witness:
 - a) Is based on incomplete research or inaccurate or incomplete information; or
 - b) Is incomplete or may be inaccurate, for any reason; and
 - f) Produce a written report that complies with rules 15.62 and 15.63.
4. The single expert witness's duty to the court arises when the expert witness:
 - a) Receives instructions under rule 15.54; or
 - b) Is informed by a party that the expert witness may be called to give evidence in a case.
5. A Single expert witness who changes an opinion after the preparation of a report must give written notice to that effect;
 - a) If appointed by a party - to the instruction party; or
 - b) If appointed by the court - to the Registry Manager and each party.
6. A notice under sub-rule (5) is taken to be part of the expert's report.

ABOUT US/QUALIFICATIONS

Valuations WA only employ members of the Australian Property Institute, who have attained the necessary tertiary qualifications and experience to complete valuation assessments. All management and staff are actively involved in the provision of valuation services with the key element being diligence with respect to quality control.

All valuation staff are trained in company procedures and have the necessary tertiary qualifications and local experience to provide clients with an accurate interpretation of marked data.

All staff fulfil the necessary state legislative requirements and maintain the requirements of the API's continuing professional development program (CPD). All valuers are trained specifically and have access to well established database information.

Experience has no substitute in the valuation profession. All our valuers are encouraged to undergo regular training to assist in the process of learning and improving their craft.

With the high level of information available, experience is developed quickly and allows us the scope to develop our skills, which in turn allows our clients to be confident when relying on our opinion.

BEST PRACTICE

Valuations WA has established itself by adopting strict procedural guidelines and endeavours to provide the best practice valuation service with particular emphasis on:

- Honesty
- Integrity
- Confidentiality
- Excellent Communication
- Total Professionalism
- Value Adding
- Compliance with Australian Property Institute guidelines

Valuations WA currently utilises its valuation quality control procedures to satisfy the contract requirements of a number of major financial institutions. With many of our clients we are a preferred valuation company.

In summary Valuations WA is an established valuation practice, specialising in the provision of mortgage valuation services for Western Australia. We have a proven track record.

Please do not hesitate to contact us if we are able to assist you with regards to the above matters.