

This checklist is a guide for you to consider when separating, especially in the early stages. Every separation and divorce are unique, so we encourage you to contact us for specific advice.

Make a note of your separation date. Your separation date is when you finally decided the relationship was over and communicated this to your partner, even if you are still living under the same roof. You will need your separation date if you apply for Divorce, the dates you separated may also be relevant to your property settlement.

Engage a Lawyer:

- Make an appointment to see a lawyer as soon as possible. Knowing your rights early will protect you, your children, and your assets
- Fill out the separation checklist in preparation for your first appointment with your lawyer at Kelly Kelly Legal

Who moves out?

If possible, try and talk to your Ex-partner about your separation and see if you can agree on an interim arrangement for the children and each other's living arrangements during the separation

- Are there children who will remain with you? If so, it may be best for the children to remain in a familiar environment, close to their schools, friends etc.
- Can you afford to move out?
- Do you want to keep the house as part of your property settlement?
- Will it be necessary to sell the house?

If you move out:

- Change of address – have mail held or redirected
- You might consider opening a post office box, so you can easily receive your mail without fear of it being opened by your partner if you separate under the one roof
- Set up a new email account if there is any chance your partner can access your current email address. Change passwords to any accounts that your partner may also have access to

If your ex-partner moves out:

- Change locks
- Change accounts and loans (if applicable)
- Change passwords, on phone, computer and bank accounts
- Amend water, electricity accounts, internet and any other shared accounts
- Pack up your ex-partner's belongings; clothes, books etc
- Discuss how you will proceed with private health insurance and Medicare. Will you remove yourself or the other party's name off the card.

Remove from the house for safe keeping:

- Family heirlooms
- Spare keys to your car or family/friends house
- Jewellery and or sentimental details. Store these at a friend's house (do not sell anything)

Gather Documentation:

- Original birth certificates for yourself and your children
- Original marriage certificate and other relevant certificates
- Original passports for yourself and your children
- Take copies of shares/futures/dividend statements
- Take copies of superannuation statements for yourself and your ex-partner
- Take copies of your own and ex-partners payslips (to show a history of work and income for both parties throughout the relationship)
- Take copies of business balance sheets and P&L statements (if applicable)
- Take copies of trusts and distributions to/from the trusts
- Take copies or originals of all mortgage documents and statements
- Take copies of bank accounts and credit cards
- Change passwords on bank accounts, computer, phone and other
- Summarise a list of assets and debts that you and your ex-partner had at the start of the relationship and at co-habitation
- Wills & Power of Attorney – review them. Consider revoking those documents and making new documents

Who to Inform:

- Family
- Banks - relating to joint loans and mortgages
- Centrelink – change of marital status and see what assistance is available
- Friends – do not make any announcements on social media
- Work – if appropriate
- Consider engaging a councillor/psychologist to discuss the best way to discuss separation with children and other family members

SEPARATION CHECKLIST

If you have children:

- Advise children of the separation in an age appropriate way
- Advise children's school & ensure the school has both parents contact details
- Register for child support
- Consider interim access and calling plan for children
- Education – is it an equally shared financial cost? Also consider extra curriculum activities & who pays for these
- Private Health Insurance – will one parent pay solely or is it a shared financial responsibility

Diary notes and documentation:

- Keep a good filing system of calls, messages, emails, time spent with children/visitation

Notes & Questions:
