

CURRENT FAMILY LAW

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Despite being a practical mechanism for resolving property disputes under the <i>Family Law Act 1975</i> (Cth), the drafting, execution and enforcement of financial agreements are now causing some practical problems for lawyers and their clients. In the recent decision of <i>Black v Black</i> , the Full Court, in determining that a strict interpretative approach is required when considering the validity of a financial agreement, found a particular agreement “flawed” and not enforceable. In light of this decision, practitioners should now re-examine their role in the formation of financial agreements and take even greater care when advising and acting for their clients in this form of financial dispute resolution.	185
A new era in de facto relationships law: Family Law Amendment (De Facto Financial Matters and Other Measures) Bill 2008 (Cth) – <i>Alexandra Harland</i>	
The <i>Family Law Amendment (De Facto Financial Matters and Other Measures) Bill 2008</i> (Cth) will extend the financial settlement regime which is currently only available to married couples under the <i>Family Law Act 1975</i> (Cth) to parties in a de facto relationship. For family law practitioners the provisions in relation to threshold issues and time limits will be familiar from their experience of working with the relevant State and Territory laws. While the provisions with respect to property division and spouse maintenance will also be familiar, there are some controversial provisions, particularly in the area of financial agreements. This article discusses the benefits (and the potential problems) that will arise from the Bill’s enactment.	195
Current adoption law and practice in Australia: Part I – Local adoption – <i>Geoff Monahan</i>	
Despite a dramatic decline in the adoption of children in Australia over the last two decades, there has been a great deal of legislative activity to ensure that adoption remains in the best interests of children. In addition, there have been several recent judicial decisions that have assisted in determining whose consent is required for an adoption to proceed, and when it may be dispensed with. This article reviews the current adoption laws and practices across Australia. The first part considers local adoption; the second part (which will appear in the next issue) considers intercountry adoption.	202

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