



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:

- New Seminar Series!
- Special Offer – Limited Time!
- “Close-up” – Edition
- “Guide to Family Law – Get your copy now!
- Domestic Violence – Safety Plan
- Does “Virtual Visitation” make a “Meaningful Relationship?”
- Enjoyed this Newsletter? – Forward it to a Friend!

NEW SEMINAR SERIES!

Get up-to-date with the latest on Family Law by attending our upcoming [Seminar Series](#)! The seminars will provide information about the changes to Family Law, including shared parenting, property settlements and more!

The seminars are \$20 for information valued at \$500! Book now for “Surviving Separation” at one of the following locations:

- Wednesday, 10 February – 1-2.30pm at Sebel Suites, Albert Room, Charlotte St, Brisbane City
- Tuesday, 2 March – 6-7.30pm at Michael’s Oriental Restaurant & Function Centre, 223 Padstow Rd, Sunnybank
- Wednesday, 3 March, 6-7.30pm at Pathways Community Library, 1 The Corso, North Lakes.

Don’t miss this valuable opportunity, ph. 3221 4300 to secure your seat now!

SPECIAL OFFER – LIMITED TIME!

For a LIMITED TIME ONLY we are offering a significant cost saving on a new initial consultation!

Don’t miss this opportunity! Visit [“Special Offer”](#).

“CLOSE-UP” - EDITION

Can a Grandparent apply to spend time with their grandchildren? Read this editions article [‘How](#)

[does the Family Law Act Apply to Grandparents?’](#).

“GUIDE TO FAMILY LAW” – GET YOUR COPY NOW!

Our “Guide to Family Law” Book is FREE and fully up-to-date with all the latest changes in Family Law, including, children’s arrangements, Child Support and property settlements for defacto couples. With over 60,000 copies distributed to date, our book is the only one of its kind in Queensland

To get useful and important information about Family Law – order your FREE copy today! Ph. 3221 4300.

DOMESTIC VIOLENCE – SAFETY PLAN

If you are in a situation where you feel unsafe or at risk of being harmed by your partner, it is important that you have a plan in place for the steps to take if you need to leave. A Domestic Violence plan of action should include:

- Make a decision on who you can call if you feel threatened or in danger (e.g. police, neighbour, relative or friend).
- Decide on a safe place where you (and your children) can go if you need to leave in a hurry.
- Decide on any arrangements that will need to be made for pets if they are also at risk of being harmed.
- Save some money for a taxi or other form of transport that can get you away urgently if need be.



- Keep extra keys to your house and car in a safe place.
- Make a list of emergency phone numbers.
- Keep some clothing, medication, important papers, keys and money with a person you can trust.

For more information on Domestic Violence, read our article – [‘Understanding Domestic Violence’](#).

DOES “VIRTUAL VISITATION” MAKE A “MEANINGFUL RELATIONSHIP”?

There are no set guidelines which the Court follows when deciding whether a relocation of a parent and child away from another parent should be permitted. Relocation cases are decided on a case-by-case basis, taking into account the facts of each case.

The concept of “virtual visitation” has started to emerge in relocation cases, and this has highlighted some differing views in the Court. In one case, where a child could only visit a parent monthly, the Court said that as long as there was electronic communication available between visits then that would maintain a “meaningful relationship”. However, in a more recent case, the Court has said that “virtual visitation” does not “sit comfortably” with the requirements of the *Family Law Act*.

The Facts:

- The Mother, aged 33 and Father, aged 35, had been in a defacto relationship for 2 years.

- There were 2 children of the relationship, aged 5 and 2.
- The Father wanted to stop the Mother removing the children from metropolitan Sydney and taking them 2 hours travel time away. He wanted the children to live within 25km from where he lived.

Court Found:

The Judge found that the *Family Law Act* did not leave room for a “form of communication” (“as technologically advanced as it may be”) to replace “physical time”. He distinguished the case from previous cases, by referring to the ages of the children. In past cases where “virtual visitation” had been held to be sufficient to maintain a “meaningful relationship”, the children were aged from 7 to 11. Those children had also had the opportunity to already have extensive experience with using electronic communication, whereas the children in this case were much younger.

Court Order:

The Mother was not allowed to relocate with the children and had to live within a 25km distance of the Father.

ENJOYED THIS NEWSLETTER? – FORWARD IT TO A FRIEND!

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If you have comments regarding the Family Flyer, whether it is in response to articles, or to provide suggestions for new articles, we’d love to hear from you. Please email us by visiting www.mlfl.com.au/contact.

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