



Family Matters

THE NEWSLETTER OF BERRY FAMILY LAW: SUMMER 2015



Introducing you to Ben Smith

Ben has been working in family law since 2000 and during that time he completed a Bachelor of Laws and Post Graduate Diploma. He was admitted to practice in 2006.

Ben joined Berry Family Law in 2007 and obtained his Accreditation as a Specialist in family law from the Law Institute of Victoria in 2011.

Ben is a passionate lawyer and is experienced in all facets of family and relationship law including complex parenting and property matters and intervention orders.

Ben also has extensive knowledge of surrogacy law and has experience in providing advice to those entering into surrogacy arrangements in India and the United States. He has assisted parties who have, or intend to enter into a surrogacy arrangement in Australia and has provided advice about the relevant legislation in their State or Territory. He regularly appears in the Family Court of Australia and the County Court of Victoria seeking parenting orders. He was one of the first practitioners to obtain a Substitute Parentage Order in the County Court of Victoria.

Ben is a past member of the Family Lawyers Committee overseen by the Law Institute of Victoria and is a current member of the Law Institute of Victoria and the Law Council of Australia. He is also admitted to practice in both the High Court of Australia and the Supreme Court of Victoria.



Berry Family Law

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Leaving a Flying Doctors Legacy

As many of you would know Peter Berry has had a longstanding association with the RFDS.

The Royal Flying Doctor Service (RFDS) has been delivering emergency and primary health care across Australia for 86 years.

Today, the RFDS has a fleet of 67 aircraft flying from 21 bases throughout Australia. During the last financial year, 282,000 patients received attention through clinics, telehealth, aeromedical and non-emergency patient transfers and a range of primary health care services. The RFDS is bringing more of these services to Victoria including Mobile Dental Care, Mobile Eye Care, Rural Women's GP services and the diabetes telehealth service – in areas where these services would otherwise be very difficult to access.

As a not-for-profit health provider they rely on the generous support of the Australian community to deliver these services.

By including the Royal Flying Doctor Service Victoria in your Will, you will be making a valuable contribution, in a range of important ways; for example through the purchase and maintenance of aircraft, medical equipment and supplies.

Bequests are very important to the future of the RFDS. They can be made to RFDS Victoria or through RFDS Victoria's Flying Doctor Foundation, thereby providing ongoing support for those in need.

For more information please don't hesitate to discuss your wishes with Berry Family Law or you can contact the Donor Relations Manager at RFDS on (03) 8412 0440 or via email dianne.sharpe@rfdsvic.com.au.

Together we will help save lives.

10 things to do if you have just separated

- 1 Contact your bank or financial institution by facsimile to stop joint funds from being removed or liabilities increased.
- 2 Look at your Will and consider if it is still what is appropriate and if you do not have a Will have one drafted.
- 3 Ensure any Powers of Attorney are revoked and have appropriate ones drafted.
- 4 Consider whether your nominated death beneficiary for your superannuation entitlements is appropriate.
- 5 Photocopy all of your and your ex's financial documents and put them in a secure location (this should not be in your home or motor vehicle).
- 6 Contact the Child Support Agency and find out how much is to be paid or is payable.
- 7 Do title searches on your properties. If your home is in your ex's name or it is held as tenants in common ensure that you place caveats over the properties. If your property is held jointly consider severing the joint tenancy.
- 8 If there has been family violence in the relationship seek an Intervention Order.
- 9 Start a diary which keeps track of time with the children and any adverse behaviour of your ex.
- 10 Most importantly, seek advice from an experienced Family Lawyer.

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