



Australian Government



Family Law  
PATHWAYS  
NETWORK

BALLARAT

## SEPARATION SERVICES GUIDE 2016

### Ballarat, Ararat, Stawell & Horsham

Ballarat Family Law Pathways Network

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This guide is designed to provide information to assist families who have separated or are separating. This guide includes information about support services and outlines when it is appropriate to contact each of these services. The guide will assist families in navigating through the various pathways available after separation.

It should be noted that this guide is purely introductory and does not substitute the need for actual advice. Families are encouraged to make contact with the services outlined in the guide to receive information relevant to their circumstances.

#### ABOUT THE FAMILY LAW PATHWAYS NETWORK...

The Ballarat Family Pathways Network is funded by the Australian Government through the Attorney-General's Department. Membership is open to any organisation or individual that provides services to separating families. The Network is inclusive and belongs to its members. The Network is auspiced by Centacare Ballarat, who is the funds holder and appoints a project officer to facilitate the Network.

The Network aims to support the development of a coordinated family law service system in the Ballarat, Central Grampians and Wimmera region. The Network focuses on information-sharing and networking opportunities across the area in response to the needs of separated and separating families.

#### ***When do I need...?***

##### COUNSELLING AND SUPPORT

Separation can be one of the most emotionally distressing processes that a person can go through in their lives. During these difficult times we all need somebody to talk to and often a person who is neutral, or outside the situation, can be good. Counselling is generally the first point of call. Consultations can be done over the phone or face to face. A counsellor will listen to you in a supportive, non-judgemental way and will offer you some ways to deal with your particular situation.

Counselling and mediation services are often vital to solving disputes, but can also be necessary to help you deal with the trauma of separation, if you are feeling this way it is advisable that you contact a counselling service and book an appointment.

The following services provide support and counselling to families and individuals (for private practitioners, look under “Counselling” in the Yellow Pages section of your phone book):-

Service	Phone	Website
Lifeline (24 hours)	131 114	<a href="http://www.lifeline.org.au">www.lifeline.org.au</a>
Men’s Line (24 hours)	1300 78 99 78	<a href="http://www.mensline.org.au">www.mensline.org.au</a>
Kid’s Help Line	1800 551 800	<a href="http://www.kidshelp.com.au">www.kidshelp.com.au</a>
Ballarat Community Health Centre	(03) 5338 4500	<a href="http://www.bchc.org.au">www.bchc.org.au</a>
Centacare Ballarat	1300 303 988 or (03) 5337 8999	<a href="http://www.centacareballarat.org.au">www.centacareballarat.org.au</a>
CAFS	(03) 5337 3333 or 1300 783 341	<a href="http://www.cafs.org.au">www.cafs.org.au</a>
Domestic Violence Resource Centre Victoria (DVRCV)	Ballarat: (03) 5333 3666 Ararat: (03) 5352 6200 Stawell: (03) 5358 7400 Horsham: (03) 5362 1200	<a href="http://www.dvrcv.org.au">www.dvrcv.org.au</a>
Women’s Legal Service	1800 133 302	<a href="http://www.womenslegal.org.au">www.womenslegal.org.au</a>
CASA Ballarat	(03) 5320 3933 or 1800 806 292	<a href="http://www.casa.org.au/ballarat">www.casa.org.au/ballarat</a>
Barwon CASA Wimmera	(03) 5381 1211 or 1800 806 292	<a href="http://www.barwoncasa.org">www.barwoncasa.org</a>
Women’s Domestic Violence Crisis Service of Victoria	1800 015 188	<a href="http://www.wdvcs.org.au">www.wdvcs.org.au</a>
Women’s Information and Referral Exchange	1300 134 130	<a href="http://www.wire.org.au">www.wire.org.au</a>
Men and Family Relationships Service	(03) 5337 3333 or 1300 783 341	<a href="http://www.cafs.org.au">www.cafs.org.au</a>
Men’s Referral Service	1800 065 973	<a href="http://mrs.org.au">http://mrs.org.au</a>
Relationships Australia - Ballarat	1800 050 321 or (03) 5337 9222	<a href="http://www.relationshipsvictoria.com.au">www.relationshipsvictoria.com.au</a>
Family Relationship Advice Line	1800 050 321	<a href="http://www.familyrelationships.gov.au">www.familyrelationships.gov.au</a>
Parentline – VIC	13 22 89	<a href="http://www.education.vic.gov.au/about/contact/Pages/parentline.aspx">http://www.education.vic.gov.au/about/contact/Pages/parentline.aspx</a>
Wimmera Uniting Care – Horsham	(03) 5362 4000	<a href="http://www.wimmera.unitingcare.org.au">www.wimmera.unitingcare.org.au</a>
Wimmera Uniting Care – Stawell	(03) 5358 7400	<a href="http://www.wimmera.unitingcare.org.au">www.wimmera.unitingcare.org.au</a>
Grampians Community Health	Ararat: (03) 5352 6200 Stawell: (03) 5358 7400 Horsham: (03) 5362 1200	<a href="http://www.grampianscommunityhealth.org.au">www.grampianscommunityhealth.org.au</a>

