

FAMILY Flyer



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PUBLIC SEMINARS – STARTS NEXT TUESDAY!

Our new seminar series starts Tuesday 19 August.

“How to survive separation and property settlement” will walk you through the practical steps on what you need to know for you, your property and much more!

For only \$20 you will receive information valued at over \$500, as well as the opportunity to ask questions and there will be a **special offer** for all attendees.

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

Seminar dates:

- **North Lakes:** 19 August 2014, 6pm – North Lakes Golf Club, 1 Bridgeport Drive
- **Brisbane City:** 26 August 2014, 6pm – The Sebel Suites, 95 Charlotte Street

Seating is limited so register now by calling (07) 3221 4300 or email law@mlynch.com.au.

“CLOSE-UP” EDITION

One of the most common issues that comes up at the time of

separation is the difference in a couples income levels.

The questions are ‘What is spouse maintenance?’ and ‘Am I entitled to it?’. In this edition’s close-up article we look at [“The ‘How-to’ of spouse maintenance”](#).

NEW COURT FEES

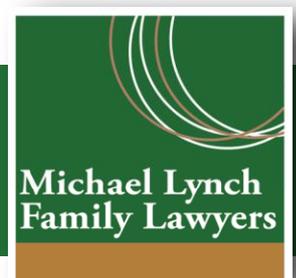
From 1 July 2014 the Family Law Court and the Federal Circuit Court filing fees have increased. The changes impact all fees. Some examples of the new fees include:-

- Application for Consent Orders - \$165
- Application for Divorce - \$845
- Initiating Application (children or financial orders) - \$320
- Initiating Application (children and financial orders) - \$530

For more information on the fee changes, visit the Court website at www.familylawcourts.gov.au.

STRONGER RELATIONSHIPS

In July the federal government commenced a trial on a new program aimed at building stronger relationships in the Australian community. The *Stronger Relationships* trial runs for 12 months from 1 July 2014 and is open to all couples over the age of 18 years in a committed relationship. During the trial, up to 100,000 committed couples will be able to



access a \$200 subsidy for relationship education and counselling services.

Couples can register for the trial at the Stronger Relationships website.

CHILDREN MISSING

More than a third of Australia's 520 recovery orders for missing children believed to have been abducted by a parent, were issued in Queensland during the past year.

For the past two years, Queensland has had more recovery orders issued than any other State.

The Family Court and Federal Circuit Court have allowed publicity in the cases of five Queensland children, whose parents failed to return them. In two of those cases, arrest warrants have been issued for the parent who took them away. (News Ltd.)

PROTECTION ORDERS UNDER THE FAMILY LAW ACT?

The usual course for a person to seek a court order for their protection is to file an application in a State Court for a protection order. Unless there are special circumstances, these orders are for a maximum of two years.

However under s 68B of the *Family Law Act*, the Family Court has the power to make an injunction for the personal protection of a child, parent or another person who has time with a child under a parenting order. A recent case has considered the making of a protection order with no expiration date, under the *Family Law Act*. -

- The mother and children had been subject to significant family violence during the relationship. Following separation the father had only supervised time with the children at a contact centre and

telephone time. He continued to denigrate the mother to the children during the calls.

- The father had been diagnosed with an antisocial personality disorder, part of the disorder meant he had some difficulties with impulse control.
- The father was ordered to have no time with the children.
- The mother had a domestic violence order from Tasmania when the parties lived there. She had tried to register the order in NSW (where she and the children now lived). As the children were not on the order she was not able to have them protected and because it was made in Tasmania, she was not able to have it varied in NSW. The order had 1 year left to run.
- The court considered that the mother and the children required long term protection from the father and made an order that he was not to directly or indirectly contact the mother or the children. The court made a protection order under the *Family Law Act* as it would run indefinitely.
- The order also provided that if the father breached it, he was to be arrested without warrant.

Q & A

Q: Do I have to go to Court?

A: No. In many cases spouses reach an agreement without going to court. There are different ways to reach an agreement including negotiation and mediation. It is important however (especially in a property division) that any agreement is properly documented.

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