



# 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:

- Seminar Series – Don't Miss!
- Court Update – New Fees
- Only in the USA!
- Solicitor Appointment
- "Close-up" Edition
- Returned Gift
- Court Restructure
- "Guide to Family Law" – Order Your Copy!
- Children and Special Needs

## SEMINAR SERIES – DON'T MISS!

You can get up-to-date with the latest information in Family Law by attending our upcoming Seminar Series! Learn about the changes to Family Law, including shared parenting, defacto property settlements and much more.

The seminars are \$20 for information valued at over \$500!

Don't miss these 2 seminar topics –

### "Separation & Property":

- Tuesday, 27 July, 6-7pm - Pathways Library, 1 Corso, [North Lakes](#).
- Wednesday, 28 July, 6-7pm - McLeod Crescent, [Mt Ommaney](#).

### "Separation & Children":

- Tuesday, 3 August, 6-7pm – Redcliffe Leagues Club, Cnr Klingner & Ashmole Roads, [Redcliffe](#).
- Thursday, 5 August, 6-7pm – Sherwood Services Club, Clewley Street, [Corinda](#).

Call us on 3221 4300 to BOOK NOW!

## COURT UPDATE – NEW FEES

Starting 1 July, the Family Law Court and Federal Magistrates Court fees increased.

These changes include a new filing fee for an Application for Consent Orders (\$80) and a new filing fee for a Divorce Application in the Federal Magistrates Court of \$550.

## ONLY IN THE USA!

A New York Judge has recently Ordered a divorced couple, in a property settlement case, to build a wall, so to divide their house into two.

Neither the Wife, nor the Husband, wanted to move out of the home, so the Court gave them a week to decide where they should build the wall in their large house, otherwise the Court would decide where each spouse would live.

The couple had been arguing for years and the Judge commented that the wall would help them completely avoid each other.

## SOLICITOR APPOINTMENT

We are pleased to announce the appointment of Amy Honan as a new Solicitor at our office. Amy practices exclusively in Family and Relationship law.

Amy joins our team with good experience in all aspects of Family Law and with excellent Family Law credentials. Amy's expertise reinforces our position as one of the largest Specialist Family Law Firms in Queensland.

## "CLOSE-UP" EDITION

In many family situations, grandparents often assist with the care of the children. So what happens when a couple separates and a grandparent loses contact with the children? Can the grandparent do anything about this? Read this edition's close-up "[The Role of Grandparents](#)".



## RETURNED GIFT

In a recent case, the Court had to consider whether a gift given to the Husband by his parents should be included in the property pool. The Husband claimed the gift of \$55,000 was returned to his parents, as he did not need nor want the money. There was no evidence provided by the Husband's parents that this was the case. The Court added this gift back to the property pool, in addition to the \$4,000 the Wife withdrew to reduce her credit card debt.

## COURT RESTRUCTURE

The Attorney-General announced earlier this year that the structure of the Family Court would change next year.

A recent report has recommended that the Family Court only deal with Family Law matters and that it be divided into an upper and lower section. The Federal Magistrates Courts Family Law jurisdiction will become the lower section of the Family Court.

## "GUIDE TO FAMILY LAW" – ORDER YOUR COPY!

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 de facto couples. With over 70,000 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. Bulk orders are welcome.

## CHILDREN AND SPECIAL NEEDS

When making a Court Order concerning children, the Court looks at what will be in the 'best interests' of the children. This can be different depending on the family circumstances. A recent case involved the Court determining what the best Order for a 2 year old child with special needs should be.

A year before the trial, the child was assessed to have autism, however since then it was found the child did not have autism but a "global development delay."

The child was attending a clinical program that was aimed at helping the child prepare for ordinary life. The Mother was reluctant for the child to continue with the program, as she had experienced difficulties communicating with the program organisers, as a result of her limited English. The Father, however wanted the child to continue with the program and this was reinforced by the Independent Children's Lawyer.

The Court Ordered that the child should continue with the program and that the parents were to accept the recommendations of the clinic if the child needed to continue to attend. Both parents were permitted to receive reports of the child's progress through the program and consult individually with the program providers.

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