



NOVEMBER 2020

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DO YOU HAVE A WILL?

Making a will is an important part of your life that you should give serious thought. Your will Will set out exactly how your possessions will be distributed when you die.

In two simple appointments we can take instructions and prepare you will to ensure that the people you wish to provide for will be looked after and provide specific gifts i.e. your ring to your grandchild or a charitable donation.

Even if you do not own a house or high value assets you can still make a will so that you can ensure that the people you wish to have your estate (i.e. your possessions after your date of death) will receive those gifts.

Contact our office to see how we can help you.

SUPERANNUATION & YOUR LAST WILL & TESTAMENT

Superannuation is one of your largest cash assets however it is not common knowledge that your superannuation does not actually form a part of your estate.

A way that you can leave your superannuation to your chosen beneficiaries through your Will is to complete a Binding death nomination form with your superannuation provider. This means that your superannuation must provide/distribute your superannuation to your nominated beneficiaries.

However under the Superannuation Act only your spouse, de facto spouse and children are

eligible to be nominated to receive your superannuation benefit when you die.

If you do not wish to leave your superannuation to your spouse, de facto spouse or children or do not have children or a spouse that you wish to leave your major asset to then contact our office to discuss other avenues as to how your superannuation can be gifted per your wishes.

FAMILY LAW COURT OF AUSTRALIA & COVID

Previous newsletters have included information about how the family Court of Australia and Federal circuit Court have adapted to the use of audio-visual links and telephone appearances to allow the courts to continue to function during the Covid 19 pandemic.

The Court is planning on resuming physical attendances at court. At present, only final hearings conducted by a judge are occurring with litigants and their representatives physically attending court. There are strict social distancing requirements within the court room and limits on the numbers of people who can physically sit in a Court during a hearing.

The Court is planning on extending the resumption of physical attendances at court in the New Year, but some procedural court events may still be conducted by telephone or audio-visual link.

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It appears that we are entering “a new normal” in terms of how the court conducts its business until some advance is made on a vaccine for the Covid 19 virus, but the court still has significant delays in allocating final trial dates.

The Court is also in the process of implementing a new online tool for identifying family violence issues much earlier in proceedings than has previously been the case. When more information becomes available, we will include this in a future email. Watch this space.

If you require advice or assistance in family Law, please contact our accredited Specialist in family Law Sean Cahill or one of our other solicitors who practice in the area of family law.

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