## FAMILY DISPUTE RESOLUTION (MEDIATION)

Reaching agreements after separation about children or property can be quite difficult. If you are having difficulty discussing these issues with your former partner, mediation (Family Dispute Resolution) may be of assistance.

Family Dispute Resolution (FDR) is a process whereby a trained and independent mediator assists separated families to discuss issues such as property, children or other matters. It is the mediator's role to assist the parties in negotiating their options in the hope of a mutual and lasting agreement. Mediation is often less expensive, time consuming and confrontational than going to Court.

Mediation is now an established part of the family law system, with it being mandatory to attempt mediation before seeking court orders in relation to children (subject to some exemptions, e.g. where there is family violence).

FDR is offered locally through the Family Relationships Centre Ballarat and Relationships Australia Victoria (RAV) Ballarat. If you are seeking mediation you should contact each service for further information.

See below for contact details (for private practitioners, look under "Mediators" in the Yellow Pages section of the phone book)

<b>Service</b>	<b>Phone</b>	<b>Website</b>
Family Relationship Advice Line Ballarat Centre	1800 050 321	<a href="http://www.familyrelationships.gov.au">http://www.familyrelationships.gov.au</a>
Relationships Australia Victoria (RAV) - Ballarat	(03) 5337 9222	<a href="http://www.relationshipsvictoria.com.au">www.relationshipsvictoria.com.au</a>
Victorian Legal Aid – Ballarat Office	(03) 5329 6222	<a href="http://www.legalaid.vic.gov.au/contact-us/our-offices">http://www.legalaid.vic.gov.au/contact-us/our-offices</a>
FMC Mediation and Counselling	1800 639 523	<a href="http://www.mediation.com.au">http://www.mediation.com.au</a>
Centacare Ballarat – Ballarat Family Relationship Centre	1300 303 988	<a href="http://www.centacareballarat.org.au">www.centacareballarat.org.au</a>
Ballarat Family Relationship Centre (Ballarat FRC)	1300 303 988	<a href="http://www.ballaratfamilyrelationshipcentre.org.au">www.ballaratfamilyrelationshipcentre.org.au</a>

## LEGAL ADVICE

All separated parties should consider getting legal advice to help understand their rights, responsibilities and options. Even where court action is unlikely, legal advice can still play an important role in achieving fair and lasting agreements.

Legal representation is provided by a range of legal organisations and private practitioners. All parties should be able to obtain some preliminary legal advice free or at minimal cost, with ongoing representation being dependent upon the nature of the case and the circumstances of the parties.

There are many legal services that provide free legal advice on the phone or face to face. See below for details:-

