

Family Matters

THE NEWSLETTER OF BERRY FAMILY LAW: WINTER 2020



Meet Andrew Johnston, Accredited Family Law Specialist

Andrew has been working as a family lawyer since his admission to practice in 2008. He has extensive experience in a wide range of family law matters, including property settlements, parenting matters, the preparation of pre-relationship agreements and intervention orders. He is particularly passionate about representing clients in parenting matters and aims to achieve outcomes that are tailored to the interests of the children, are clear and lasting, and preserve ongoing parental relationships where possible.

Andrew received Accreditation as a Family Law Specialist in 2015. He has previously worked as an Independent Children's Lawyer before the Federal Circuit Court, appointed to independently represent the child's interests in particularly complex parenting disputes.

Andrew strives to not only provide clients with advice in a straight-forward manner, but to do so genuinely. He takes

pride in being approachable and available to his clients as they navigate the legal uncertainty of ending or entering into marriages, de facto or same-sex relationships.

Andrew's Reflections:

I believe a large part of my role as a family lawyer is to lessen the burden my clients face while navigating perhaps the most complex and emotional time of their lives.

I want to empower my clients with the information they need to achieve the outcome that is right for them. Each case is different, and I support my clients to take charge of their future by representing them through to a negotiated or litigated resolution of their matter.



Berry Family Law

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The Family Courts and Covid-19 (Coronavirus)

The Family Law Courts (encompassing both the Family Court of Australia and the Federal Circuit Court of Australia) have adopted a number of practices to ensure that the Courts can continue to function while the Covid-19 (Coronavirus) restrictions are in place. These measures aim to ensure that the Court can continue to effectively resolve Family Law disputes in a manner that protects the health and safety of Court staff and users.

The first step undertaken by the Court is to list hearings remotely. Essentially, this means that, rather than being present in a Court room before a Judge, people and their lawyers have been attending certain hearings remotely via telephone calls or video-conferencing. More recently, the Court has resumed listing more “face to face” hearings. Such hearings are currently subject to strict procedures limiting people’s interactions in the Court room. To further reduce risk, the Court is staggering listings across the day to reduce the number of people in Court at any given time. Like most workplaces, cleaning efforts are in place to prevent exposure.

Secondly, in March 2020, the Honourable Bill Alstergren Chief Justice of the Family Court and Chief Judge of the Federal Circuit Court took the unusual step of providing a media statement regarding the Court’s expectations of parents as they deal with parenting issues impacted by Covid-19. That statement, which is available online via the Court’s website, made it clear that the Court expects parents to:-

- act in their children’s best interests;
- comply with existing Court Orders where possible; and
- if it is not possible for parents to comply with existing Court Orders (such as when existing Orders require children to transition between parents at school but schools were teaching remotely), the parties should communicate with one another and attempt to find a practical solution to the difficulties.

Finally, the Court also established a Covid-19 List to promptly deal with parenting disputes that are a direct result of the Covid-19 pandemic. The list is restricted to urgent parenting matters and requires certain conditions to be met. An example of a matter that might be dealt with by this list is where one parent is refusing to allow children to spend time with the other parent on the basis of their concerns about that parent’s exposure to COVID-19 in their workplace and a transition to the children.

Most family lawyers and related professions have also adopted health and safety-focused measures to protect their clients and staff. It has been commonplace throughout most of 2020 for appointments between lawyers and clients to take place by telephone or video-conferencing. Where possible, mediations are taking place remotely. At Berry Family Law, we look forward to working safely with our clients, the Court and other professionals to achieve lasting resolutions to Family Law issues.



Berry Family Law has a new website

We are pleased to announce that our new website went live recently. We decided that after eight years a refresh was necessary and with technology changes during that time the new site needed to be made mobile and tablet friendly. Many thanks to our longstanding graphic designer, Tony Coombes of Coowhi for all his work in making this happen!

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