

SPOUSAL SUPPORT

You may have heard of child support, but did you know that you may also be eligible to receive spousal support from your former spouse?

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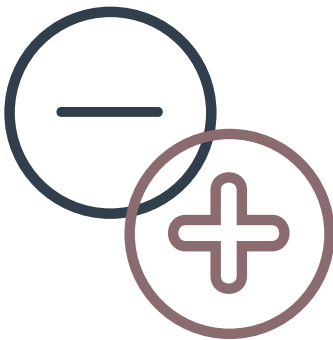
SPOUSAL SUPPORT

Often after separation it is hard to make ends meet, especially if you were reliant on your former spouse's income.

Under the Family Law Act, you may be eligible to receive ongoing financial support from your former spouse if you are struggling financially and if your former spouse has the capacity to pay.



WHAT DOES THE COURT ASSESS?



When determining whether you should receive spousal maintenance and how much maintenance, the Court will try to make a decision based on what is fair and equitable, and will take the following into consideration for yourself and your former spouse:

- Income, property, financial resources and debts;
- Health;
- Ability to earn and whether this has been affected by the marriage;
- What is considered to be a suitable standard of living, and reasonable expenses, and
- Who the children live with.

Applications for spousal maintenance must be made within 12 months of your divorce becoming final or for de facto relationships within 2 years from the date of separation. Later applications require special permission from the court, but this is not always granted. It is important to seek legal advice.

If you need to speak to a lawyer about spousal support, or any family law matter, contact us on 02 9569 3000.

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