

# FAMILY Flyer



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## 25 YEAR MILESTONE!

Our Principal, Michael Lynch has recently been acknowledged by the Queensland Law Society for 25 years service as a Solicitor.

In presenting the 25 Year Pin, the President of the Queensland Law Society stated "a quarter of a century in the legal profession is a considerable and notable achievement. This milestone is a great credit to you".

In achieving the milestone Michael said "Serving as a Solicitor is a privilege. I am also fortunate as not only is Michael Lynch Family Lawyers one of Queensland's most highly regarded Specialist Family law firms but it is a joy to work with the high calibre people here."

## FINAL PUBLIC SEMINARS – NEXT WEEK!

Our final 2 public seminars for this year are on next week!

Don't miss the opportunity to hear Accredited Family Law Specialist, Michael Lynch, explain how property settlements are determined. He will also identify some common traps people encounter and give some tips on how to overcome them. The Seminar "[7 Secrets to Surviving Property Settlement](#)" is being held:

- [Brisbane City](#): 1-2pm – Tuesday, 27 October, Berkleys on Ann, 255 Ann St, Brisbane City.
- [Sunnybank](#): 6-7pm – Wednesday, 28 October, Sunnybank Community & Sports Club – 470 McCullough St, Sunnybank.

The seminars are open to everyone and the attendance fee is ONLY \$30.

Registration is essential. For more information or to book your seat, contact our office on (07) 3221 4300 or email [law@mlynch.com.au](mailto:law@mlynch.com.au).

## WHAT IS AN OUSTER ORDER?

Can the court order someone to leave a house?


Yes. Since the changes to the domestic violence laws (DV) in Queensland in 2012, the court has been able to make an "ouster order".

The law provides that in addition to the "standard provisions" (i.e. that the respondent spouse should be of 'good behaviour') if the court is satisfied that a DV order should be made, the court may impose an additional condition prohibiting the respondent from remaining at, entering or approaching a stated premises. Premises can include property that the respondent may have a legal interest in, where the parties may have lived together or where the applicant frequents or works.

The actual address of the stated premises should be specified in the court order. This assists the police in enforcing it.

The legislation also provides that if an ouster order is made the court must consider imposing a condition to allow the respondent to return to the premises to recover property.





The condition should state the time and how long the respondent may remain at the premises without contravening the order. The condition must not however allow the respondent to remove personal property required to meet daily needs of any person living in the premises (example, household furniture and kitchen appliances).

## OUR GROWING TEAM

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We are pleased to announce the recent appointment of Polly Richardson as a new Solicitor at our office. Polly practices exclusively in Family and Relationship Law.

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

## THE WATCHLIST AND HOW TO GET ON IT.

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The Family Law Watchlist (sometimes referred to as the Airport Watchlist) is a system designed to alert police to the movement of children overseas. It identifies whether children are leaving Australia

The Watchlist does not operate for domestic travel. A child's name may be placed on the Watchlist when;

- There is a court order preventing the child's overseas travel,
- The child is the subject of a parenting order application currently before the court that may limit overseas travel, or
- The child is the subject of an application for an order to place the child on the Family law Watchlist.

It is critical that the spelling of the child's name and the gender and the date of birth on the court order are identical to the particulars on the child's passport.

If you have concerns about a child being taken overseas without consent, call us on 3221 4300 for a fixed-cost initial consultation.

## FAMILY LAW WORDS EXPLAINED

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**Accredited family law specialist** - solicitors who have satisfactorily completed an advanced study program through the Queensland Law Society in family law.

**Affidavit** - a written statement by a party or witness. It is the main way of presenting the facts of a case to the court. An affidavit must be signed before an authorised person (such as a lawyer or Justice of the Peace) by way of swearing on the Bible or attesting to the truth of the contents of the statement.

**Consent order** – an agreement between the parties that is approved by the court and then becomes a court order.

**Custody** - the “old” word for what is now called “parenting orders”. It is an arrangement whether under a court order or by voluntary agreement as to where the child shall live.

**Parenting Plan** - a written agreement between the parties setting out parenting arrangements for children. It is not approved by or filed with a court.

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