

MACKAY REGION MEN'S SHED NEWSLETTER

DECEMBER 2021



Men and the Family Law System

Some common problems men often bring to the family law system are;

- *Inadequate knowledge of the legal system and processes*
- *Failure to obtain reliable legal advice*
- *Taking advice from others who are biased or don't have their best interests at heart*
- *Presenting as angry and hostile which is often interpreted as 'dangerous'.*

Directory of Men's Activities in the Mackay, Isaac and Whitsundays Region:

Iona West MS Mackay: *7 Brooks Street, West Mackay*

Contact Details: *0432 983 181

Opening hours:

Monday: 1pm – 4pm

Tues & Wed: 9am-4pm

Saturday: 9am – 1pm

Next Men's Breakfast Saturday 4/12/21 at 7:30am

Iona West Hall 7 Brooks St, West Mackay

\$5 for a hot brekky and positive company

Beaconsfield Rd MS Mackay: *Beaconsfield Road, Mackay*

Contact Details: *0749 423 321

Open every Monday & Wednesday 9am to 1pm

Seaforth MS: *Bowls Club grounds, Seaforth*

Contact Details: *0427 746 198 neilandgail_1@bigpond.com

Open every Monday & Tuesday 9am to Noon - \$3 per person - smoko provided

Sarina MS: *40 Lee Street, Sarina*

Contact Details: *0402 248 716

Opening hours: 8am - 12pm Wednesday & Saturday

* Smoko around 9:30am

Airlie Beach MS: *Salmon St, Cannonvale (old scout hut)*

Contact Details: *0414 270 990

Open each Tuesday & Thursday 9am - 1pm

Bowen MS: *5 Sinclair Street, Bowen*

Contact Details: *0420982874

Opening hours:

9am – 12:30pm Tuesday

1pm – 4:30pm Thursdays

9am – 12pm Saturdays.

Clermont MS *Powerhouse Lane Clermont*

Contact Details: *0400 994 146

Open each Monday, Wednesday & Saturday from 8am to 12pm

Moranbah Men's Shed *Bacon St Mbah*

Contact Details: *0407 033 015

Mackay *Shed Happens*

Contact Details: *0434 908 968

Every 3rd Wednesday (15/12/21) 6:30- 8:30pm 'The Meeting Place', 9 Quarry St, North Mackay (inside MCC Senior Campus). - \$10 includes BBQ supper and mateship with good positive males.

"Working on hearts, not projects"

ATSICHS MENS GROUP Mackay

EVERY FRIDAY

10AM TO 2PM

AT MEN'S SHED, YUWIYUMBA CULTURAL HUB

9 RIVER STREET, MACKAY

For any enquires please contact Andrew on: 0455 027 504





Above: The boys at Iona West are preparing a hot breakfast for Saturday 4/12/21

Below: Waste not want not at Clermont MS



Below: Frank Cowan and the 'Shed Happens' crew had success with their recent 'International Men's Day' event.



Above: Don Campbell is on the job at Airlie Beach MS

Family Law Tip # 1 (for Men)
Be Respectful – Avoid a Domestic Violence Order (DVO)

If you can behave respectfully, politely, be nonjudgmental, non-vengeful, non-argumentative, and non-interruptive you will be much more likely to negotiate with your “ex” and influence the court when you make your wishes known.

Of course, family law matters are highly emotional and it’s all too easy to engage in accusations and to bicker. If you can’t rise above this poor type of behavior, let your lawyer do the talking.

If you react, escalate, or retaliate with your “ex” you are risking the “Dreaded DVO” (Domestic Violence Order). If you come across to the judge as aggressive, abusive, dangerous, reactive, etc. you may as well keep your expectations low. Your behavior since the breakup, described to the court by your “ex” and your behavior in the courtroom, will highly affect the judge’s decisions.

