

THE SEPARATION CHECKLIST



▶ GET ORGANISED

The more you prepare the more successful you will be in your separation journey. Make a list of you and your former partner's income sources, assets, liabilities, superannuation and financial resources. Collect or make copies of all documents associated with the items on your list including purchase and loan contracts.

▶ INVEST IN LEGAL ADVICE

Find out your rights and entitlements from a trusted source. Find a family law specialist or if you are in NSW, use the Law Society NSW solicitor referral service. People often underestimate how much time is needed for a lawyer to properly gather all the relevant background information and provide tailored legal advice to your specific situation. This should take approximately 2 to 3 hours over 1 or more meetings with your specialist lawyer.

▶ ARE YOU ELIGIBLE FOR LEGAL AID?

Consider applying for a grant of legal aid which is to help you with the legal costs. Each State has its own legal aid website, and you can telephone or apply online.

▶ SAFEGUARD YOUR PRIVACY

Change your passwords on your computer, mobile, email and bank accounts, set notifications or email alerts on your bank accounts to monitor unusual activity, limit credit cards. Speak to your bank to see if there are any other ways you can protect yourself.

▶ CONSULT BEFORE MAJOR DECISIONS

Before you decide to sell a major asset or make changes to an existing financial arrangement, make sure you understand your legal position and consult your lawyer or accountant about potential future implications. Get legal advice if you are considering major decisions such as relocating children.

▶ TALK ABOUT THE CHILDREN

Start talking about parenting arrangements early and find the common goals of how you would like to raise your children, aside from the separation. Use a process like family dispute resolution (FDR) or private mediation to help guide these discussions with a neutral professional.

▶ START A DIARY

Note down important dates, such as the date of your separation, as you plan next steps with the guidance from your specialist family lawyer. For parenting after separation, consider using a shared parenting app or a diary to coordinate day to day activities for children.

▶ DOCUMENT ANY AGREEMENT

If you come to an agreement regarding your assets and/or your children, you need to have the legally binding documents signed before you implement any part of the agreement. Make a Parenting Plan yourselves or ask your lawyer to prepare Consent Orders.

▶ SPEAK TO A FINANCIAL ADVISER

Discuss your proposed settlement with a financial adviser to plan and budget for yourself based on your ideals and future goals.

▶ MAKE A WILL

Review or make a Will to ensure your wishes are properly considered in the future. Consider nominating a guardian for any children under 18 years old or seek advice from a specialist estate lawyer.

▶ PLAN FOR PET CARE

Consider making a plan for shared care of your family pets in the future and sharing of costs.