

## Financial Contributions Vs Future Financial Needs (No 4)

In **Telfer [2016] FCWA 2 Judge Walters** of the Family Court of Western Australia came up with an outcome which would have to be considered an outlier in the context of other decisions with similar cases in which the fact scenarios compared the weight to be attributed to initial financial contributions compared to significant disparities of future financial needs.

A seven year relationship produced assets of \$4.25M and two children aged 6 and 8 who lived primarily with the Wife.

The relevant factors to which the Judge referred were as follows:

- An asset pool of \$4.25M;
- Initial financial contributions of:
  - \$168K by the Wife (@4% of the current asset pool); and
  - \$960K by the Husband (@22% of the current asset pool).
- the Husband's income as a builder of \$585K;
- the Wife's income as a part-time teacher while caring for the two children was \$33K;
- and the parties had been separated for about 4 years before the matter came to Court.

The Judge's application of the facts to the relevant adjustment factors was as follows:

- the parties' contributions during the relationship were of equal quality (50/50);
- the Husband's pre and post relationship financial contributions entitled him to an adjustment in the range of 10-15% (mid-point of 12.5% nominated); and
- the Wife's primary care of the two young children and the vast income earning disparity entitled her to an adjustment of 7.5%.

Offsetting these various adjustments against each other led the Judge to conclude that a **55/45 division in favour of the Husband** was the appropriate outcome.