

FAMILY Flyer

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No. 220

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NEW SEMINAR SERIES – “SURVIVING SEPARATION” – STARTS 20 MAY!

In response to many “what do I do? where do I start?” questions we receive, we are excited to announce that we have designed a new public seminar presentation and it starts on 20 May!

“How to Survive Separation – Expert Tips” is exactly that, it will walk you through the practical steps on what you need to know for you, your kids, your property and much more!

This is an informative and easy-to-follow 1 hour seminar that will be presented by Accredited Family Law Specialist, Michael Lynch.

Seminar dates:

- Chermside: 6pm – Tues, 20 May – Kedron-Wavell Services Club
- Mt Ommaney: 6pm – Tues, 3 June – McLeod Country Golf Club
- Victoria Point: 6pm – Wed, 4 June – Redland Sporting Club

Seating is limited so register now by calling 3221 4300 or email law@mlynch.com.au.

JAPAN JOINS HAGUE CONVENTION

The Hague Convention for International Child Abduction is a treaty that provides for the return of abducted children to

their country of origin. It is for countries to decide if they wish to join it. Currently 91 countries have signed up to it.

It might come as a surprise to you to know that the most recent country to join is Japan.

Japan joined on 24 January 2014 and the Convention will enter into force for Japan on 1 April 2014.

RELATIONSHIP COUNSELLORS – SEMINAR – SEATS RUNNING OUT!

Seats are filling up quickly for our seminar for counsellors next week. If you haven't registered, call us NOW!

“Counsellors, Court and Confidentiality” is on at 6pm, Tuesday, 29 April 2014 at the Broncos Leagues Club, 98 Fulcher Road, Red Hill, Brisbane

Don't miss out. Cost is ONLY \$30 - register now! For more information, or to book your seat, please contact our office on 3221 4300 or email law@mlynch.com.au.

NEW STATISTICS

The ABS has recently released statistics regarding relationship and marriage in Australia. The data shows:

- Australians are marrying later. In 1992, 1.3% of first-time newlyweds married in their 40's; in 2012, this group had increased to 4.4%
- 75% of couples now live together before marrying.

- In 1992, 6% of women married under 25 years of age; that group has now dropped to 1.6%.
- The average age for women marrying is 29 years; and for men it is 31 years.
- The average age for women divorcing is 42 years; and for men is 45 years.

HOW IMPORTANT ARE BIRTHDAYS?

Working out what time a child spends with each parent after separation can be difficult, but should the parents' birthdays be considered?

This question was recently looked at by the Court

The facts:

- The parents had completed a final hearing and were still waiting for the court to deliver judgment. There were interim orders in place which provided for the children to "live with" the mother and "spend time with" the father each alternate weekend. The interim orders were silent however as to the time that the children would spend with each parent on their respective birthdays.
- The father brought an interim application seeking for the children to spend time with him on the weekend of his 50th birthday party. As the father's birthday fell close to Christmas, he had organised for the party to be held on a day that suited family and friends' availability, which was some weeks before his actual birthday. The day of his birthday party was on a weekend when the children were with the mother.
- The mother opposed the father's application saying she had made arrangements for that weekend, specifically a camping trip for the eldest child.

Court found:

- The court did not find it unreasonable that the father sought for the children to attend his 50th birthday as it was an event of significance to the father
- As it was the mother's weekend, it was reasonable that she may have scheduled activities.

Court Held:

- The children could spend time with the father on his actual birthday, which would have significant meaning for the children and for him. The children however would remain in the mother's care on the weekend of the father's party.

PROVING ALCOHOL CONSUMPTION

Alcohol consumption by parents in cases involving children can be very worrying. If your case is before the court it is possible to ask the court for an order for testing to prove (or disprove) allegations of alcohol consumption.

There are 2 different types of tests you could ask for (remembering that your affidavit evidence would need to show concerns about alcohol consumption before a court would consider making an order for testing). The first is a urine test, this can be undertaken on a random basis, but it may fail to show consumption of large amounts of alcohol, depending on when the test is taken.

The second, and perhaps more accurate way of testing is what is commonly referred to as CDT testing, this is carbohydrate-deficient transferrin (CDT). This involves a laboratory test being done on a sample of blood and is a useful test for identifying alcohol abuse, alcoholism or a drinking problem.

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