Central Highlands Community Legal Centre	(03) 5331 5999	<a href="http://www.chclc.org.au">www.chclc.org.au</a>
Ballarat Magistrates' Court	(03) 5336 6200 or 1300 352 000	<a href="http://www.magistratescourt.vic.gov.au/court/ballarat-magistrates-court">http://www.magistratescourt.vic.gov.au/court/ballarat-magistrates-court</a>
Victorian Legal Aid Central Highlands – Ballarat Office	(03) 5329 6222 or 1800 081 719	<a href="http://www.legalaid.vic.gov.au/contact-us/our-offices">http://www.legalaid.vic.gov.au/contact-us/our-offices</a>
Victoria Legal Aid Wimmera – Horsham Office	(03) 5381 6000 or 1800 177 638	<a href="http://www.legalaid.vic.gov.au/contact-us/our-offices">http://www.legalaid.vic.gov.au/contact-us/our-offices</a>
Women's Legal Service	1800 133 302	<a href="http://www.womenslegal.org.au">http://www.womenslegal.org.au</a>
Family Relationship Advice Line	1800 050 321	<a href="http://www.familyrelationships.gov.au">http://www.familyrelationships.gov.au</a>
Law Institute of Victoria – Find a Lawyer	(03) 9607 9311	<a href="http://www.liv.asn.au">www.liv.asn.au</a>
Victorian Aboriginal Legal Service – Ballarat	1800 064 865 or (03) 5331 3211 (Ballarat Office)	<a href="http://vals.org.au">http://vals.org.au</a>

Private law firms will also be able to provide legal advice for payment of their professional time. The local family lawyers are listed under “Solicitors” in the Yellow Pages section of the phone book or visit <http://www.liv.asn.au>

*Who can I talk to about...?*

#### CHILD WELFARE

The law says that children and young people must be protected from harm, including child abuse. This includes hurting or threatening to hurt a young person physically, sexually or emotionally, exposure to danger, neglecting a child and others. If you have a belief that a child's welfare is in danger you must notify the child protection authorities. Please see the list below that may assist you if you believe a child's welfare is in danger:-

Service	Phone	Website
Department of Human Services [This Department is now part of the new Department of Health & Human Services (DHHS)]	(03) 5333 6530 or 1800 000 551 or <b>13 12 78</b> <b>(24/7)</b>	<a href="http://www.dhs.vic.gov.au">www.dhs.vic.gov.au</a>

CAFS	(03) 5337 3333 or 1300 783 341	<a href="http://www.cafs.org.au">www.cafs.org.au</a>
Child FIRST Greater Grampians – Ballarat and Ararat	1300 783 341	<a href="http://www.cafs.org.au">www.cafs.org.au</a>
Child FIRST Wimmera - Horsham	1800 195 114	<a href="http://www.wuc.org.au">www.wuc.org.au</a>
Centacare Ballarat	1300 303 988	<a href="http://www.centacareballarat.org.au">www.centacareballarat.org.au</a>
City of Ballarat’s Family Wellbeing Program	(03) 5320 5159	***Deals with domestic violence***
Relationships Australia Victoria (RAV) - Ballarat	1800 050 321 (03) 5337 9222	<a href="http://www.relationshipsvictoria.com.au">www.relationshipsvictoria.com.au</a>
Ballarat Community Health Centre	(03) 5338 4500	<a href="http://www.bchc.org.au">www.bchc.org.au</a>
Koori Family Services Centre - BADAC	(03) 5335 8025	<a href="http://www.badac.net.au">www.badac.net.au</a>
Goolum Goolum Aboriginal Co-operative Horsham	(03) 5381 6333	<a href="http://www.goolumgoolum.org.au">www.goolumgoolum.org.au</a>
Victorian Aboriginal Legal Service – Ballarat	1800 064 865 or (03) 5331 3211 (Ballarat Office)	<a href="http://vals.org.au">http://vals.org.au</a>
Kids Helpline	1800 551 800	<a href="http://www.kidshelp.com.au">www.kidshelp.com.au</a>

## HELP WITH HOUSING

Following separation many people find themselves without a place to stay until they can arrange their own housing. If you find yourself in this situation there are many organisations that can help. Short term crisis housing can be arranged for families in urgent need of temporary accommodation. Many of these services can also refer you to services that provide longer term accommodation. Please see the contact list below:-

