



NEW YEARS RESOLUTION or FAMILY BREAKDOWN

While the New Year is seen as the dawn of resolutions it can sadly be a time of great despair for families having survived Christmas (particularly those with children). Many couples decide that this is the time to end their relationships and start afresh.

Marriage counselling

Separation can have serious consequences financially, emotionally and socially for the parties to the relationship and any children involved. The joint assets will likely be divided between the parties so that each party ends up with less than they currently have and the assets for division will be reduced further if costly litigation is commenced. Children's lives are inescapably changed when they are suddenly required to live in two houses rather than one and are separated from each of their parents from time to time.

Given the implications separation can have, family counselling with an appropriately qualified professional should be attempted to explore reconciliation and assist couples to work through interpersonal issues that may be causing the breakdown of the relationship. If you have been married less than two years then counselling is mandatory before you may apply for a divorce order.

Family Dispute Resolution

If separation is inevitable then consideration will need to be given to financial division and arrangements for any children involved. Family Dispute Resolution can assist couples to agree upon post separation arrangements and is mandatory when applying to a Court for parenting orders unless an exemption applies.

Post separation courses

There are various courses available to assist couples to effectively deal with each other after separation. These courses are facilitated by organisations such as Relationships Australia, Unifam, Anglicare, Interrelate etc.

Legal advice

If you or your partner decide to separate in 2016 then seeking early legal advice as to your rights and obligations can assist to avoid costly drawn out litigation. Litigation in the family courts is currently taking on average three years from the commencement of proceedings to trial. Knowing your position at law can equip you to effectively negotiate an early settlement and move on with your life.