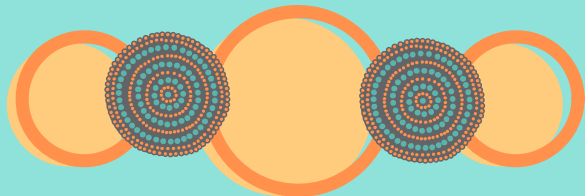


What if i am worried about my grandkids (or kids who are not mine)?

Sometimes parents have problems with family violence, drugs, alcohol and mental health and these problems can affect their parenting. If welfare are not involved, then you might be able to get a lawyer to help you go to Court to get kids in your care. You can ask the Court to order that the kids live with you for a little while, for a long time or until they are adults. You might ask the Court to say that the kids can only see their parents when their parents are sober or you might ask for someone to supervise the kids when they spend time with their parents.

What if the other parent, grandparent or carer takes my kids?

If the kids usually live with you and after separation they are taken away by their other parent or another family member, you might need to see a lawyer to help you try and get the kids back. The lawyer can help by writing to the other parent to get that parent to bring the kids back. If that does not work, the lawyer might help you to make an application to the Court. You would ask the Judge to make orders to return the kids to your care and for the kids to live with you.



The information in this brochure is general information only. It is not legal advice. It is best to see one of our lawyers for legal advice about your individual situation.

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Family Violence Legal Service
Aboriginal Corporation (SA)

FAMILY LAW



**SUPPORT AND LEGAL HELP FOR
ABORIGINAL FAMILIES**

Family Violence Legal Service
Aboriginal Corporation (SA)

What is family law about?

Family law is the law about kids, property and divorce. It is the law that people use when they cannot sort out their problems or make any agreement about kids or property after they have split up. It isn't like criminal law or care and protection (welfare), it is just between family members.

Family Law Courts decide who kids live and spend time with. They also decide who gets what property and what debts. These decisions are made by looking at what both parties ask for and by looking at the *Family Law Act*.

Why do i need to know about family law?

If you have separated and are trying to figure out what should happen with your kids or;
if someone has taken your kids from you or;
if you are thinking about separating and are not sure what to do with kids, property or debts or;
if you are fighting with your ex about all of this ...

Family law information and legal advice might help.



How does family law work?

There are Courts that deal with family law issues. They are in Adelaide and are called the Family Court and the Federal Circuit Court. The Judges in these courts make orders that say:

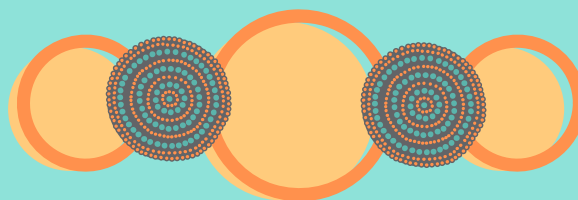
- who kids will live with;
- when they will spend time with their other parent or carer; or
- to return kids to a parent if they have been removed by the other parent, family member or carer.

Usually a parent or carer will talk with a lawyer about whether they should go to court and if they go, what orders they want the court to make about their kids and property.

Going to court means:

- Lots of paperwork to do;
- A number of court hearings, not just one;
- Being in Court for a long time if you and the other party cannot reach an agreement and the Judge has to decide;
- Ending up with Court Orders that say where the kids live and when and how they will spend time with their other parent or carer;
- Ending up with Court Orders that say who keeps what property and who has to pay for debts of the relationship.

Our lawyers can help with everything about going to Court.



Do i have to go to court?

No. Sometimes you can go to mediation to decide what you want to happen with your kids. You can do this with a lawyer or you can do it yourself.

Mediation is where you try to reach an agreement about what will happen with the kids, who they will live with and when they will spend time with their other parent or family. A mediator can help you and the other parent try to agree. There are services who run mediations and provide a mediator.

If there was family violence in your relationship, it is a good idea to get legal advice about mediation.

Another option is to use a lawyer to negotiate with the other parent and try to reach an agreement. This way the lawyer will do all the communicating with the other parent and give you advice about what a workable agreement might say. The lawyer will write up the final agreement for you.

FVLSAC can help

Our lawyers can give you free and confidential advice about all areas of family law.

We can help you to figure out what to do for your kids - whether it is going to Court, going to mediation or negotiating. We can represent you in Court, at mediation and in negotiations.

We can talk to grandparents and carers about options for looking after kids they are worried about.

If you think family law advice would help your family, please contact us so we can help.