



Rafton
FAMILY LAWYERS

Spring '09 Newsletter



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A message from Rafton Family Lawyers

Hello and welcome to the first Rafton Family Lawyers newsletter!

As our practice continues to grow, we think it will be a good idea to send out a couple of newsletters each year just to keep you all up-to-date with the latest news and developments in the field of Family Law. It will also provide a great opportunity to let you know what we are up to here at Raftons and to remind you of any important issues that might affect you.

We hope that you enjoy reading this edition, and look forward to seeing you soon at our brand new offices in "Historic Eltham". Finally, a special thank you to all of those who made the effort to come along to the official "opening" of our new premises recently, we appreciate your support!

Regards,
Kate Rafton

Applying for a divorce: the facts

At Rafton Family Lawyers, we frequently receive enquiries from people who are thinking about divorcing their spouse, but don't know where to start.

A divorce can be granted when a marriage has irretrievably broken down. In Australia we have a "no fault" divorce system which means that the Courts do not have to consider which party was at fault in the marriage breakdown and you don't have to prove why you are divorcing. In fact, once a couple has been separated for a minimum period of 12 months, either party can file an application for divorce (usually with the Federal Magistrates Court), or they can file a joint application.

The party filing the application needs to ensure they comply with all Court requirements regarding the filing and serving of such an application. At Rafton Family Lawyers, we can assist you with these requirements and either file an application on your behalf or provide the necessary information for you to make the application yourself.

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What about the children?

A divorce order does not take effect unless the Court is satisfied that, if there are children under the age of 18 involved, proper arrangements have been made regarding their care. There may be circumstances in which a divorce order will be granted without such arrangements being made but these are usually extenuating circumstances.

It is important to note that any issues relating to children and property are dealt with separately to the application for divorce. Contact one of our staff for more information or read our Family Law Handbook section on "Separation: The First Steps".

New de facto laws now in effect

In November 2008, the Family Law Amendment (De Facto Financial Matters & Other Measures) Act 2008 was given a royal assent and came into force on 1 March 2009.

This long awaited amendment means that any de facto couples separating on or after 1 March 2009 can now seek assistance in financial settlements from the Family Court, rather than applying to the State courts as in the past.

It is welcome news for people in de facto relationships who have sacrificed their own earning capacity to support their partner or look after their family, such as women with young children, and for those who did not have assets in the beginning of the relationship or have ex partners with large superannuation entitlements. It now means that their separation can be treated in much the same way as a marriage and their entitlements will be the same as a married couple.

To find out more about the recent changes, or how you can apply for relief and obtain a settlement, contact our team on tel: 02 4578 5611.

Do you have a current Will?

A Will is a very important legal tool to ensure that your family and loved ones are taken care of if anything happens to you, and that your estate is distributed according to your wishes.

It is recommended that you review your Will regularly, particularly when you have had a change in your personal circumstances such as:

- a) You are purchasing a new home;
- b) You become a parent for the first or subsequent time;
- c) You marry. It is important to remember that marriage automatically revokes a Will.
- d) You are granted a Divorce Order

Once you have a current Will you can register it with NSW Registry of Births Deaths and Marriages. It is not compulsory to register, however it would be of benefit to your executors with respect to the location of your Will and any other instructions that you may wish them to be made aware of.

At Rafton Family Lawyers we can ensure that you have a legally binding Will and we can also hold the Will in safe custody at our office for safe keeping. If you would like to talk to us about preparing or updating your Will call one of our friendly team today. A little time spent on planning now, could save a lot of time and stress for your loved ones down the track.

Welcome to the team

Two new solicitors have recently joined Rafton Family Lawyers...



Simone Green has recently joined our family law team. After obtaining her law degree, Simone worked for firms in both the Parramatta and Hawkesbury areas.



Catherine Parks has recently joined the firm and will be looking after our Care and Protection matters in the specialist Children's Court.

Catherine has a diverse legal background and has specialised exclusively in children's law for the past few years.

The Inaugural 2009 Children's Law Conference

Children's Law Conference 2009

Raffon Family Lawyers was very proud to host the Inaugural 2009 Children's Law Conference on 25 July 2009 at the Sebel Resort and Spa in Windsor. With over 125 delegates attending, it was the largest conference of its kind in NSW, and given the importance of the subject matter we are hoping to make it an annual event.

The event was attended by a range of professionals in this area including, Magistrates, legal practitioners, Department of Community Services representatives, Family Law practitioners, family support services and counsellors to name just a few, with presentations from a range of experts within the field of children's care and protection.

For more information on the conference, and to register your interest in the 2010 conference, contact Raffons now on te:02 4578 5611 or visit www.raffon.com.au.

Out and about

Award Nomination

Raffon Family Lawyers was recently nominated for an award via the Schools Industry Partnerships Scheme, which involves our office hosting students from the local area for work placements. We were very pleased to be a part of the scheme and one of a very few firms in the area that assists students with disabilities to obtain work experience.

Breast Cancer Research Sponsorship

Raffons sponsored a race at the annual Hawkesbury Races Day on the 24th of September. The event raised some much needed funds for breast cancer research and we are very proud to support this worthy cause.

PLT Students

Once again we are hosting a student from the local university to obtain some much needed work experience prior to his admission as a solicitor. Oscar Bem will be with us until November 2009 and our clients and associates will see him both in the office, and out and about, helping us with various tasks and observing matters at court.

Our new home

In July 2009, Raffon Family Lawyers moved into a new home! "Historic Eltham", our new office, is located at 317 Windsor Street Richmond, just near the ambulance station.

This beautiful three level building, circa 1840, still has many of its original features as well as a warm, welcoming ambiance and plenty of room to house our expanding practice.

After enlisting the assistance of local hills area designer Anne Stevens, we have been able to refurbish and restore the home to some of its former glory and maintain its Georgian appeal - pop in and have a look.

For more information on Historic Eltham visit www.raffon.com.au.

Raffon Family Law Handbooks

Ask for one of our informative guides on Care & Protection and Family Law.



Historic Eltham

