



Family Law forum

We talk to local founder and managing director of Reid Family Lawyers, Fiona Reid, about the 'Rona factor in the breakdown of relationships.

"Many of us were hoping that 2021 was going to be an end to Covid. But it brought even longer lockdowns, more home schooling and increased business woes. For many, 2021 was an even tougher year for families than 2020. More people lost their jobs and businesses. Social isolation meant being with your partner 24/7, which turned cracks in relationships into gaping chasms. Balancing home schooling with working from home was a tinder box for flare ups between couples who weren't able to compromise in order to share the load. Sadly, too, there was a steady increase in incidences of family violence with victims unable to find refuge with friends and families because of social distancing".

"On the back of 'Rona", says Fiona, "Christmas is also a stressful time for families and the new year brings with it resolutions to take steps to leave an unhappy or dysfunctional relationship".

"Now that we are looking forward with a bit more hope, as vaccination rates reach their peak, many of the clients we've met with over the last

few months are ready, with Christmas behind them, to take the next step in terms of separating from their partners. Our job as family lawyers is to help them to achieve that with as little pain as possible".

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There is great trepidation about going down a path of litigation and for good reason. As many people know from recent press about the Family Court, it's a very damaged system, with Judges overworked and under resourced. Some families might be in limbo for up to three years before getting a result.

But, what you need to know is that about 95% of matters settle without any court intervention. Further, of the 5% or so of cases which do end up in Court, about 95% of those settle before a judge has to make a final decision. Most specialist family

lawyers, Fiona says, are dogmatic in exploring settlement options without needing to go to Court at all. "We recognise the damage to families of being caught up in the Court process, not only financially but emotionally. We make it our priority to exhaust all settlement options before heading down a path of litigation".

The reality is that the breakdown of a long term marriage or de facto relationship is second only to the death of a partner in terms of life stressors. "Nothing can be more important to a person than the welfare of their children and their financial security" says Fiona. "The end of a long term relationship brings with it uncertainty about these two crucial things. People going through a divorce are in a heightened emotional state. They're grieving, anxious, angry, sad, embarrassed, frightened and often experiencing feelings of failure. This places them in a vulnerable position in terms of negotiating with their ex about how their assets will be divided, and even more importantly negotiating arrangements which are in the best interests of their children"

Fiona suggests the following checklist of what you should do as a starting point if you find yourself in the unhappy predicament of separating from your long term partner:

- Keep the kids out of it. Children are very resilient. Sad they will be, but they're much better able to cope if they're spared being in the middle of your conflict. It's sometimes very hard to take the high moral ground and not complain to your kids about your ex. But if you can manage to spare your children the sordid details of the end of your relationship and any feelings of resentment or bitterness you may harbour for your ex, your kids will be far less impacted by your separation. "It's important to your children that they feel secure enough to have a relationship with both of their parents (except of course if there's abuse or some other risk factor). If they are able to do this, they will be far less scarred by your separation and there is much less risk of the children being in dysfunctional relationships in their adulthood".
- Speak to your kids' teachers. Let them know what's going on so you know someone is keeping an eye on them school. "If they're feeling sad or acting out and their teacher knows what's going on at home, it can provide your children with someone neutral to whom they can unload if they need to".
- Speak to your ex about attending a specialist post separation counsellor/psychologist. "Not all couples counselling is about keeping you together. Specialist post separation counsellors/psychologists can give you tips on how best to break the news

of your separation to your children and can help you with implementing strategies for co-parenting at a time when communication between you is probably poor".

- "Get a handle on your financial situation". Secure any funds which might be at risk. For example, if you have an offset account, talk to your bank about setting up a facility whereby you need 2 signatures to withdraw any money.
- Get some legal advice. "Even one appointment can be sufficient to give you an idea of the likely division of your assets, appropriate arrangements for your children, financial support to which you might be entitled or liable to pay, whether you should stay in the house or leave and so on". Lawyers also have information about a myriad of good

mediation services on which you and your ex can attend in the hope you can resolve your dispute.

- Get professional support for your own emotional welfare. While friends and family are a valuable source of support at this time, your personal relationships may not be able to sustain constant whinging about your situation. "Rely on your friends as a fun outlet to take your mind off your separation and save your tears for your counsellor".
- Do something for yourself. Join a walking/running group, start a book club, join an art gallery, do some volunteer work, learn a new language... whatever takes your interest. "Now is a time to do things for you so you take back some control and move forward in a positive way".



Fiona Reid is the Managing Director of Reid Family Lawyers, a boutique specialist family law firm with offices in Brookvale and Surry Hills. She is supported by a team of expert family lawyers. The firm has a wealth of experience in all facets of family law including complex property matters, parenting matters, child support and spousal maintenance issues, relocation, de facto and same sex issues, surrogacy and adoption.

FREE 20 Minute Consultation

Fiona is offering a FREE 20 minute consultation to prospective clients who mention this article when they make an appointment for their initial conference. Call Fiona on **9091 0221** or email fiona@reidfamilylawyers.com.au.

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committed to helping you.**

