

# 9 STEPS TO GUIDE YOU THROUGH SEPARATION AND DIVORCE



## 1. GATHER FINANCIAL INFORMATION

Try and have a good knowledge of your financial position when you separate. It is important to identify and know the matrimonial assets and liabilities. A good knowledge of your financial affairs will mean that your solicitor can advise you of your entitlements and obligations early on. If you don't, there are mechanisms to obtain this information, so don't feel overwhelmed if you are uncertain of your financial matters.

## 2. BE OPEN AND HONEST

A lawyer can only advise on the instructions they are provided. If you only tell your lawyer half the story, then your case will only be prepared half the way. Invariably the whole story comes out towards the end of a matter, particularly in Court proceedings. One of the worst things you can do is not be upfront about everything because then your solicitor does not have the ability to try and get in front of it. This can cause issues of credibility, which can significantly and negatively impact your end result.

## 3. BE CHILD FOCUSED

At separation you should always remain child focused. The goal of the family court is to determine "What is in the best interests of the children". Do not involve your children in the relationship breakdown, don't use them as messengers or pawns in a game. It is generally in the best interest of a child to have a relationship with both parents (provided there is no risk of harm). Remember, how you behave now will determine what relationship you will have with your children in the future.

#### 4. DON'T RUSH INTO ANYTHING

Often parties make rash decisions at the time of separation such as moving out of the matrimonial home, cleaning out bank accounts, or stopping children from seeing their other parent. If possible, see a lawyer before you separate to understand the implications of your actions moving forward so that you make informed decisions.

#### 5. MANAGE YOUR BEHAVIOUR

How messy the process can get depends entirely upon the parties' behaviour. You cannot control or dictate how your partner will behave following your separation but you can take charge of your own behaviour. Think before you send an angry email or text message, don't yell and argue in front of the children and think twice before you throw someone's clothes out the window! You can and are often held accountable for your actions.

#### 6. DON'T POST ON SOCIAL MEDIA

In this age of social media and instant technology, it can be all too tempting to vent your frustrations and seek support from your social media friends. This is a very big mistake. Once something is on the Internet, there is a digital footprint and it can be accessed and used against you. Avoid at all costs posting negative comments about your ex or your circumstances.

#### 7. GET SUPPORT

It is only natural that at some point, emotions may get the best of you when going through a separation. Don't be afraid to reach out to friends and family or seek professional help to get you through this emotionally difficult time.

## 8. CHOOSE THE RIGHT LAWYER

Choosing a lawyer is very important as parties need to feel comfortable with their lawyer on a personal level, but also feel confident in their ability to work with them on their matter to a resolution. Accredited Specialists in Family Law are generally the best equipped to provide you with general advice and strategically consider your matter.

## 9. FOCUS ON THE BIGGER PICTURE AND A RESOLUTION

Going through a separation is expensive, even if you manage to sort out your issues with little legal intervention. In some matters it is tempting for parties to want to chase everything, but this often leads parties to become entrenched in their position, forgetting about the bigger picture. Try and look for a resolution and approach the matter with an open mind, considering the commercial reality and look to settle as early as possible.



If you are separating and need assistance, please do not hesitate to contact our office on (02) 9523 5535 for a free, no obligation, 15 minute consultation with our Family Law team.