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Spousal Maintenance

Kim Wilson & Co are accessible and available to you, quickly responding to your specific needs and requirements when it comes to Spousal Maintenance.

Spousal Maintenance is a Court-ordered payment or other benefit, paid by one party for the support and maintenance of a current or former partner.

As a result of legislation in Western Australia, these rights extend to parties in a de facto relationship (including same sex couples).

Spousal Maintenance is not an automatic right and only arises where one party to the relationship demonstrates a need for maintenance and the other a capacity to pay.

Kim Wilson & Co can provide advice on your ability to claim, or to have a claim made against you for Spousal Maintenance and will advise you accordingly to assist with the process.

To book your confidential Family Law consultation call (08) 6380 3900

Frequently Asked Questions

What is Spousal Maintenance?

Spousal Maintenance is the money paid by one party to provide continuing financial support to the other party post separation or divorce.

Am I entitled to Spousal Maintenance if I have been in a De facto relationship?

Spousal Maintenance can be available for both marriage and de facto relationships.

Am I automatically entitled to Spousal Maintenance?

Spousal Maintenance will only be required if a party is unable to adequately support themselves with their own personal income or assets.

Do I have to pay Spousal Maintenance?

The payment of Spousal Maintenance is not automatic. The needs of an applicant spouse as well as the capacity of the respondent to pay Spousal Maintenance will be considered. There will be a balancing of the needs of one party against the ability to pay of the other party.

Is Child Support and Spousal Maintenance different?

Spousal Maintenance and Child Support are different. Child Support is payment made for financial support to children. Spousal maintenance is payment made by one spouse to another to provide for their financial needs.

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