

## **Legal Matters: My wife and I have recently decided to separate. How do we figure out support and split our property, including our debt?**

Jan 15, 2015

The Boy Scouts had it right when they said: “Be Prepared!” Most lawyers’ consultations are one hour long. Your goal is to get the maximum out of that hour. Write out your questions in advance, such as “will I have to pay spousal support?” and “how do we divide my pension and her RRSPs?”

When you are married, the Court looks for an equal distribution of the assets, such as the value of the house, contents, vehicles, pensions etc., and an equal distribution of debts and liabilities, such as the mortgage, lines of credit, credit cards, vehicle loans, and so on.

When you come to your meeting, it’s helpful to bring current paystubs and your last three years of tax returns. This enables your family lawyer to calculate an estimation of spousal and child support. Another helpful document is a Profile or Portfolio from your bank(s), which show all of the assets and debts you currently hold. If your separation date is in the past, get a statement that covers that period of time as well.

If you are common-law, there is no automatic joint family property. What you own is yours, and what she owns is hers, subject to certain conditions. The New Year is a time to be thankful for the good things in your life, and to change those elements which are not working for you.

A Sincere Happy New Year, from [Shank Law](#).