



Family Law

Understanding Family Law in Australia

Family law in Australia is a comprehensive legal area that addresses various issues related to family relationships, including marriage, divorce, parenting arrangements, property settlements, and domestic violence. Governed primarily by the *Family Law Act 1975* (Cth), family law aims to provide fair and just outcomes for all parties involved. Engaging experienced lawyers, such as those at Dojo Legal Australia, can be crucial in navigating the complexities of family law and ensuring the best possible outcomes for clients.

Key Aspects of Family Law

1. Marriage and Divorce

Marriage in Australia is governed by the *Marriage Act 1961* (Cth), which outlines the legal requirements for a valid marriage. Divorce is handled under the *Family Law Act 1975* (Cth), which operates on a no-fault basis, requiring only that the marriage has irretrievably broken down, evidenced by 12 months of separation.

2. Parenting Orders and Child Custody

The paramount consideration in any parenting order is the best interests of the child. The court can make orders regarding living arrangements, parental responsibility, and contact with the other parent. Recent amendments to the *Family Law Act* have refined the factors for determining a child's best interests and removed the presumption of equal shared parental responsibility.

3. Property Settlements

Property settlements involve the division of assets and liabilities between parties. The court considers factors such as financial and non-financial contributions, future needs,



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and the overall financial situation of each party. Superannuation can also be split as part of the settlement.

4. Spousal Maintenance

Spousal maintenance may be awarded if one party cannot adequately support themselves and the other party has the capacity to pay. Factors considered include age, health, income, and the ability to work.

5. Child Support

Child support is determined based on the income of both parents and the care arrangements for the children, as governed by the *Child Support (Assessment) Act 1989* (Cth).

6. Family Violence

Victims of family violence can apply for Apprehended Domestic Violence Orders (ADVOs) under the *Crimes (Domestic and Personal Violence) Act 2007* (NSW). Family violence can significantly impact parenting arrangements and property settlements.

How Dojo Legal Australia Can Assist

Expert Legal Advice

Dojo Legal Australia offers expert legal advice tailored to the specific needs of clients. Their experienced lawyers can help clients understand their rights and obligations under family law and develop strategies to achieve favourable outcomes.

Mediation and Dispute Resolution

The firm provides mediation and dispute resolution services to help clients resolve family law matters amicably. This approach can save time, reduce stress, and avoid the need for court intervention.



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Representation in Court

If court proceedings are necessary, Dojo Legal Australia can provide robust representation. Their lawyers are skilled in litigation and can advocate effectively for clients' interests in family law courts.

Comprehensive Support

The firm offers comprehensive support throughout the family law process, including assistance with documentation, negotiations, and court appearances. They ensure that clients are informed and supported at every stage.

Tailored Solutions

Dojo Legal Australia understands that every family law matter is unique. They work closely with clients to develop tailored solutions that address their specific circumstances and goals.

Key Takeaways

Family law in Australia is a complex and sensitive area that requires careful navigation to ensure fair and just outcomes. Engaging experienced lawyers, such as those at **Dojo Legal Australia**, can provide clients with the legal expertise and support needed to manage these challenges effectively. With their guidance, clients can focus on rebuilding their lives, confident in their understanding and management of family law issues.

Do you have additional questions regarding **Family Law**? Please feel free to contact us by email at admin@dojolegal.com.au, or by phone on **+61 02 9138 0688** to arrange a consultation with our experienced lawyers.

Resources



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- [Family Law Amendment Act 2023 \(Cth\)](#)
- [Family Law Act 1975 \(Cth\)](#)
- [Child Support \(Assessment\) Act 1989 \(Cth\)](#)
- [Crimes \(Domestic and Personal Violence\) Act 2007 \(NSW\)](#)
- [Marriage Act 1961 \(Cth\)](#)

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