Child support and the role of lawyers

Date : May 12, 2017

What is Child Support?

Child support is an issue likely to transpire for parties separating with children. It is the way in which separated parents address their financial responsibility to their children.

The Australian Bureau of Statistics defines child support as:

“Cash or in-kind payments towards the financial well-being of children. These payments are usually made by the non-resident parent to the parent who has primary care of the children.”

What is the Child Support Agency?

The agency is a Government Human Services department that has the primary role of registering, assessing and collecting payments.

Why you may need a child support lawyer?

The Australian Bureau of Statistics (2009-2010) found that approximately 1.1 million children were impacted by child support. Consequently, it is safe to say that a significant number of parenting matters will involve a child support assessment and often this provokes some conflict between the parties.

Private agreements are a method through which parties can address the issue other than through a child support assessment. Private agreements may either be ‘binding’ or ‘limited’ agreements.

Limited Child Support Agreements

These agreements do not require independent legal advice however have a more restricted scope and are less binding. The amount stipulated in limited agreements is not permitted to be less than the assessed amount. Also, limited agreements are permitted to be terminated by either party after three years or if the amount that would be payable under the child support assessment is adjusted by at least 15%.

Binding Child Support Agreements

These agreements require independent legal advice and they must be accepted by the Registrar of the court. Binding agreements are harder to set aside by one party and are not restricted by the assessed amount.

If you are going through a separation where children are involved it is advisable that you seek legal assistance in relation to child support. Our child support lawyers can offer you guidance as to your potential rights and obligations and aid you in forming an agreement.

Speak to one of them today!

Contact us on **1800 300 170** or email us at **familylaw@matthewsfolbigg.com.au**

Disclaimer

Family law situations can be complex and sometimes they can involve serious issues. Information outlined is proposed to provide general guidance only. Due to the seriousness of legal matters as well as the uniqueness of your individual situation, professional advice should be sought. For advice, please contact one of our Family Lawyers.