

# Family Law Factsheet No. 4

## 10 steps to follow when you separate



Separation can be a very difficult decision. However, once the decision has been made to separate, the following practical steps may help to make separation smoother.

If you have experienced family and domestic violence, or may be at risk, you should have a safety plan before you take any of these steps. You can make a free call to the NSW Domestic Violence Line on 1800 65 64 63 (available 24/7) for help making a safety plan, as well as free counselling and referrals to other support services.

### Step 1

Take copies of:

- your marriage certificate and the children's birth certificates
- any financial documents that may be available, including but not limited to taxation returns, notices of assessment, payslips, financial statements, bank statements and superannuation statements.

### Step 2

If you are concerned that your former partner may remove the children from Australia, take the children's passports and keep them somewhere safe.

### Step 3

Change all your passwords, including for banking accounts, email and social media.

### Step 4

If you are moving out of the shared house, take any furniture or personal belongings with you, including photographs, videos and sentimental items. This is very important as once you leave the house, it may be difficult to return and access personal or sentimental belongings.

### Step 5

Advise the relevant bank(s) that you and your partner have separated. If big amounts of money are available in savings or redraw facilities, and you are concerned that your partner may remove those funds without your permission, request that the bank require both your signatures for large transactions.

### Step 6

Change your will and revoke any power of attorney.

### Step 7

Open up a bank account in your own name, and redirect any pay to that account.

### Step 8

Apply for Centrelink benefits and/or a child support assessment (if eligible).

### Step 9

Change your postal address (if you have vacated the shared house).

## **Step 10**

Consult a financial counsellor and a lawyer for advice.

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### **Produced by Redfern Legal Centre**

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If you have a problem please seek legal advice  
from your local community legal centre.

