

# FAMILY LAW SEPARATION CHECKLIST

### PROTECTING YOUR FINANCES / ASSETS

- Ensure that you have access to funds. Consider opening new bank account, applying for separate credit card and/or transferring joint funds to personal account for your living expenses.
- Speak to a family lawyer about lodging a caveat over any properties that are in your partner's name only.
- Speak to the bank to change any joint bank accounts (including mortgage and offset accounts) to require both parties to sign to make withdrawals.
- If your partner holds a supplementary credit card, check the balance regularly and/or otherwise lower the credit limit to limit the potential liability.
- Ensure that you take all your personal belongings with you if you are moving out of the family home, e.g.:
  - Clothes;
  - Electronic devices;
  - Jewellery, heirlooms and antiques;
  - Basic living appliances and essentials.
- Speak to a family lawyer about your rights and entitlements in a property settlement prior to negotiating with your partner.
- Speak to a Wills and Estates Lawyer about drafting a Will and ensuring that your estate planning is up to date.

### PROTECTING YOUR INFORMATION

- Take all personal documents with you, including your passport, birth certificate.
- Take and keep copies of all financial documents that evidence all assets and debts of the relationship, for example:
  - Bank statements
  - Share/crypto statements
  - Super statements
  - Tax returns
  - Payslips
  - Business financial statements.
- Log out and remove saved passwords from your email, banking and social media accounts on all devices. Consider changing all of your passwords and / or setting up a new email address.
- Update your new details with all relevant authorities and third parties, for example:
  - Centrelink
  - ATO
  - VicRoads
  - Insurance companies
  - Your employer.
- Notify Centrelink and the ATO of your separation.

### PROTECTING YOUR SAFETY & WELLBEING

- If in immediate danger, contact Police on 000. If safe to do so, go to home of trusted friend/family member or a family violence refuge.
- If experiencing family violence or abuse, consider:
  - contacting Police who may apply for an Intervention Order (IVO) to protect you and the children. Otherwise, contact a family lawyer to apply for an IVO on your behalf. If you have an IVO protecting your children, provide a copy to the children's school.
  - contacting 1800RESPECT (1800 737 732) or Safe Steps (1800 015 188) for support.
- Speak to a counsellor or psychologist to provide you with support during and after the separation process. See your GP to obtain Mental Health Plan funding through Medicare.
- If there is a chance of reconciliation, consider speaking to a marriage counsellor.
- If separation is final and you have children, consider speaking to counsellor with experience in post-separation parenting relationships.