

Phillips | Family Law Bulletin

High Court dismisses spousal maintenance order because wife could seek support from the estate of her late father



The High Court has recently considered the issue of whether voluntary payments from a wife's family constituted a financial resource available to the wife that would enable her to support herself and eliminate her need to obtain spousal maintenance from her husband.

On 8 June 2016, the High Court handed down its decision in relation to an appeal from the Full Court of the Family Court to discharge an order for a husband to pay his wife interim spousal maintenance of approximately \$10,000 per month. In reaching their decision, the High Court determined that it was appropriate for the Full Court to discharge the maintenance order because the wife was able to call on her brothers to provide her with financial support based on a 'wish' expressed by the wife's late father in his will.

To read the full case in point, click [here](#)

Rebecca O'Brien, Associate



Appointment of The Honourable Justice Catherine Carew

Last month our Managing Director, Tony Phillips and Senior Associate, Fiona Caulley attended an event organised by the Family Law Practitioners Association (FLPA) for the family law fraternity to celebrate the appointment of The Honourable Justice Catherine Carew as a Judge of the Family Court based on Brisbane. Our Senior Associate, Fiona Caulley is Vice President of FLPA and was involved in organising the event for the family law profession to congratulate Justice Carew on her achievement. Prior to Justice Carew's appointment, Her Honour was also committee member of FLPA, along with Fiona, and is well known to many of FLPA's members given her long career.

The high esteem in which Justice Carew is held by the family law profession was evidenced by almost 200 FLPA

members, including Tony and Fiona and their professional colleagues, being members of the judiciary, who came together to mark this wonderful milestone for Justice Carew. Barrister, Tedd Jordan, a close friend of Justice Carew spoke on behalf of FLPA members to welcome Justice Carew.

The appointment of Justice Carew was very welcome addition by the profession in the Brisbane Registry given the lack of judicial resources and the recent calls by the profession to the Attorney General for additional appointments to the bench given the lengthy delays which have resulted for people when involved in court proceedings.

The event was an opportunity for Tony and Fiona to meet their professional colleagues and to celebrate the appointment of Justice Carew.

Fiona Caulley, Senior Associate

Family Law Practitioners Association Early Career Practitioners' Workshop



In May our Lawyer, Olivia Phillips had the opportunity to attend the Family Law Practitioners Association Early Career Practitioners' Workshop.

The event was organised by the Family Law Practitioners Association (FLPA) of which our Senior Associate, Fiona Caulley is Vice President. Fiona chaired the workshop and organised the event along with other members of the FLPA Executive Committee. Their efforts were appreciated by all of the early career practitioners who attended such a valuable day of learning and professional development.

The workshop commenced with a comprehensive presentation by Lyndi Hawkings-Guy of Legal Aid Queensland on the Domestic and Family Violence Protection ACT 2012. Lyndi's presentation provided everyone with a step by step process of handling a domestic violence matter.

To read the full article, click [here](#)

Olivia Phillips, Lawyer

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