

Separation Agreements - What is it? What can it do for me?

A Separation Agreement is a written document which is binding and legally enforceable if properly drafted. Parenting arrangements, child support, any claims for spousal support, and the division of assets and liabilities can all be dealt within such an agreement.

The benefits of such an agreement include being able to resolve all matters without having to use the court process which can use up important resources that could be used for the family. The cost of a Separation Agreement is significantly lower than a contested court proceeding. An adversarial approach adds further damage to all concerned.

The negotiation of a Separation Agreement requires both parties to disclose all relevant financial and other information. It is also important for each party to have independent legal advice on the terms of the agreement.

Once a Separation Agreement has been signed by both parties, a divorce proceeding can proceed on the basis of the Agreement and does not have to be contested.

Separation Agreements work for both married and common law spouses. An Agreement enables the parties to set out a plan which allows the family to make necessary arrangements in a more positive way.