Family Law Tip # 2 (for Men)
Family Courts Can Seem Biased Against Men

Love’em and leave’em has been a male-dominated act since the original one-celled animals began to evolve into sexual beings. Modern human society in all races and in all parts of the world is filled with examples of male humans following the familiar role of loving and leaving. Everybody knows this – including Family Court Judges, many of whom are women and some who are divorced. So even though laws are written unbiased, interpreting them and applying them can seem biased. As if it weren’t bad enough that some men can give all men a bad reputation, some good men often “shoot themselves in the foot” by giving up their rights. Their faulty presumption that they should or can trust their “ex” to be fair is wrong more often than not. Lack of proper action leads to poor results in both money and child matters.

Many times, it takes great effort and much courtroom debate at hearings to ensure men are treated fairly in child custody, visitation, and support cases. Good solicitors enjoy these challenges and feel especially good after helping fathers and children restore relationships. They know that fathers are extremely important to child development and recognize that fathers can be very creative and effective in sharing indoor and outdoor experiences with their children. Most people will agree that generally, children are better off with both parents. In the modern era of a high percentage of split marriages and complicated post relationships, it is still important that each child continues to enjoy a relationship with his or her father. It is very rewarding to solicitors when their efforts and ability can create a better circumstance for children by helping their fathers.

The presumption of society can often be that mothers are fit and entitled to custody of the children and that fathers care less than mothers do about their children. Convincing the court otherwise is a daunting task. A man’s imputed income and ability to pay can also be too casually decided.

So what can a man do? Do everything right as possible to help, not hinder your case and hire a good solicitor. Then follow your solicitor’s good advice.

Family Law Tip # 3 (for Men)
Keep Demands Reasonable and Fair,
and try to Negotiate Before Any Hearing or Trial

Who are the best people to decide how to divide your estate and share your children? Would it be you and the mother of your children, or a perfect stranger, who doesn't know either of you and will never meet your children?

Couple this obvious answer with the reality that people who negotiate and agree on their settlements are substantially more likely to follow them than those imposed on them by the court, and therefore it is obvious why we not only encourage settlement but we do everything we can to facilitate and procure a successful one. You can help too! Please do not alienate your ex: keep your demands reasonable; be flexible and accommodating; express distress or upset factually and without accusation or insult when necessary; communicate frequently and positively about your children; share information and documentation about assets, debts, and income; be respectful and compassionate; don't engage with your ex if he/she inflames the situation or attacks.

Family courts have limited time, very congested calendars, and deal with angry, hurt, upset people all day every day. Accordingly, the best thing you can do for your case is to resolve as much or all of it as you can with your counsel before you have a hearing. That way you can use the limited time you have to get help on the big issues that cannot otherwise be resolved. Some issues like the division of animals and personal property can be particularly tedious and/or difficult for the court so these should be only brought to the court as a last resort. Remember to always consider the cost of the item in dispute as compared to the cost of the fight over the item, i.e. legal fees!

You know your ex better than almost anyone. Try to appreciate and honestly evaluate what motivates and what scares her/him. So many people appear greedy in divorce when in fact so many are more likely scared of being on their own financially after so many secure financial years. Validate your ex's emotions – truly and sincerely. People are far less defensive and vindictive when they feel validated and heard. Even if you couldn't or wouldn't do it in your marriage, it is never too late to start and during a divorce is a really great time to practice new and more productive communication habits; especially when you have children together!

Be flexible and accommodating you have to give to get. If you accommodate a request that is significant, then ask for an exchange of something that is significant to you. This is effective with property as well as time and child-related matters. In order to garner goodwill, however, you may have to be flexible and compromising multiple times before this practice becomes routine for both of you. Don't expect results immediately, especially if this practice was not in play during your marriage.

Finally, during negotiations, after you make an offer, do not bid against yourself. Wait for the response. All too often the first one to speak loses. You may have to be silent for days and up to weeks waiting, but do not undermine your position by giving in before you receive a response.