Service	Phone	Website
Centacare Ballarat	(03) 5337 8999	<a href="http://www.centacareballarat.org.au">www.centacareballarat.org.au</a>
Peplow House	(03) 5332 4466	<a href="http://www.centacareballarat.org.au">www.centacareballarat.org.au</a>
Berry Street	(03) 5330 5000	<a href="http://www.berrystreet.org.au/GrampiansRegion">http://www.berrystreet.org.au/GrampiansRegion</a>
Child & Family Services (CAFS)	(03) 5337 3333 or 1300 783 341	<a href="http://www.cafs.org.au">www.cafs.org.au</a>
Department of Human Services	1800 825 995	<a href="http://www.dhs.vic.gov.au/for-individuals/housing-and-accommodation">http://www.dhs.vic.gov.au/for-individuals/housing-and-accommodation</a>
Crisis Accommodation Information Line	1800 627 727	
Ballarat Community Health Centre – Youth Housing	(03) 5338 4500	<a href="http://www.bchc.org.au">www.bchc.org.au</a>

Salvation Army – Karinya	(03) 5329 1100 or (03) 5329 1101 (Community House)	<a href="http://www.salvationarmy.org.au/en/Find-Us/Victoria/SalvoConnect-Western">http://www.salvationarmy.org.au/en/Find-Us/Victoria/SalvoConnect-Western</a>
Ballarat UnitingCare	(03) 5332 1286	<a href="http://www.unitingcareballarat.com.au/housing-program">www.unitingcareballarat.com.au/housing-program</a>
WRISC	(03) 5333 3666	<a href="http://www.wrisc.org.au">www.wrisc.org.au</a>
Wimmera UnitingCare – Horsham	Horsham: (03) 5362 4000 Stawell: (03) 5358 7400	<a href="http://www.wimmera.unitingcare.org.au">www.wimmera.unitingcare.org.au</a>
Grampians Community Health	Ararat: (03) 5352 6200 Stawell: (03) 5358 7400 Horsham: (03) 5362 1200	<a href="http://www.grampianscommunityhealth.org.au">www.grampianscommunityhealth.org.au</a>

## FAMILY VIOLENCE

Family violence is behavior between family members that causes fear. It includes emotional and financial abuse, as well as physical violence and sexual abuse. If there has been a recent incident of family violence then the police should be contacted first. If a person is in fear of violence then they should contact their nearest legal service for legal advice. Support and counseling options are also available. Please see the list of contacts below:-

Service	Phone	Website
Ballarat Police Station	(03) 5336 6000 or <b>000</b>	<a href="http://www.police.vic.gov.au">www.police.vic.gov.au</a>
Horsham Police Station	(03) 5382 9200 or <b>000</b>	<a href="http://www.police.vic.gov.au">www.police.vic.gov.au</a>
Ararat Police Station	(03) 5355 1500 or <b>000</b>	<a href="http://www.police.vic.gov.au">www.police.vic.gov.au</a>
Stawell Police Station	(03) 5358 8222 or <b>000</b>	<a href="http://www.police.vic.gov.au">www.police.vic.gov.au</a>
National Sexual Assault and Family Violence Crisis Line	1800 737 732	<a href="http://www.1800respect.org.au">http://www.1800respect.org.au</a>
Women’s domestic Violence Crisis hotline	1800 015 188	<a href="http://www.wdvcs.org.au">http://www.wdvcs.org.au</a>
safe steps Family Violence Response Centre	1800 015 188 Or (03) 9322 3555	<a href="http://www.safesteps.org.au/">http://www.safesteps.org.au/</a>
Men’s Referral Service	1800 065 973	<a href="http://mrs.org.au">http://mrs.org.au</a>
Berry Street	(03) 5330 5000	<a href="http://www.berrystreet.org.au/GrampiansRegion">http://www.berrystreet.org.au/GrampiansRegion</a>
Peplow House	(03) 5332 4466	-
WRISC Family Violence Support	(03) 5333 3666	<a href="http://www.wrisc.org.au">www.wrisc.org.au</a>
Sexual Assault Crisis Line	1800 806 292	<a href="http://www.sacl.com.au">http://www.sacl.com.au</a>
Ballarat CASA – Centre Against Sexual Assault	(03) 5320 3933 24 hour Crisis Line: 1800 806 292	<a href="http://www.casa.org.au/ballarat">www.casa.org.au/ballarat</a>

