



Separating from your partner? Six steps to protect you and your family.

Relationships aren't always easy and long-term relationships can change over the years as the rosy glasses of romance come off and life settles into daily routines. People can become very busy with work, their career or running a household and nurturing a young family and a couple may come to see things about each other that they don't like or develop different ideas about life goals and raising children. If you're thinking of ending your relationship, it's best to be realistic about what it might mean for everyone in the family as separation takes its toll on people emotionally especially when you have to start the discussions about the separation with your partner, children and extended family.

When couples separate or one party decides to end the relationship there are lots of things that need to be sorted out and you'll have some difficult decisions to make like:

- Will you stay in the house together during separation?
- If not who is going to move out of the house?
- Who will pay for which expenses?
- What will the arrangements be for the children - where will they primarily live and when will the other parent see them?

Separating from a partner can also be one of the most stressful times in a person's life and in times of emotional turmoil it can be difficult to think clearly about what is really in your best interests. To help you here's a Six Step Checklist of some practical things for you to consider when thinking about separating:

- 1. Seek legal advice early** - Make an appointment to see one of our family law specialists as soon as possible. Knowing your rights early will protect you and your children, your assets and hopefully prevent court action and may help you reach an early amicable solution. Try to get legal advice before you move out of your home as it's often recommended to stay there and there are things to consider as to whether it is best to move out or remain there.
- 2. Make arrangements for the children** – When you first talk to your partner about your separation try see if you are able to agree on interim arrangements for the children's and each other's support including the living arrangements during the separation. If your partner leaves with the children, try to set up arrangements as soon as possible to see them regularly and make sure that the children have your mobile number so they can contact you. If the children are staying with you set up arrangements for your partner to spend time with them.
- 3. Secure your finances** - Check and print out balances of all banking accounts, home loans, term deposits, investments, store cards, credit cards, overdrafts and lines of credit and copy financial information and other important documents on your computer to a CD or USB drive. Consider changing passwords to any personal banking information your partner may have access to. Also keep an eye on account balances and any movements in them and get legal advice if you notice anything unusual.



4. **Safeguard personal items & information** - If you move out consider what personal items to take with you such as family photos, items of sentimental value and heirlooms. Also take your personal papers and computer with you. Even if you are separating under the one roof take copies of all the important personal documents together such as passports, birth certificates, marriage certificates, citizenship certificates, medical records, bank records, superannuation statements and school reports.
5. **Protect your privacy** - Set up a new email address if there is any chance your partner can access your current email address. Changing passwords to any accounts your partner might have access to is also recommended. If you do move out you will need to lodge the necessary change of address notices as soon as possible and have your mail held or redirected. Don't rely on your partner to forward important mail to you unopened. You might also consider opening a post office box in your name so you can easily receive your mail without fear of it being opened by your partner if you separate but remain under the one roof.
6. **Plan for the future** – If you've got an existing Will, Power of Attorney or Enduring Guardianship under which your partner holds a position of control or is a beneficiary, consider taking immediate steps to revoke these documents and make new ones that incorporate your current wishes. Also ask us about severing the joint tenancy ownership of any real estate held by you and your partner and consider changing the beneficiary you've nominated to receive your superannuation fund entitlements.

At Bateman Battersby we have a number of experienced Lawyers who specialise in Family Law and De Facto matters. If you need help or advice or if you wish to discuss any matters about separating from your partner, please feel free to contact [Oliver Hagen](mailto:Oliver.Hagen@batemanbattersby.com.au) or [Ken Gray](mailto:Ken.Gray@batemanbattersby.com.au) on (02) 4731 5899 or email us at familylaw@batemanbattersby.com.au.