



family flyer

Michael Lynch
Family Lawyers

Issue #92

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:

- Seminar Series - New De facto Legislation!
- Podcast Launch!
- Parenting Program
- Child Support after a child turns 18?
- What about the Business?

SEMINAR SERIES -NEW DE FACTO LEGISLATION! – URGENT!

Michael Lynch Family Lawyers is inviting you to attend our upcoming Public Seminar Series. The seminars will provide you with important yet easy-to-understand information about the NEW Federal laws for property settlements involving de facto couples.

The new laws are not yet operative but will start on 1 March 2009. We urgently recommend that anyone in a de facto relationship considering getting legal advice attend. The new laws will have a significant effect on what you will receive in a property settlement, especially if you separate before or after the commencement date.

Seminar attendance is ONLY \$20! - payable at the door. Don't miss your chance to learn more about the new de facto laws at one of our 1 hour seminars.

Locations and Dates:

- Monday, 23 February, 6.30-7.30pm at Kedron and Wavell Services Club, 375 Hamilton Rd, Chermside.
- Tuesday, 24 February, 1-2pm at the Sebel Hotel, Charlotte St, Brisbane City.
- Wednesday, 25 February, 6-7pm at Carina Leagues Club, 1390 Creek Street, Carina.

BOOK NOW! – numbers limited!

For more details telephone 3221 4300 or visit our website at

www.mlfl.com.au/seminars.

PODCAST LAUNCH!

The moment we've all been waiting for has finally arrived – the first Family law firm Podcast is here!

Visit our website now to learn helpful tips about Relationship law and surviving separation from the recorded interview with Accredited Family Law Specialist, Michael Lynch.

Access the podcast now at www.mlfl.com.au/media/podcasts.

PARENTING PROGRAM

A recent US study has found that the Queensland (UQ) developed Triple P parenting program can reduce child abuse rates.

The study showed that after the program was delivered to 13,560 US families, there were 688 fewer child abuse cases. There were also 240 less out-of-home placements and 60 fewer children with injuries requiring hospital treatment.

The study has led to UQ Professor Matt Sanders promoting the wider release of the Triple P parenting program as a way of reducing child abuse and enhancing parenting skills. Currently only 4% of Queensland parents use the parenting program despite its effectiveness in 17 countries.



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CHILD SUPPORT AFTER A CHILD TURNS 18?

The Child Support legislation usually only deals with children until they are 18 years of age, however it is possible to make an application to continue Child Support after a child has turned 18.

A parent can make an Application to the Child Support Agency in a situation where the child turns 18 before the end of school. If granted, the extension will be made until the last day of the school year if the child turns 18 and is in full-time secondary education during the year.

WHAT ABOUT THE BUSINESS?

The Court recently had to decide whether a Wife should financially benefit from a Husband's expanding business, after 3 years of cohabitation.

Facts:

- The Wife was 43 years old and the Husband was 36 years old. They were together for 3 years with a child 3 years of age.
- The Wife had been married previously and the Husband had also been married twice before.
- At the beginning of the relationship the Wife had paintings worth \$20,000 but no other assets. The Husband had an interest in racehorses, possessed furniture and had an interest in a business.
- The Husband worked full-time, as did the Wife until the child was born and

she became the primary carer of the child.

- The Wife suffered from a depressive mental illness.
- The Husband said the horses were worth \$7,000, however the Court found them to be worth \$14,000.
- The Husband's business was valued independently at \$205,000.
- The Wife had credit card debts and a tax debt of \$9,916.
- The business had substantially grown during the time the Wife and Husband commenced cohabitation.
- The Court found that the Wife's input into the Husband's well-established business was minimal.
- The Wife assisted with the redesign of some uniforms and the logo of the business which was found to be insignificant and her claim that she had a significant role in its expansion was rejected.
- The Wife sought spouse maintenance of \$300 per week for a period of 3 years.

Court Order:

- The Wife did not contribute to the business by even 1%, therefore the parties were to retain what they already had.
- The Husband pay spouse maintenance of \$250 for 2 years.
- A 70% adjustment was made to the Wife for all her assets, except the business.

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Contact details

Michael Lynch Family Lawyers

Principal
Michael Lynch*

Senior Associates
Helen Bryden*

Associates
Kirstie Colls
Elizabeth Millar

Solicitors
Amelia Gaffy
Leanne Schmetzer

*Queensland Law Society
Accredited Family Law Specialists

Telephone: 07 3221 4300
Facsimile: 07 3221 9454
Email: law@mlynch.com.au
Web: www.mlfl.com.au

Address: Level 6
193 North Quay
Brisbane QLD 4000

Post: PO Box 12027
George St, Brisbane Qld 4003



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