

Legal

▶ Do I need a lawyer?

Legal help doesn't have to mean a court battle.

A lawyer can help you to find out your legal rights and responsibilities about:

- ▶ Parenting
- ▶ Financial and property issues

It doesn't have to mean a full on court battle — legal advice can help you handle things yourself. If you have reached agreement, a lawyer can help you turn it into a parenting plan or consent order.

You can find a lawyer through:

- ▶ Your State law society
- ▶ A legal aid office
- ▶ Community legal centre

Safety

▶ What if I'm worried about our safety?

Protecting yourself and your children is important. By contacting one of the crisis lines below you can get advice, help and support.

It's never too late to start a new stage of your life.

Need to talk to someone?

▶ KID'S HELP LINE 1800 55 1800

A national 24 hour phone counselling service for children and young people. www.kidshelp.com.au

▶ LIFE LINE 13 11 14

A 24 hour crisis line for individuals or couples and also financial counselling. www.lifeline.org.au

▶ DOMESTIC VIOLENCE CRISIS LINES

Locally based and can be found inside the front cover of your telephone book.

▶ MENSLINE AUSTRALIA 1300 78 99 78

A 24 hour phone counselling service for men and their partners or family. www.menslineaus.org.au

1 CENTRELINK

TEL: 136 150 WEBSITE: www.centrelink.gov.au

2 CHILD SUPPORT AGENCY

TEL: 131 272 WEBSITE: www.csa.gov.au

The CSA website includes:

- ▶ A Community Services Directory to help you find services like counselling, mediation and financial counselling in your local community,
- ▶ Calculators — to help you work out how much child support to pay and to help you with budgeting.

CSA is a part of the Department of Family and Community Services

3 FAMILY COURT OF AUSTRALIA

WEBSITE: www.familycourt.gov.au

Adelaide	08 8205 2666	Newcastle	02 4926 1255
Brisbane	07 3248 2200	Parramatta	02 9893 5555
Canberra	02 6267 0511	Sydney	02 9217 7111
Dandenong	03 9767 6200	Townsville	07 4722 9333
Darwin	08 8981 1488	Family Court of Western	
Hobart	03 6232 1725	Australia	08 9224 8222
Melbourne	03 8600 3777		

4 FEDERAL MAGISTRATES SERVICE

TEL: 1300 367 110 WEBSITE: www.fms.gov.au

5 OTHER SUPPORT SERVICES

FAMILY RELATIONSHIPS SERVICES

Centacare: 1300 138 070

Family Services Australia: 1300 365 859

Relationships Australia: 1300 364 277

TELEPHONE INTERPRETING SERVICE: 13 14 50

Financial counselling services are available in each state:

NSW	1800 808 488	Tas	03 6223 4595
Vic	03 9614 5433	WA	08 9221 9411
Qld	07 3257 1957	ACT	02 6257 1788
SA	08 8202 5182	NT	08 8932 6111

Family Law Hotline: 1800 050 321

Toll free information line to help you with some of the issues in this brochure and to find services in your area.

My family is separating — what now?



A starting point for parents looking for help

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My family is separating — what now?



"I wish I knew what was going on"

This brochure gives you a starting point for sorting out this and other questions. It suggests where to start looking for help and where you might find some of the answers to questions like:

- ▶ What is happening to me?
- ▶ What about the children?
- ▶ How will we manage?
- ▶ What do we need to help us?

Many people who separate say they feel the worst they have ever felt in their lives. Your children will be feeling it too. It may be hard now, but it will get better. You don't have to do it alone. You can ask for help from:

- ▶ Friends and family
- ▶ School counsellor
- ▶ Your local doctor
- ▶ Neighbourhood or community centre
- ▶ An assistance program at work
- ▶ A local counselling or mediation service

Mediation

A mediator is a person trained to help you and your ex-partner reach an agreement ⁵. The mediator won't take sides, but will help you think about what your options are for:

- ▶ Parenting
- ▶ Financial and property issues

It's better for your children if you and your ex-partner can work things out together.

Parenting

- ▶ What do our children need? Where will they live? How will they get to see us both?

You will need to decide how you are going to look after your children. It is best for the children if the new parenting arrangements make as few changes to their daily routine as possible.

You're no longer partners but you are still parents.

Even though you are separating, you are both still parents and you are the most important people in your children's lives. Stress and grief make it hard to make good parenting decisions. Fighting between parents can hurt children more than the separation itself.

There are services in your community, like mediation, that can help you find ways to sort out all types of parenting questions and other issues ⁵. Once you have come to an agreement, you might want to make a note of the things you have agreed on.

- ▶ What if we still can't agree?

You may need to talk to a lawyer (see legal section for more details). You can apply to the Family Court of Australia ³ or the Federal Magistrates Service ⁴ to make orders about parenting. Remember, parents usually make the best decisions for their children. A legal battle can be costly, stressful and take a long time — and you might not get the result you expect.

Making your decisions together, without going to court, will usually be less stressful and better for the children.

"I love them both. I'm happy when they don't fight"



Financial

- ▶ What about money?

It costs more to run two houses than one. You may be able to get financial advice and help from Centrelink ¹. There are also financial counsellors in your community who can help you budget for the changes that come with separation. ⁵

You are still parents and both responsible for supporting your children.

Although you have separated you are both still parents and you are responsible for the financial support of your children. The Child Support Agency (CSA) ² can help you work out your options and what works best for you.

- ▶ Where will I live?

One (or both) of you will need to find a new place to live.

Think about the children — they will have to adjust to two households. They might find it easier to adjust if they can keep in touch with you and their family, and friends.

Depending on your circumstances, Rent Assistance may be available from Centrelink ¹. Centrelink Social Workers can give you information or refer you to other services in the community including crisis accommodation or other types of emergency housing.

If you can't agree about who will live in the family home you may need to see a lawyer as this could affect child support payments or your property settlement in the future.