



family flyer

Michael Lynch
Family Lawyers

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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:

- Great Response – Defacto Seminar Series!
- New – “Guide to Family Law” Book – Coming Soon
- “Close-up Series” – Continued!
- Relocation Cases: Financial Security
- A Wealth of Information
- Only in the USA!

GREAT RESPONSE – DEFACTO SEMINAR SERIES!

Many thanks to all those who attended our recent Seminar Series on the changes in Defacto Property Settlements and welcome to our new Family Flyer readers! Our readership now numbers over 5,000!

The 3 seminars received an overwhelming response. There were a lot of questions raised and this certainly highlights the impact these new laws are going to have.

If you are in a defacto relationship and want Specialist advice on your situation – contact us on 3221 4300 for a fixed fee initial consultation!

NEW – “GUIDE TO FAMILY LAW” BOOK – COMING SOON!

There have been many changes in Family Law over the last couple of years, including children’s arrangements, a new Child Support Formula and property settlements for de facto couples. These changes (and more!) will all be covered in our – soon to be released – updated “Guide to Family Law” Book!

With over 50,000 copies issued to date, the book is the only one of its kind in Queensland!

To get useful and important information about Family Law – order your **FREE** copy! Be quick, don’t miss your chance to get 1 or more copies – ph. 3221 4300.

“CLOSE-UP SERIES” – CONTINUED!

We have recently launched a new feature to the Family Flyer – the “Close-up Series”. Each fortnight we will provide a closer look at a Family Law topic our readers are curious about.

Need easy-to-follow tips on parenting agreements? This week’s topic is ‘How to Document a Parenting Agreement’. To read more just follow this link –

www.mlfl.com.au/media/articles.

RELOCATION CASES: FINANCIAL SECURITY

Cases involving a parent that wants to relocate with a child to a new location are some of the most difficult and challenging that the Court has to deal with.

The Court has to weigh up all the facts and decide on a case-by-case basis.

The Court recently had to consider whether to allow a Mother (and child) to move from Newcastle (where the Father lived) to Melbourne.

Facts:

- The parents had been married for 3 years and had a 5 year old son. They both lived in Newcastle, however the Mother wanted to move to Melbourne to be with her new partner.



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- At separation, the child was only 6 months old and the Father was seeing the child 1 day a week, from 9am to 2pm.
- The Mother had recently had a child with her partner in Melbourne.
- The Mother’s parents and brother also lived in Newcastle.
- The Father lived with his parents in Newcastle. He had been unemployed for the past 2 years.
- The Father proposed that the child live in Newcastle with both parents on an equal shared basis, or primarily with him.
- The Court considered that the advantages (of the child living in Newcastle) would include; his Mother would continue to care for him, he would be able to see his Father on regular alternate weekends and he would be close to both extended families. The Court considered that the disadvantages would include; the Mother’s financial situation would be at risk as her current partner was her only financial support, and her partner and new child would have to relocate.

Court Order:

- The child live with his Mother in Melbourne.
- The Father spend time with the child on the 3rd and 8th weekend of school terms and for specified holiday periods.

- In the event that the Father moved to Melbourne, he could spend time with the child every alternate weekend.

A WEALTH OF INFORMATION

The Family Flyer provides you with a wealth of information.

Some recent titles include:

- Special Edition – New Laws for Defacto Property Settlements – Issue 94
- Special Edition – Understanding Child Support – Issue 71
- Property: Valuing Furniture and Contents – Issue 88
- What Weight is given to Children’s Wishes? – Issue 79
- Post-Separation Inheritance – Issue 85

ONLY IN THE USA!

In a recent divorce settlement in New York, the Court rejected a Husband’s claim for \$2.3 million for donating a kidney to his Wife. The Husband was a surgeon and he stated he was entitled to the payment because his Wife was not allowing him to see their 3 children.

The kidney had been donated 8 years earlier. The Court determined that it was a gift and could not be considered marital property.