

The Business of Separating

You've just separated and somewhere in the swirl of emotions, you realize there are things you need to think about getting done to be separated.

Step 1 - Begin by identifying the things you need to figure out.

Every family is different and has different needs and circumstances so you'll have to identify your own separation issues.

If you have children, make a parenting plan considering:

- What will be the children's day-to-day living arrangements?
- How do you ensure both parents continue to having a meaningful role in their lives?
- How are you going to handle special occasions like holidays, birthdays, etc.?"?
- What about decision-making around health, activities, education, religion, haircuts, etc.?"
- What about the children's relationship with other people like extended family or new partners?
- How are both parents going to contribute financially to raising the children?

How are you going to manage your finances now that you are living separately? How are you going to meet financial obligations like paying bills?

Next consider your assets and/or debts. Begin by gathering information about everything you have or owe, including its value at the time of separation. Consider getting your home evaluated sooner rather than later. What else needs to have a "separation value" determined?

If one partner has sacrificed their working career to contribute to the family, you may need to consider spousal support.

Step 2 – Get Information about your rights and responsibilities

You will want to seek information and advice from trusted sources. Legal Ave is Alberta's online source for legal information at <http://legalave.ca>.

You may want to consult a lawyer to understand the specific rights and responsibilities you have given your circumstances. Instead of hiring a lawyer on retainer, consider asking a lawyer for an hour of their time to explain your specific situation and get legal advice. If finances are a consideration, ask for a student lawyer or you might be eligible for free legal advice from Grande Prairie Legal Guidance <http://www.gplg.ca/>.

Step 3 – Decide which is the best way to address issues

There are many ways of addressing separation issues.

Sometimes, separation means finances get tighter all around and you may be looking at less expensive ways to solve separation issues. The least expensive is sitting at a kitchen table and working things out. Depending on the level of trust, you may prefer to write things down.

If you're having trouble talking to your ex-partner, you might consider mediation. A mediator will work you through a process of solving the issues you identify as being important and write up your agreement. Mediators are generally much less expensive than lawyers, unless they are lawyers.

Collaborative law involves working with lawyers who help people negotiate a settlement outside of court. Both parties hire their own collaborative lawyer and they work together to address separation issues. They agree not to go to court while they are working together collaboratively.

Hiring lawyers on retainer to fight a court battle tends to be the most lengthy and expensive process of solving separation issues.

If you are having to use the court to address your separation issues, Court Counsellors are available to help you if you are self-represented. They can even refer you for free mediation services if one of the parties makes less than \$40,000/year. In Grande Prairie, Court Counsellors are at the court house and you can make an appointment by calling 780-833-4200. For more information, check out <https://www.alberta.ca/family-court-assistance.aspx>

The business of separation is an ongoing process that takes time. Be open and flexible as things evolve, especially if children are involved.

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