

FAMILY Flyer



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PUBLIC SEMINARS – TODAY AND TOMORROW!

Don't miss this opportunity to learn from Accredited Family Law Specialist, Michael Lynch. Only 2 seminars and they are both almost booked out – so don't delay – **BOOK NOW!**

In “plain-English” Michael will simplify the complexities of Family law. Anyone about to separate or recently separated needs to hear this!

For ONLY \$20 you will receive a 1 hour information session with hand outs and have the opportunity to ask questions. There will also be a **SPECIAL OFFER** for all attendees.

“Separation and Property”

- Grange – 6pm – Tuesday, 24 February, Brothers Grange Community Sports Club, 41 Agincourt Street, Grange.

“Separation and Children”

- Holland Park – 6pm – Wednesday, 25 February, Holland Park Hotel, 945 Logan Road, Holland Park.

TO REGISTER: call (07) 3221 4300 or email us at law@mlynch.com.au.

DATE CLAIMER – “DEFACTO” SEMINAR

It's one of the most misunderstood concepts in Family Law – “What is a defacto relationship?” To answer your questions and sort ‘fact from fiction’ we have prepared a NEW public seminar.

Date Claimer :

Mark your diary for 1pm Tuesday, 31st March (Brisbane City) and keep an eye out for more details in the next e-flyer.

SURROGACY STATISTICS

The Queensland Children's Court's annual report reveals that 21 “parentage order” applications have been filed in Queensland in the last 3 years, 18 of those being filed in Brisbane.

A “parentage order” application must be filed with the Queensland Children's Court' as part of the legal arrangement's for completing a non-commercial surrogacy agreement. Commercial surrogacy agreements are illegal in Queensland.

The report shows that in Brisbane, 5 applications were made in 2013/2014, 8 were filed in 2012/2013 and 5 were filed 3 years ago in 2011/2012.

WHAT IS A COMMUNICATION BOOK?

In cases where parents have difficulty communicating about their children, the court often orders that the parents use a 'communication book.

What is that?

A 'communication book' provides a way for parents to communicate important issues and events relating to their child, without face-to-face interaction, in order to avoid disputes.

The child typically carries the book in their bag between visits to each parent. It is preferable if it is a bound book with numbered pages.

It is important that parents only make entries in the book that are brief and child-focussed. It should not be used for argumentative or self-serving reasons.

QUICK TIPS FOR CHILD SUPPORT AGREEMENTS

The Child Support Agency calculates child support payments pursuant to a formula. It is possible for parents to agree to child support payment arrangements outside of the Agency by way of a Child Support Agreement. (For more information [see Article, "Understanding Child Support Agreements"](#))

The area of Child Support Agreements is complex and you should get specialist family law advice if you are looking at entering into one. If you are considering an agreement however, here are a few quick tips that could save you unnecessary confusion and pain:

- **A set annual payment rate:** It is appropriate to set an annual rate of child support that is payable however

there should be a provision to vary the agreement if there is a change in the children's care arrangements.

- **CPI:** Any CPI clause should be adjusted to "increase or decrease".
- **Unemployment:** There is no foolproof way to choose the right "trigger" to start or stop an unemployment clause. Make sure that both parents understand what is meant and that the intention is reflected in the agreement.
- **Third party payments:** Agreements that involve payments to third parties must specify whether those payments are to reduce the child support assessment amount and if so, at what amount or percentage rate. It is also wise to define what the phrase "school fees" does and does not include, for example whether the fees cover some extracurricular activities, such as music, sport, excursions, etc.

CAN YOU PUBLISH ABOUT YOUR COURT EXPERIENCE?

In most circumstances the answer is a resounding - no! Due to the personal nature of family law there are strict laws governing publication.

The court recently considered the issue of publication. The wife sought permission from the court to publish a book which she described as being about "*her recovery journey from family violence*". She said the book was to encourage people who experienced family violence to seek help.

She intended to use her own name as author and include a photo of herself on the back cover but all other names would be changed. She argued that her book should be allowed to be published as it was a matter of *public interest*.

The Judge dismissed the wife's application stating that the inclusion of a photograph and the wife's name would identify the children and her former spouse.

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