

## GUIDE TO SEPARATING

The end of a relationship is always hard and knowing where to begin in sorting out practical arrangements can be very difficult at such an emotional time.

We hope our checklist of practical steps to consider will help.

### 1. PEOPLE TO INFORM:

- Children's school
- Children's GP
- Bank
- Mortgage
- Credit card company
- Post Office to re-direct mail

### 2. CHILDREN

First and foremost, the needs of any children should be considered. When telling your children about the separation take into account their individual needs – some children may be more mature, others more sensitive etc. – and do not overwhelm them. Reassure your children and pre-empt questions about changes in their lives by acknowledging that some things will be different now, and other things won't. Avoid the blame game and try to agree living arrangements with your partner and affect them with minimal disruption.

If you are having trouble agreeing issues, one option would be to attend a Parenting Information Programme (PIP). These are courses designed to help parents communicate and learn how separation affects children. Feedback from parents who have attended a PIP has been positive.

### 3. FINANCES

Ensure you are aware of your financial commitments and the income needed to continue to pay them. Do not automatically assume that your partner will continue paying. If a mortgage, lease or credit card is in joint names then failure to pay will affect both parties' credit ratings.

In the first instance, you may agree with your partner that your savings should be held in a joint account that requires both your signatures to make withdrawals.

### 4. LIVING ARRANGEMENTS

If you or your partner decide to move out consider:

- Who will continue to pay any mortgage, utility and Council Tax liabilities
- Are there any discounts you are entitled to if living on your own for example council tax reduction
- Who owns the house
- Can you afford to stay in the house
- Could you buy your partner out of the house

## 5. PROTECT YOURSELF

If you are worried about your partner hiding assets, you can apply to have them frozen. This can prevent your partner from dealing with or disposing of any type of property (including money, buildings and land) until such time as the finances are agreed between you. Such orders are not awarded lightly and legal advice should be sought in advance of any application.

You may want to consider cancelling any unnecessary or excess overdrafts on Joint Accounts (ensuring that it will of course not adversely affect payments going out). Likewise, you may want to consider cancelling any extra cards that your partner may have on your credit card/ Debit account. Finally, do consider cancelling any superfluous direct debits into joint accounts (e.g. holiday savings).

If necessary, transfer your income to a sole account as specific transfers can always be made back into the Joint Account to meet joint liabilities.

## 6. THE FAMILY HOME

If you are married and the family home is owned solely by your spouse, you can apply for something called matrimonial 'home rights'. 'Home rights' protects you against anyone who might acquire an interest in the family home i.e. a buyer or a secured lender. There is no application fee and the notice cannot be removed until a financial settlement is either agreed between you both, ordered by the Court or upon your Decree Absolute.

If your partner has left the family home, and has stopped contributing to the family outgoings (i.e. mortgage, bills etc.) and you cannot afford to stay you can apply to the Court for something called 'Maintenance Pending Suit'. This is interim maintenance which your partner has to pay until finances have been resolved. The court will decide the monthly payment by looking at what is reasonable and in deciding this will consider the lifestyle during the marriage. The level of maintenance ordered is not set in stone and when the finances are fully resolved the level of maintenance may be very different.