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## Getting interactive in 2010

Happy New Year to all our clients and colleagues!

We are aiming for a great 2010 with plans to implement more interactive use of technology within the practice as well as developing systems to make better use of the ever expanding on line environment. This investment will certainly mean faster, more cost effective legal services for our clients and allow us to continue to add value to the service we provide.



### *Hearing Loss and Worker's Compensation*

Prior to World War II, there were very few compensation claims for noise induced hearing loss (NIHL). Compensation was only awarded in instances where the hearing loss was attributed to a single, specific, traumatic incident. There was little recognition for hearing loss, which developed gradually over continued exposure to noises that were loud, but not necessarily painful or traumatic.

From 1985 to 2000, in excess of 48,000 compensation claims (5.8% of all claims) were made for work related deafness in Victoria, where at present the total cost of work-related deafness claims per year is around thirteen and a half million dollars. As hearing loss is not apparent for up to twenty years, the benefits of new legislation may not be immediately felt by the employer or the employee.

**HOW WE CAN HELP :** We provide a free advice service where you will only pay legal fees if we successfully assist you in obtaining compensation for your work related hearing loss.

**WHAT NEEDS TO BE DONE :** We need to first have your hearing loss assessed. If your hearing loss is sufficient we will assist you in completing a compensation claim form and lodge it with the relevant authority. Once lodged you will need to be assessed by one of work covers doctors (which is no cost to you). If your claim is accepted our role is to ensure that you are paid your full compensation. This process generally takes between 2 and 6 months ( with a few complicated matters taking longer). If you feel your hearing has been affected by a work place in the past (even if you are no longer employed), please call us to arrange an obligation free discussion.

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#### What happens if I have been left out of a will or feel I didn't get a fair share?

Whilst everyone has the right to choose who to leave their estate to, children, de facto spouses, same sex couples or anyone that was financially dependent on the deceased may have a reason to contest a will to gain a share.

If you feel this applies to you or you have been appointed as an executor and have been notified that someone may make such a claim against the estate, we suggest you get immediate legal advice. There are strict time limits that apply and delaying may compromise your rights.

## Conveyancing Corner: Changes to State property taxes

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The 1st of January saw some significant changes to state tax laws that will affect a lot of our clients. We will briefly outline a few we feel have significant impacts and encourage you to contact us if you need to get any further information.

### FIRST HOME BUYERS

A cap of \$750,000 on the value of homes is now in place (exceptions may apply to farms).

### TRUST PROVISIONS

A loop hole in the legislation has now been fixed to ensure that trustees who fail to notify of the acquisition or disposal of land and other events as required under S46k of the Land Tax Act 2005 will now be considered a tax default with the associated penalties.

### Selling Property

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Visit our website at [www.zenlaw.com.au](http://www.zenlaw.com.au) to download an instruction sheet and up-to-date information. As always, our email is open for any queries you may have throughout your property transaction. Our aim is to provide the right advice before you buy or sell, so you can adequately protect your interests.

### Parenting after separation

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A large portion of the work we do at Zenith involves family breakdown. Our role is to assist in separating assets and negotiating arrangements for the care of children. Our part of the process is, in the scheme of things the easy bit, but what we often see is the emotional toll a separation takes on the parties. We see couples who obviously once had a great relationship struggling to find ways to communicate with each other or come to terms with a separation. This can range from violent reactions or confrontations, to depression over lack of contact with children, to adjusting to an altered financial position. The loss of a long standing relationship brings many challenges.

Our goal is to assist the parties to reach a fair outcome as early as possible in the proceedings. Whilst not all matters need to go to court there is certainly instances where it is the only option. We are keenly aware of the stress drawn out matrimonial proceedings can have on a person and we encourage our clients to look after their emotional well being after a separation especially where there are children involved.

Separating obviously means that you need to learn to parent in a different fashion, for the resident parent it means you are doing it on your own and for the non resident parent you may have to adapt to not seeing your children all the time or having no direct input in their day to day lives. Both parents will also need to find a way to communicate with each other and this is where things often become tough.

In this edition we would like to introduce a program called "Fathering After Separation" run by Relationships Australia Croydon. They are offering free seminars on a variety of relevant topics in March and May we would encourage any of our fathers who need a little assistance to call 9725 9964 for more information or to book into the seminar. We will also have the brochures for these seminars in our office. Relationships Australia also offers similar programs for mothers and you can find them at [www.relationshipsvictoria.com.au](http://www.relationshipsvictoria.com.au).

**FREE  
ONLINE  
ADVICE**

### Email [info@zenlaw.com.au](mailto:info@zenlaw.com.au) for free legal advice

We will provide basic legal advice via email within 48 hours on any matter you have - no matter how big or small.  
Curious about something? Give us a try!



\* Initial advice by email will be provided free of charge. The extent of this advice provided is at the discretion of Zenlaw Pty Ltd and should not be relied upon as full and proper advice until we have received full instructions to act. This offer is open to anyone subject to a fair use policy.

*DISCLAIMER: Information provided in this newsletter is of a general nature only and should not be relied on as legal advice. Your specific situation should be discussed with our office before relying on any information provided.*

