



FIVE RULES FOR HOW NOT TO SEPARATE



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There are some basic do's and don'ts about what NOT to do when you separate and whilst many may seem rather obvious, you'd be surprised at how human emotions take over, rendering any sensibilities null and void.

Having worked in family law for over 30 years, I have seen my fair share of people behaving badly in the early stages of separation. One of the most used pieces of advice I have given, and continue to give, is that separation is a process - not a single decision - and the way in which a separation is managed at the outset can have an enormous impact on how the parties and any children cope with the initial fallout and also on their ongoing relationships.

RULE NO. 1 – DO NOT COMMUNICATE YOUR DECISION TO SEPARATE TO THE WORLD BEFORE YOUR EX KNOWS

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This would seem like a no-brainer but let me tell you that it happens more often that you think. How you communicate your separation to the other party, your children, your family, your friends and your colleagues is one of the most important steps in the initial stages of a separation. I have had clients find out that their marriage has ended by their spouse amending their Facebook status to 'single' and even worse, children finding out that their parents are separating from other children at their school. Whatever the circumstances may be surrounding the decision to end the marriage/relationship, the two parties involved must be the first two people to know.

RULE NO. 2 – DO NOT USE SOCIAL MEDIA/EMAIL/TEXTS TO “VENT”

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It does not matter how justifiable you think it is to unleash on the world how bad your ex is, DO NOT use Facebook/Instagram/Email etc to share your views or 'your side' of the story.

As a further safeguard, I would also suggest DO NOT use any form of technology after 10pm, particularly if there has been alcohol involved! If you're going to have a drink, then switch off your phone/tablet. If you can't do so and simply must compose a post/message/email then DO NOT press send/post – leave it until the morning when hopefully you will have a much clearer head.

Emotions are naturally at a high in the initial stages of a separation but you need to exercise some serious self-control, even if the ex is behaving badly. Remember, if everybody followed 'an eye for an eye' the world would be blind!!

RULE NO. 3 – DO NOT TRY TO HIDE ASSETS OR 'PROTECT' YOUR INTERESTS

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DO NOT try to hide, sell or move assets or protect your interests by re-creating history and embellishing events as I can guarantee you that this will ultimately, 99.9% of the time, end badly. Such short-sightedness will not only result in loss of your credibility but could also land you in legal trouble and impact your overall final settlement. In my experience, such action is usually taken before legal advice is obtained, when a party does not understand 'who gets what and why'. Please, please, please obtain legal advice first.

RULE NO. 4 – DO NOT ACCEPT LEGAL ADVICE FROM FAMILY AND FRIENDS

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Everybody has a story about someone who has been 'divorced' and as well meaning as most family and friends are, they are NOT lawyers and DO NOT (mostly) have the ability to offer objective, balanced and accurate advice. Similarly, if you are finding life a bit tough, obtain support from a trained counsellor/therapist to help you navigate what is one of the most stressful life experiences a

person can go through.

RULE NO. 5 – DO NOT BE BULLIED INTO DECISIONS OR ARRANGEMENTS

There is a power imbalance that exists in many relationships and this imbalance, combined with heightened emotions and misinformation, can create an environment in which you are more susceptible to manipulation and pressure. This might take the form of agreeing to take responsibility of expenses you can't really afford, or to parenting arrangements for the children which you do not believe to be in their best interests – all to make your ex stop harassing you. The right information and support can help you avoid being pressured into making poor choices.

As a Family Lawyer, I am often asked how I cope with dealing with people who are 'divorcing'. A common response I give is that people only ever hear the 'bad' stories about separation but there are plenty of 'good' stories too! Hopefully, if you take on board the above rules, your separation may proceed in a more positive manner and avoid being one of the 'bad' stories we all have heard about.

WANT TO KNOW MORE?

If you would like further assistance with your separation, please phone us on (07) 5458 9000 for a free chat with one of our solicitors.



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