Family Law Tip # 4 (for Men) Pick Your Lawyer Carefully

In legal battles and in getting through legal minefields, the solicitor or law office you select may be the single most important decision you make. You can't change history, the law, pick the judge, or force courtroom decisions but your solicitor can give you good advice as to what to expect and what may be worth pursuing or not. She/he can also present your case in the best way and debate important issues to get the best results. As in most selection processes, it is good to go with referrals, from instincts and what feels right. If you are not impressed after interviewing or getting an initial consultation from a family lawyer, repeat your efforts with one or more others until you are comfortable. Hire a Certified Family Law Specialist.

Many lawyers who do family law do it as a fill-in and may not even like doing it. Obviously, you would be much better off with a lawyer who chooses to do family law exclusively. Such exclusive family law solicitors would naturally be more up to date and experienced in family law matters. If your child needed tonsils removed, wouldn't you select a surgeon that does several such operations a week, not several a year?

One effective referral method for anything you need when you don't know anyone personally is as follows: go to the internet and find someone in the same industry that does not do the exact work you need and ask them for a referral. For example, if you need a dentist, call the offices of oral surgeons and ask for a referral. When you need a family attorney, call two or three law offices that do not advertise family law and ask them for a referral.

Family Law Tip # 5 (for Men) Social Media Confessions and Attacks

Although it may be therapeutic to publish your thoughts and feelings using social media or tell your friends and family, it can also be very detrimental to your case. Such secrets last a short time and will likely make it back to your "ex" and be used against you. Do yourself and your solicitor a favour by not sharing. The solicitor-client privilege only exists with your solicitor.

Family Law Tip # 6 (for Men) Don'ts

Don't lie to your attorney or in court. Don't try to fake a drug test. Don't try to hide marital assets. Any such misbehavior will cause the court to suspect everything you say and tend to believe everything bad your "ex" says about you. Don't underestimate your "ex" or opposing attorney. Fight fair with facts and a good attorney whose rapport with the court can work in your favour.

Family Law Tip # 7 (for Men) Divorce Court is Not a Contest

Family law cases are not contests for courts to pick a winner; in fact, rarely is there winner-take-all. The goal of a good solicitor should be to help the client get fair treatment through negotiations if possible and by court decisions if not.

It is important to understand that when family law conflict includes children, “the best interest of the children” guides virtually all courtroom decisions and attorneys throughout such cases.

If your case involves children and your strongest concern is for them, you are a good parent. Don’t hire an **unethical solicitor** who would likely enjoy escalating the conflict into a grand contest for his/her own benefit and who may not care about the children or the costs to you.

Family Law Tip # 8 (for Men) Pay Your Legal Fees by Credit Card

In a divorce case, it can be wise to pay your legal fees by credit card and let them ride until the court gets involved. That credit card debt is more likely to be shared than if you pay your legal fees with borrowed money.

[https://www.marilynyork.net/family-law-reno/tips-for-men/#:~:text=Family%20Law%20Tip%20%23%201%20%28for%20Men%](https://www.marilynyork.net/family-law-reno/tips-for-men/#:~:text=Family%20Law%20Tip%20%23%201%20%28for%20Men%20)



Father Christmas Dad Jokes

1. What do Santa's little helpers learn at school?

The elf-abet.

2. What do snowmen call their offspring?

Chill-dren.

3. How much did Santa pay for his sleigh?

Nothing. It was on the house.

4. What's the most popular Christmas wine?

'I don't like Brussels sprouts!'

5. What do you call a snowman with a six-pack?

An abdominal snowman.

6. What did one snowman say to the other?

Do you smell carrots?

7. What is the best Christmas present?

A broken drum, you just can't beat it.

8. How did the ornament get addicted to Christmas?

He was hooked on trees his whole life.

9. What do you call Santa's little helpers?

Subordinate clauses.

10. What does Santa suffer from if he gets stuck in a chimney?

Claustrophobia.



**Domestic Violence Resource Service
Mackay & Region**

For more details or to make a submission to this newsletter please contact;
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