Barwon CASA Wimmera	(03) 5381 1211 24 hour Crisis Line: 1800 806 292	<a href="http://www.barwoncasa.org">www.barwoncasa.org</a>
CAFS – Grampians Integrated Family Violence Committee	(03) 5337 3333	<a href="http://www.cafs.org.au/programs-and-services/family-violence-intervention-program">http://www.cafs.org.au/programs-and-services/family-violence-intervention-program</a>
Child Protection Crisis Line	131 278	<a href="http://www.dhs.vic.gov.au">www.dhs.vic.gov.au</a>
Centacare Youth Support	(03) 5337 8999	<a href="http://www.centacareballarat.org.au">www.centacareballarat.org.au</a>
Step Up – Addressing Adolescent Violence in the home	(03) 5337 3333	<a href="http://www.cafs.org.au">www.cafs.org.au</a>
Grampians Community Health	Ararat: 5352 6200 Stawell: 5358 7400 Horsham: 5362 1200	<a href="http://www.grampianscommunityhealth.org.au">www.grampianscommunityhealth.org.au</a>

## CHILD SUPPORT

Every parent is responsible for financially supporting their children whether they live with the other parent or not. The key components of the child support formula include both parents income, the costs of raising children of different ages and the contribution a parent makes towards the costs through direct care. For more information please contact the Child Support Info Service. If you require legal advice with regards to child support please contact the Victorian Legal Aid – Child Support Advice Line or contact a family lawyer. See below for contact details:-

Service	Phone	Website
Child Support Information Service	131 107	<a href="http://www.humanservices.gov.au/customer/subjects/child-support-basics">www.humanservices.gov.au/customer/subjects/child-support-basics</a>
VIC Legal Aid – Child Support Advice Line	1300 792 387	<a href="http://www.legalaid.vic.gov.au/find-legal-answers/child-support/get-help">www.legalaid.vic.gov.au/find-legal-answers/child-support/get-help</a>
Child Support - General Inquiries	131 272	<a href="http://www.humanservices.gov.au/customer/dhs/child-support">http://www.humanservices.gov.au/customer/dhs/child-support</a>

## FINANCIAL ASSISTANCE

Many people experiencing separation face some form of financial difficulty and often need a little bit of money to help them get back on their feet. There are some support services that can assist with donations as well as some government agencies that can provide urgent loans or grants and advanced benefit payments. Please see the contact list below:-

Service	Phone	Website
Centrelink	136 150	<a href="http://www.humanservices.gov.au">www.humanservices.gov.au</a>
Child Support Info Service	131 107 131 272	<a href="http://www.humanservices.gov.au">www.humanservices.gov.au</a>

Victims of Crime Victoria	1800 000 055	<a href="http://www.victimsofcrime.vic.gov.au">www.victimsofcrime.vic.gov.au</a>
Centacare Victims Assistance Program (VAP)	VAP Central Contact Line 1300 033 818 Victims of Crime Helpline 1800 819 817	<a href="http://www.centacareballarat.org.au">www.centacareballarat.org.au</a>
Salvation Army	1800 007 007 or (03) 5337 0600	<a href="http://www.salvationarmy.org.au">www.salvationarmy.org.au</a>
UnitingCare Ballarat	(03) 5332 1286	<a href="http://www.unitingcareballarat.com.au">www.unitingcareballarat.com.au</a>
Anglicare	1800 809 722	<a href="http://www.anglicarevic.org.au">www.anglicarevic.org.au</a>
CAFS – Financial Counselling - Ballarat	(03) 5337 3333	<a href="http://www.cafs.org.au">www.cafs.org.au</a>
CAFS – Financial Counselling - Ararat	(03) 5352 2910	<a href="http://www.cafs.org.au">www.cafs.org.au</a>
Wimmera UnitingCare – Financial Counselling	Horsham: (03) 5362 4000 Stawell: (03) 5358 7400	<a href="http://www.wuc.org.au">www.wuc.org.au</a>

## PARENTING

Separation or divorce does not normally end your involvement and responsibility as a parent. Children require the love and support of both parents. This requires cooperation with your former partner which may not always be easy.

Programs are available for parents to be able to reflect on their experiences and gather information in a supportive environment. For example CAFS offers a Post Separation Cooperative Parenting Program (PSCPP), designed to encourage separating and separated parents to channel their energies towards the “best interests” of their children. Centacare Ballarat also offers a number of services through the Family Relationship Centre.

