



Introduction

The Family Flyer is a free community service by Michael Lynch Family Lawyers. The publication is designed to be informative and topical and to assist you in understanding the ever-changing field of Family Law.

This edition includes:

- A Wealth of Information
- Solicitor Appointment
- Property Settlement - Time limits
- Seminar Series
- Superannuation Splitting
- Capital Gains Tax - News!
- New Relationship Centres
- Child Support - Shake Up

A WEALTH OF INFORMATION

Welcome to all new readers of the Family Flyer.

The Flyer is produced in an email format each month and a hard copy every 3 months and provides you with a wealth of information. Below are some of the recent articles:

- Separation "A to-do list" - Issue 31
- A Guide to Defacto Property Settlements - Issue 19
- Home Schooling - Issue 31
- Long Service Leave in Property Settlements - Issue 31
- Recent Relocation Case - Issue 30
- Contact for Grandparents - Issue 29
- Wills - Burial or Cremation - Issue 29
- Superannuation Worth Less than its Value? - Issue 29
- Property Settlements in Defacto Relationships - Issue 28
- Does Final Mean Final? - Issue 26
- At What Time do you Value Property? - Issue 26
- Considering a Child's Wishes - Issue 25
- Child Support - Change of Assessment - Issue 25
- Property Settlement - Post-Separation Contributions - Issue 25

For any of these articles and more, visit us at www.michaelyllynchfamilylawyers.com.au. JOIN NOW for this FREE email service to ensure you don't miss any further issues.

SOLICITOR APPOINTMENT

We are pleased to announce the recent appointment of Emily Wood as a Solicitor at our office. Emily practices exclusively in Family and Relationship Law matters.

Emily is a welcome addition to our professional team and reinforces our position as one of the largest Specialist Family Law Firms in Queensland.

PROPERTY SETTLEMENT - TIME LIMITS

The *Family Law Act* provides that if a Property Settlement has not occurred between a married couple within 12 months of the date of Divorce then an Application to the Court must be made otherwise the time to bring a Court Application runs out.

In Queensland, the law provides that if couples in a Defacto relationship have not finalised their property settlement within 2 years of the date of separation then an Application to the Court must be filed otherwise time for Court intervention runs out.

SEMINAR SERIES

We are progressively developing our Seminar series topics.

If you are part of a business, organisation or community group and feel that there would be benefit in us presenting one of our FREE Seminars, or you would like to discuss with us designing content to suit your audience, please contact us.





Our Seminars are usually for 1 hour and include, a presentation by Mr Lynch, including PowerPoint and handout material. Topics include:-

- "6 Things you Must do When Separating".
- "A Guide to Family Law - Everyday Answers";
- "Estate Planning Strategies for Changes in Personal Relationships".

SUPERANNUATION SPLITTING

One of the most dramatic changes in Family Law legislation was the introduction in December, 2003, of the Superannuation Splitting legislation.

Since the legislation commenced the Family Court has constituted one special Full Court sitting in September 2004, in an effort to give interpretive guidance in the area.

Last week, the Full Court delivered another 4 Judgments in this complex area. The cases facts vary and highlight the widely differing outcomes dependant upon Superannuation structure and form of payment.

The warning is, before all else get Specialist Family Law Advice.

CAPITAL GAINS TAX - NEWS!

The recent Federal Budget has provided that Financial Agreements in Defacto Relationships will now receive CGT roll-over relief.

NEW RELATIONSHIP CENTRES

The recent Federal Budget has provided funding over the next 4 years to establish 65 Family Relationship Centres across Australia. The Centres are designed to provide information, advice and dispute resolution and to act as the new entry point to the Family Law system.

It is proposed that the first 3 hours of dispute resolution sessions will be free of charge.

It is yet to be announced which organisations will be the recipients.

CHILD SUPPORT - SHAKE UP

The entire Child Support Agency system could see the biggest shake up in its 16 year history.

This week a Report was presented to the Federal Government proposing wide ranging changes.

The Report was commissioned by the Federal Government following the previous Federal Government enquiry entitled "Every Picture Tells a Story".

The proposals include:-

- Higher Child Support payments for teenagers (from 13 years) and lower payments for pre-teens;
- Payment discounts for contact parents who have regular contact (1 mid-week night per week), but less than 109 nights per year;
- A cap on assessed income for wealthier payers;
- A larger minimum payment for low income payers; and
- The excluding of second job or overtime income from the assessment;

Initial media reports suggest it will result in approximately 55% of payers paying less.

The Government expects to respond to the Report, in the next few months.

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Approved
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