



Some Common Considerations When Considering the Content of Your Separation Agreement

Each family is unique and the issues that need to be resolved will be unique. These are common topics that parents consider when creating their separation agreement.

Communication

What is the best method(s) of communication between parents?

What are important pieces of information you would like to share on a regular basis?

What will you do if there is a disagreement?

Parenting Schedule

What schedule would you like to have in your agreement?

How will pick up/drop off be managed?

How would you like to deal with holidays and special occasions?

Would you like a Right of First Refusal clause? This means that if the other parent is unavailable during their parenting time that instead of hiring childcare/babysitter the other parent is offered the opportunity to have the children during that time. If the other parent is unavailable then the scheduled parent is responsible for arranging suitable child care.

How much notice do you require for changes to the schedule?

How much notice do you require if the other parent wants to take the children on a vacation?

Do you require notice if the children will be away overnight? (example, sleep over, visiting grandparents etc.)

Parenting Responsibilities

I have attached what is considered Parent Responsibilities from the Family Law Act. Please review it and see if there is anything specific you need your agreement to say about responsibilities. For example, sometimes one parent may be in charge of scheduling dentist or doctor appointments, aside from urgent care required. Or, passports and other documents may be kept at one parent's home. In general, if you have a shared parenting schedule then parents share the responsibilities.

Would you like to name a guardian(s) in the event of death of one or both parents?

Extended health plans – Will the children be on a parent's extended health plan?

How would you like to share results of medical/dental appointments?

Child Support & Spousal Support

Income tax summaries, letters of employment, pay stubs can be used to determine income. If you are self-employed we can discuss how to determine income.

If you are considering spousal support we can use a support calculator to determine a low to high suggested range for support payments.

Extraordinary Expenses

Are there any expenses beyond the usual expenses for children that need to be included?

Examples

- Childcare so you can work
- Sports costs that go beyond the average sports program such as an elite program
- Private school tuition
- Activity costs that go beyond the average because a child is in an elite program

Other Expenses

Are there other expenses that you would like to clarify specifically in your agreement?

Finances

How will you divide assets and debts?

Are there pensions that need to be considered?

Is there property, inheritances or other assets that were obtained before the relationship and brought into the marriage/common law relationship?

Please note: This is for information purposes only and is not legal advice.