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Navigating separation;  
essential steps to  
help us help you.



Pemberton  
Robertson  
Family Lawyers

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**We are a boutique Family Law firm that was established in Perth in January 2015 by the founding directors Kathleen Pemberton and Miranda Robertson.**

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Reputed for our unique and authentic approach, we are focussed on providing a premium and efficient legal service. Our staff have spent many years guiding countless families across Australia and overseas through the many Family Law facets faced after separation of a marriage or de facto relationships.

We are honest and upfront about all our costs and will always work to keep your costs as low as possible, without compromising the quality of the legal representation.

The steps in this eBook are a great way to streamline the process when first engaging with us and will help you get the most out of your first appointment.

*Disclaimer: Limited liability by a scheme approved under professional standards legislation. This information is not advice and should not be relied upon as legal advice. Pemberton Robertson recommends that if you have a matter that is legal, or has legal implications, you consult with your legal adviser.*





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## The benefits of engaging a family lawyer

The immediate benefit to you of speaking to a family lawyer is that you will have clear guidance on matters such as:

- How the law would be applied to your unique circumstances;
- What you do and don't need to do;
- Pathways and options to reach settlement that you may not be aware of; and
- A range of likely outcomes and options you may not have thought of.

We recommend that you obtain advice as soon as you have separated, or even if you are contemplating separation as it may help to keep things on track and out of Family Court if you know how the law would apply to you. Knowledge is power and knowing what to expect can help you to navigate separation much more smoothly. Even if you only ever have one appointment, the benefits of the advice will help you in the long run.

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## How can a family lawyer help you?

- 1 We can provide you with practical and legal advice in relation to dividing up your assets (commonly known as “property settlement”).

Contrary to comments we often hear from clients, there is no automatic presumption that assets will be divided equally between separating couples. How assets are to be divided depends on the circumstances of each case. We can provide you with advice about what a likely settlement outcome might look like for you, based on your unique circumstances.

- 2 We can provide you with information and understanding about how the Family Court of Western Australia operates and what to expect if you are already in the Court system or are likely to be and also how to avoid it if you can, including how to formalise any settlement agreement.

- 3 We can provide you with advice about how to satisfy your legal and other obligations when negotiating, mediating or litigating property matters, such as fulfilling your disclosure obligations (i.e. providing financial and other relevant information to the other party).

- 4 We can help you to negotiate arrangements to spend time with your children or what arrangements should in place for the children to spend time with the other parent.

If you are having difficulty spending time with your children, we can assist you in moving things forward.

- 5 We can advise you in relation to options to financially support your children, which is a legal requirement, including Child Support pursuant to a Child Support Assessment or, if you would like to enter into private financial arrangements then we can give you advice about alternative options such as a Binding Child Support Agreement or Limited Child Support Agreement.





## What you can do to get the most out of your initial appointment with a family lawyer?

- 1 Gather as much information about your assets as possible before your initial appointment, including:

  - Listing your assets and liabilities (i.e. what there is and what the value of the asset is or amount of the debt). Assets may include real estate, motor vehicles, shares, superannuation, jewellery etc;
  - Listing the assets that you and the other party owned at the date of cohabitation (i.e. what you owned and its value and the value of any debt); and
  - Listing any lump sums received during the relationship (i.e. gifts, inheritances, redundancy payments, compensation payouts etc).
- 2 Gather relevant documents to bring to your initial appointment, such as:

  - Your most recent ATO Notice of Assessment (and the other parties if you have it);
  - Your most recent superannuation fund statement (and the other parties if you have it);
  - Your most recent Child Support Assessment;
  - Any recent real estate appraisal or valuation you may have; and
  - Appraisal or valuation of any other asset.
- 3 If you have Family Court of Western Australia proceedings on foot, bring along any documents filed to your initial appointment, including all Court Orders made to date.

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*“Kath and the team are bloody excellent! I have recommended them to a couple of mates going through the difficult period of separation and divorce.”*

– Rowan

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*“I used Pemberton Robertson recently when I needed some legal advice. I was expecting a very daunting experience, I was very much pleased that it wasn't. Miranda helped explain things to me. I would highly recommend anyone looking for help with regards to the Family Court to call Miranda.”*

– Ashley



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