

The logo for 'When Separating' features the word 'When' in a yellow sans-serif font and 'Separating' in a white sans-serif font, both set against a dark blue background. The background is decorated with abstract, overlapping geometric shapes in shades of teal, light green, and yellow, creating a modern, layered effect.

# When Separating

## How to prepare for an appointment with family lawyer

Doing some preparation before going to see a lawyer can help you make the most of your appointment time. Start by watching the When Separating films and visit the Info + Links section of the When Separating website. Probably the most important thing in preparing to see a lawyer for advice is to write a Chronology. This is a timeline of important events in your life including the dates and a description of the event. This gives a lawyer a snapshot of your relationship and can be used right throughout the process. You will find an example of a Chronology under Info and Links.

### CHILDREN

#### What information would be useful for the appointment?

Here are some ideas for preparing for an appointment about children:

- Mark a calendar with your children's school dates and activities, as well as both parents' work and other commitments.
- Make notes on what the care arrangements for the children were during the relationship, and what the arrangements have been since separation. If you can, mark these on the calendar as well.
- Spend some time thinking about what might be best for your children and what might work on a practical level. Some questions to start with include:
  - Do you have any concerns about the children?
  - Where might the children live?
  - What time do you think the children could spend with each parent, and other important people in their lives such as grandparents?
  - If now you have separated you think you might need some assistance looking after the children, what are your options for childcare (eg relatives, day-care)?
  - What communication could the children have with a parent when spending time with the other parent?
  - What arrangements can be made for special events and family occasions such as birthdays, Christmas, other spiritual or religious occasions, family get-togethers and holidays?
  - Do the children have any special needs or health issues?
  - What steps are needed to meet these needs?
  - Are both parents going to be involved in making major decisions about the children such as about school and medical treatment?
  - How easy is it for you and your former partner to communicate with each other about the children?

#### What documentation might be useful?

If you have any of the following documents, it is important for you to bring them along to the appointment:

- Your marriage certificate, or your children's birth certificates if you were not married

- Any written agreements you may have made with the other person such as a parenting plan or draft consent orders
- Letters, emails or text messages you or the other person have written about the separation issues
- Any previous court orders
- Any documents you or the other person has filed in the family court
- Any Violence Restraining Orders (VRO) or applications for a VRO
- Any Family Dispute Resolution certificate (if you have been to family dispute resolution, you can obtain a certificate from the Family Dispute Resolution practitioner)
- Any other relevant information about the children. For example, if you have had any contact with the Department for Child Protection (DCP, bring along any letters or note about communications with them.

## PROPERTY

### What information would be useful for the appointment?

Here are some ideas for preparation you could do before an appointment about property or finances:

- Fill out a table of assets (what you own) and liabilities (what you owe) as best you can. A blank table is available from the Finances & Property page on the When Separating website.
- Spend some time thinking about your financial needs and the other person's financial needs
- Think about and perhaps take some notes on the following:
  - What did each person have before the relationship started?
  - What did each person contribute during the relationship (eg in paid employment, carrying out household duties, caring for children)?
  - Did either person receive any property such as inheritances, gifts or lottery winnings during the relationship?
  - How old is each person?
  - Does either person have any particular ongoing health needs?
  - How much is each person able or likely to earn in the future?
  - If you have children, how will they be supported financially?
  - What standard of living did you have before the separation?
  - How long was the relationship and has it had any effect on the earning capacity of either partner?

### What documentation might be useful?

If you have any of the following documents, it can be helpful for you to bring them along to the appointment:

- Documents showing the financial circumstances of each person. For a list of documents you might need, see the "Property checklist for legal advice" on the Finances & Property page of the When Separating website.
- Any written agreements with the other person such as a financial agreement or draft consent orders.
- Letters, emails or text messages you or the other person have written to try to resolve the matter.
- Any previous court orders.

Need more? Go to: [www.whenseparating.legalaid.wa.gov.au](http://www.whenseparating.legalaid.wa.gov.au)