

FAMILY Flyer



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SEMINAR SERIES

The end of the year is coming fast and we ONLY have 4 seminars left. These upcoming seminar topics have not been run since last year! So don't miss out!

If you want practical Family Law information, without confusing legal jargon – these presentations are ideal.

This Series will include the comprehensive 2-hour seminar – “Family Law Explained” and the 1-hour seminar “7 Secrets to Surviving Property Settlement”. Both are presented by our Principal and Family Law Specialist, Michael Lynch.

Valued at \$800 and \$500 – respectively, the cost is ONLY \$30 for “Family Law Explained” and \$20 for “7 Secrets to Surviving Property Settlement”.

Note your diaries, the seminars will be presented on the following dates:

- **“Family Law Explained”** – Tuesday, 25th and Thursday, 27th of October;
- **“7 Secrets to Surviving Property Settlement”** – Tuesday, 8th and Wednesday, 9th of November.

Venue details coming soon!

RELOCATION – 1 YEAR DELAY

As we have discussed in previous articles, ‘relocation’ cases are some of the most challenging that come before the Court, especially as the factual circumstances usually differ so widely. When a relocation case involves a young child there is no easy answer.

Recently the Court had to consider whether a Mother should be allowed to relocate from North Queensland to the Gold Coast with her 1 year old daughter.

Could she relocate with the child away from the Father? – The Court came to an unusual decision.

The Facts:

- The Father, aged 27 and Mother, aged 26 lived in Townsville and had one child.
- After the couple separated the Mother moved to the Gold Coast, where she had family support.
- The Father said that he did not give consent for the Mother to move with the child, however, he agreed to a short term stay so the Mother could seek support.
- At an interim hearing the Court Ordered that the Mother and child return to Townsville (after living on the Gold Coast for 2 months) and the child live with the Father from Friday afternoon to Monday morning and for 3 hours on Wednesday evenings.

- The Mother however, wanted to relocate with the child to the Gold Coast and proposed that the Father 'spend time' with the child, 'as agreed' between them. The Mother said she would travel back to Townsville 4 times per year to facilitate this arrangement.
- The Father sought Orders that the child 'live with' the Mother in Townsville and that once the child turned 2, that the child live with the Father on a 2 week rotation arrangement, including from Thursday afternoon until Monday morning on the first week and then from Friday midday until Monday morning on the second week. Then, once the child commenced pre-prep at school that the child 'live with' each parent on a 'week about' basis.

Court Found:

- The Family Report suggested that if the child's time with the Father changed to lengthy time apart and no overnight stays, the child would be confused and this would interrupt the bond the child had with the Father.
- If the Mother remained in Townsville it would be likely that the Mother's own capacity to parent would decline, due to the lack of family support and her unhappiness.

Court Order:

- Until the child is aged 2, the child lives with the Mother in Townsville from Monday morning to Friday afternoon and 'spends time' with the Father from Friday to Monday.
- Once the child is aged 2, the Mother is given permission to relocate with the child to (no other place than) the Gold Coast and thereafter the Father will

'spend time' with the child at all reasonable times as agreed, however failing agreement:

- For 2 periods of up to 4 nights in each 4 month period of January to April, May to August and September to December, and
- For two, 2 week periods with the child.

USEFUL FACTS ON CHILD SUPPORT – PART 2

As the Child Support Agency calculates an assessment based on its formula, it is important that the CSA is kept up-to-date with all relevant information about the parents' arrangements. That is particularly the case when information changes.

What changes do parents need to inform the CSA about?

These changes can include:

- If you have started a new job, lost a job, changed jobs or there is an increase or decrease in your current income;
- If the care arrangements for your children change, which may mean you are spending more or less time with your children;
- If you have children with another partner, and
- Any changes to your bank account name or number.

It is important that the CSA is aware of these change so that your assessment is correct and you are paying the correct amount of Child Support.

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