



family flyer



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:

- DON'T MISS! – PUBLIC SEMINAR
- Child Support Changes
- Easter Holidays;
- Property Settlements – WARNINGS!
- A Wealth of Information
- Relationships and Wills
- Our Service To You
- Assistance

DON'T MISS! - PUBLIC SEMINAR

Child Support is undergoing the biggest change in its 20 year history.

We are presenting a public seminar on "The New World of Child Support" from 1-2 pm Monday 17 March 2008, at the Sebel Hotel, Cnr Albert and Charlotte Streets, Brisbane.

The attendance fee is \$20.00, payable at the door.

Seating is limited, so book early!

[Click here to download the invitation.](#)

CHILD SUPPORT CHANGES

All Child Support assessments will change on 1 July 2008, most will reduce.

The changes are complicated however essentially involve the following matters now being considered:

- Both parents' incomes (with no exempt income);
- A specific children's cost scale (depending upon children's ages); and
- A detailed assessment of each parents level of care of their children.

Almost 2 million Australian parents are involved in Child Support and most are unaware of these imminent changes. The next few months will be a turbulent period for many parents as a result of these changes and may result in increased financial stress and re-newed dispute about the arrangements in place for their children.

EASTER HOLIDAYS

Most Court Orders and Parenting Plans detail how children's holiday contact arrangements are to occur. This usually includes specific reference to "Easter School Holidays", but based on reference to the Easter weekend.

Be aware that for the first time in 95 years (and it won't happen again until 2160) the 2008 Easter weekend (21-24 March 2008) falls 2 weeks before the State School holidays.

Any parent with a documented arrangement should check the wording to identify any potential confusion.

PROPERTY SETTLEMENTS – WARNINGS!

Determining a Property Settlement involves considering the unique facts of every situation, this can include many things, some examples are:

- Initial financial contributions;
- Financial wastage;
- Special business skills;
- Balancing financial and non-financial contributions; and
- Avoiding any delay in resolving a property settlement so that asset values don't increase.

The Family Court recently considered a case that involved all of these elements.

Facts:

- 9 1/2 year marriage, 3 children under the age of 18 years residing with the Wife.





- The Husband brought into the relationship about \$189,000.00, including a banana crop worth \$80,000.00.
- The value of the assets at separation was \$445,000.00.
- The asset pool increased between the date of separation and the date of Hearing (5 years) to \$1.6 million, due to the Husbands work and expenditure
- The Wife had spent money which could not be accounted for and this was a negative contribution diminishing her contribution during the marriage.
- The Husband had to be given credit for the significant contributions prior to cohabitation.
- Even though the asset pool had quadrupled between separation and the Hearing each party had in a sense contributed to that increase by the Wife caring for the children on a full-time basis and the Husband running his business.

Court Order:

- The Wife received 40% of the \$1.6 million property pool.

A WEALTH OF INFORMATION

The Family Flyer provides you with a wealth of information.

Some recent articles include:

- Special Edition - "Shared Parenting" - Issue 44

- What is a Pre-Nuptial Agreement? - Issue 42
- What is Spouse Maintenance? - Issue 39

For any of these articles and more, visit our website at www.mlfl.com.au. Join NOW for this FREE email service.

RELATIONSHIPS AND WILLS

It is important to be aware of the effect of relationships upon a Will, particularly whether the relationship is a marriage or a de facto relationship.

Marriage revokes a Will, unless the Will is made in contemplation of marriage, but the commencement of a de facto relationship has no such impact on a Will.

Divorce revokes any gift to a former Marital spouse under a Will, but breakdown of a de facto relationship does not.

OUR SERVICE TO YOU

For over 12 years we have regularly provided the Family Flyer Newsletter each month. We currently have over 5,000 readers of the e-flyer. In response to requests for a more frequent service we will this year provide the publication each fortnight.

So that you don't miss any editions of this FREE service go to our website at www.mlfl.com.au and enter your email address.

ASSISTANCE

If you need assistance with a Family or Relationship Law matter call us on (07) 3221 4300 or visit us at www.mlfl.com.au.

Contact details
Michael Lynch Family Lawyers

Principal
Michael Lynch*

Senior Associates
Helen Bryden*

Associates
Kirstie Colls
Elizabeth Millar

*Queensland Law Society
Accredited Family Law Specialists

Telephone: 07 3221 4300
Facsimile: 07 3221 9454
Email: law@mlynch.com.au
Web: www.michaellynchfamilylawyers.com.au

Address: Level 6
193 North Quay
Brisbane QLD 4000

Post: PO Box 12027
George St, Brisbane Qld 4003



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