Programs such as these allow parents to review the impacts of the separation on themselves and their children and build relationships as working parents ensuring the interests of the child are kept at the forefront. Parents are also able to gain information regarding issues of child behavior and stages of child development through these programs.

CAFS provides a safe and nurturing environment for children to continue to have contact with their parents, even if they aren't living with them so that the children are not exposed to ongoing parental conflict. See below for service details:-

Child Support Info Service	131 107 131 272	<a href="http://www.humanservices.gov.au">http://www.humanservices.gov.au</a>
CAFS Ballarat	(03) 5337 3333 or 1300 783 341	<a href="http://www.cafs.org.au">www.cafs.org.au</a>
CAFS Ararat	(03) 5352 2910	<a href="http://www.cafs.org.au">www.cafs.org.au</a>
Berry Street	(03) 5330 5000	<a href="http://www.berrystreet.org.au/GrampiansRegion">www.berrystreet.org.au/GrampiansRegion</a>
Family Relationship Centre Ballarat	1300 303 988	<a href="http://www.ballaratfamilyrelationshipcentre.org.au">www.ballaratfamilyrelationshipcentre.org.au</a>
Centacare Ballarat	(03) 5337 8999	<a href="http://www.centacareballarat.org.au">www.centacareballarat.org.au</a>



Relationships Australia Victoria (RAV) - Ballarat	1800 050 321 (03) 5337 9222	<a href="http://www.relationshipsvictoria.com.au">www.relationshipsvictoria.com.au</a>
Vic Legal Aid – Child Support Advice Line	1300 792 387	<a href="http://www.legalaid.vic.gov.au">www.legalaid.vic.gov.au</a>
Parentline – VIC	13 22 89	<a href="http://www.education.vic.gov.au/about/contact/Pages/parentline.aspx">www.education.vic.gov.au/about/contact/Pages/parentline.aspx</a>
Ballarat Community Health Centre	(03) 5338 4500	<a href="http://www.bchc.org.au">www.bchc.org.au</a>
Relationships Australia - Ballarat	1800 050 321 (03) 5337 9222	<a href="http://www.relationshipsvictoria.com.au">www.relationshipsvictoria.com.au</a>
Wimmera Uniting Care	Horsham: (03) 5362 4000 Stawell: (03) 5358 7400	<a href="http://www.wuc.org.au">www.wuc.org.au</a>
Grampians Community Health	Ararat: (03) 5352 6200 Stawell: (03) 5358 7400 Horsham: (03) 5362 1200	<a href="http://www.grampianscommunityhealth.org.au">www.grampianscommunityhealth.org.au</a>

## MOVING INTERSTATE

Every person has the right to move freely throughout Australia as provided in the Constitution. If you are thinking about relocating and there are children involved, legal advice is strongly recommended before any move. You should note that a Court is able to order that the children be returned to their place of origin in some circumstances. Contact your nearest legal service or private solicitor to arrange and appointment. (See “When Do I Need...Legal Advice?” for a list of services who offer legal advice)

## PROPERTY

Following separation, it is necessary for the property that has been accumulated jointly to be divided between the parties. If there is any significant property, it is essential that each party obtain legal advice. Knowing your entitlement and rights is crucial to enabling an agreement to be reached. Contact your nearest legal service or private solicitor to arrange and appointment. (See “When Do I Need...Legal Advice?” for a list of services who offer legal advice)

Relationships Australia Victoria (RAV) and the Ballarat Family Relationship Centre (Ballarat FRC) provide Property Dispute Resolution services in relation to property matters as well as children’s matters (See “Family Dispute Resolution (Mediation)” for contact details)

## GOING TO COURT

Going to court should always be a last resort but if absolutely necessary then obtaining legal advice is vital. Contact your nearest legal service or private solicitor to arrange and appointment. (See “When Do I Need...Legal Advice?” for a list of services who offer legal advice). The Family Law Courts and Federal Magistrates Court website also has some useful information about going to Court. See below for more details:-

Service	Phone	Website
Ballarat Magistrates’ Court	(03) 5336 6200	<a href="http://www.magistratescourt.vic.gov.au/court/ballarat-magistrates-court">www.magistratescourt.vic.gov.au/court/ballarat-magistrates-court</a>

