

**ESTABLISHMENT OF FAMILY COURT IN MALAYSIA:
LEARNING FROM SINGAPORE AND AUSTRALIA**

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ABSTRACT

The main aim of this study is to propose for the establishment of civil family court with exclusive jurisdiction over family matter under one roof that could function as one stop center for family dispute in every state. In order to do this, we shall examine the family court system in two different countries, which adapt different legal system of family court and comprise various features and characteristics of the courts. It should be note that in Malaysia, there is no single family court with exclusive jurisdiction in dealing with family matters. Malaysia family court systems are divided into two, one is for Muslims and the other for non-Muslims. For Muslim, their cases will be heard before the Shariah Court. While for non-Muslim, their cases will be heard before various level of court which has their own jurisdiction. As a result, it required applicant to file the application in different court. With the establishment of family court, it would put an end to the above said problem.

In order to achieve the aim and objective of this research, the main questions that we hope to answer in this research, firstly on how does the current regime governing civil family dispute in Malaysia and the problems exist in Malaysia. Secondly, the research question is what the features adapted in family court at Singapore and Australia. Thirdly, on how does other countries successfully operate their family court system.

It will also briefly discuss the implementation of family court system in Australia and Singapore that have been chosen as model countries since they have a well- developed family court. Both countries had successfully established family court as part of the court system. We need to examine other's country family court and choose the best features, facilities and services in order to establish family court in Malaysia.

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