



MICHAEL LYNCH
FAMILY LAWYERS

QUICK TIPS ON FAMILY LAW

1. **DON'T PANIC.** Speak to a counsellor or check in with your GP for a link to further psychological support services. Having emotional support is very important.
2. **CHECK YOUR IMPORTANT DOCUMENTS.** Review your Will and Power of Attorney; collect your personal documents - passport and birth certificate etc; call your bank to arrange dual signature security on all joint bank accounts and redirect your mail.
3. **Remember to be CYBER SECURE.** Ensure you update all your passwords and login credentials for all email, banking and social media accounts. Don't continue to access accounts belonging to your former spouse. Be very careful about what you post online – less is best.
4. **DOMESTIC VIOLENCE** is not only physical violence. It also includes emotional and psychological abuse, economic abuse and/or threatening, coercive, controlling and dominating behaviour. If you are concerned about safety, make a safety plan and call 000 in the event of an emergency. For help making a safety plan visit Brisbane Domestic Violence Service bdvs.org.au.
5. Whether you are in a **DE FACTO** relationship or not can depend on many factors. The law relating to parenting matters, property division, spousal maintenance and child support for married and de facto relationships is almost identical.
6. **SHARED PARENTING** does not always mean equal time for both parents. The paramount consideration for all parenting matters is what is in the **BEST INTERESTS** of the child/ren.
7. Both parents are legally required to financially support their children. For more information about **CHILD SUPPORT**, visit "*Separated Parents*" on the Services Australia website.

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8. A low-income earning spouse may be eligible for financial support from a high-income earning spouse by way of **SPOUSAL MAINTENANCE**. This is separate from child support.
9. The **DIVISION OF PROPERTY** between spouses will differ for every couple, depending on their respective contributions and future needs. Don't be guided by a friend's experience.
10. **DOCUMENTING AN AGREEMENT** for property division and/or spousal maintenance must be done correctly by either a Consent Order or a Binding Financial Agreement.
11. **DIVORCE** is separate to a property division. You must be separated for 12 months before becoming eligible to apply for a divorce.
12. There are strict **LIMITATION PERIODS** for applying for orders for a property division. For married couples, property division orders can be sought for up to 12 months after the date of a divorce order. For de facto couples it is 2 years from the date of separation. So, don't delay.
13. **PETS** are very much-loved members of our families but in family law they are considered property and 'access or shared-custody' arrangements for pets are not possible.
14. It is best to be well informed as soon as possible.
GET SPECIALIST FAMILY LAW ADVICE before you do anything, including negotiating with your former spouse.
Contact us on **(07) 3221 4300** or law@mlynch.com.au for a no obligation / fixed fee initial consultation with an expert.

We invite you to
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to reveal Brisbane's leading
team of dedicated Family
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