Ararat Magistrates' Court		<a href="http://www.magistratescourt.vic.gov.au/court/ararat-magistrates-court">www.magistratescourt.vic.gov.au/court/ararat-magistrates-court</a>
Stawell Magistrates' Court		<a href="http://www.magistratescourt.vic.gov.au/court/stawell-magistrates-court">www.magistratescourt.vic.gov.au/court/stawell-magistrates-court</a>
Horsham Magistrates' Court		<a href="http://www.magistratescourt.vic.gov.au/court/horsham-magistrates-court">www.magistratescourt.vic.gov.au/court/horsham-magistrates-court</a>
Federal Circuit Court of Australia	1300 352 000	<a href="http://www.federalcircuitcourt.gov.au">www.federalcircuitcourt.gov.au</a> > Areas of Law > The Court Process
Court Network	(03) 5336 6227 or (03) 5336 6200 or 1800 681 614	<a href="http://www.courtnetwork.com.au">www.courtnetwork.com.au</a>
Family Law Courts	1300 352 000	<a href="http://www.familylawcourts.gov.au">www.familylawcourts.gov.au</a>

*What if I reach an agreement about...?*

#### OUR CHILDREN

Most parents who have separated reach their own verbal agreements about which parent their child will live and spend time with. It is not necessary to have a formal agreement in most situations. However should the parties feel the need for something in writing then they have two options:

- **Parenting Plans**

A parenting plan is a written agreement, which is signed by the parents. A parenting plan is not legally enforceable and is different from a parenting order, which is made by a Court. Various mediation services help parties draft parenting plans after an agreement is reached.

- **Consent Orders**

Consent orders are an agreement between you and the other party which is approved by the court and then made into a court order. A Consent Orders Kit (do it yourself) can be obtained at [www.familylawcourts.gov.au](http://www.familylawcourts.gov.au) . The kit contains the required forms and instructions.

If you have any difficulty reaching an agreement you should try mediation. If mediation does not help you to reach an agreement, then it may be necessary to get some legal advice.

#### OUR PROPERTY

If you and your former partner can reach an agreement on your own about the distribution of property, it will save you time, money and distress. It is important to obtain legal advice and give full disclosure of all assets prior to reaching an agreement. It is then advisable that you file an agreement with the Court by completing a Consent Orders Kit available at [www.familylawcourts.gov.au](http://www.familylawcourts.gov.au) . It is also advisable to engage a lawyer to draft the Consent Orders if there is significant property. (See "When Do I Need...Legal Advice?" for a list of services who offer legal advice)

#### CHILD SUPPORT

A child support agreement offers parents a flexible way of arranging child support. You can ask the Child Support Agency (CSA) to accept your agreement and collect and transfer the payments for you, or you can make private arrangements. There are two types of agreements:

- **Limited Agreements:** Formal agreement that must be in writing and signed by both parents. Legal advice is not needed before entering into a limited agreement. Before CSA can accept the agreement, two conditions must be met:
  - there must be a Child Support assessment already in place
  - The annual rate payable as set in the agreement must be equal to or more than the annual rate of the Child Support assessment.
- **Binding Agreement:** must also be in writing and signed by both parents. However both parents must seek independent legal advice to enter into or end the agreement. Binding agreements can include lump sum payments (including transfer of property) to be credited as Child Support instead of monthly cash or electronic payments.

Please contact CSA for further information:-

Service	Phone	Website
Child Support Info Service	131 107 131 272	<a href="http://www.humanservices.gov.au">http://www.humanservices.gov.au</a>
Vic Legal Aid – Child Support Advice Line	1300 792 387	<a href="http://www.legalaid.vic.gov.au">www.legalaid.vic.gov.au</a>
Child Support Legal Service VIC	1800 677 402	<a href="http://www.legalaid.vic.gov.au">www.legalaid.vic.gov.au</a>
Child Support Online Services	131 272	<a href="http://www.humanservices.gov.au/customer/services/child-support/child-support-online-services">www.humanservices.gov.au/customer/services/child-support/child-support-online-services</a>

The Ballarat Family Law Pathways Network would like to acknowledge the Albury Wodonga Family Law Pathways Network for their permission to reproduce some of the information contained in this guide.