

Tips for the recently separated

The weeks following a relationship breakdown can be an extremely stressful time.

Here are some practical steps you can take to manage those first few weeks.

A Carne Reidy Herd Family Lawyer will be able to discuss with you what your options are, and will help you prepare for what you may have to do to finalise your marriage or de facto relationship.

**Call us on
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Note: This document provides general information only and does not constitute legal advice. For comprehensive advice please contact us.

The breakdown of a relationship is usually a very traumatic and confusing time. Once the decision to separate from your spouse is made, it is not uncommon to think 'What do I do now?'

Here are our top tips for newly separated married and de facto spouses:

1. Collate all your paperwork

It can be overwhelming recalling all the details of your relationship, particularly your financial history. Taking the time to gather all the paperwork you can access soon after separation will make things easier for you down the track. Particularly if you're not sure exactly what your spouse may own.

Here is a checklist of documents we suggest you compile. These will be particularly useful to bring with you when you first meet with your lawyer.

2. Understand your Financial situation

Often one spouse in the relationship will run the finances and the other spouse will have little to no knowledge of their joint financial position. By compiling a list of assets and liabilities in a property list you will have a better understanding of your net financial position which will enable your lawyer to provide you with more precise advice. Your Accountant or Financial Planner may be able to assist you in putting this together. It may be helpful to consult with your Accountant or Financial Planner.

3. Seek Legal Advice

It will be beneficial to consult with a Lawyer shortly after you separate, or even before you have formally separated. A family lawyer will be able to discuss with you what your options are, and will help you prepare for what you may have to do to finalise your marriage or de facto relationship. It will be helpful if you are able to tell your lawyer about your personal circumstances.

4. Remove valuables from your home

If you have personal items that are important to you like jewellery or items of a sentimental value, we suggest that you remove them from your home if you continue to live with your spouse after separation, or if they remain in the home that your spouse is living in. If you are concerned about your spouse taking items of value from you, we suggest that you store items that are valuable to you with a friend or family member.

5. Open your own bank account

If you do not already have a bank account held in your name alone, we suggest opening one. Your own bank account will be useful in the event there is a future dispute about money, you suspect that your spouse may dissipate joint bank accounts or you simply want to separate your income from your spouse's income. If you are the sole financial provider for your family, you should continue to provide financially for your spouse and any children until you seek legal advice.

6. Update your Will

Once you have made the decision to separate it is essential you update your Will and any Power of Attorney or Advance Health Directive you have in place.