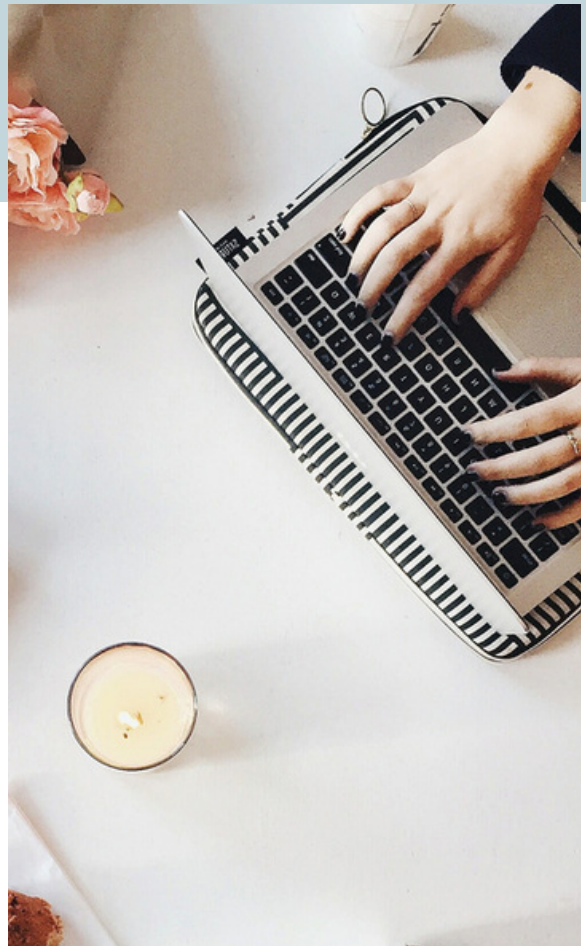


HELLO

If you're reading this document, we understand you've been on a challenging journey.

This DIY Divorce Kit is designed to guide you through the process of separation in an efficient and affordable way while providing you with the support you need!



DO I QUALIFY?

This DIY Divorce Kit is for people who are legally married and have been living apart for at least a year. Additionally, either you or your spouse has to have been living in British Columbia (BC) for at least a year. That's the basic eligibility stuff.

Now, here's the big one: you and your soon-to-be-ex need to have a few things sorted out between you before you can move forward with this course.



YOU NEED TO...

- agree on division of property and debts
- determine spousal support
- determine child support (if applicable)
- have a parenting schedule.

You cannot have any ongoing court actions over these things. If you do have court actions, these disputes need to be first sorted out by an agreement or a court order.

NOTE:

There are a few scenarios that can work here. You might have a written separation agreement signed by both parties and a witness. That should cover all the stuff we mentioned earlier. Or you could also have a court order that's final and settles everything. It could even be a mix of the above, a written agreement and a court order.

HERE'S THE DEAL-BREAKER THOUGH:

If you and your spouse still have any outstanding issues or disputes, this process isn't for you. Also, if you're in a common-law relationship, or haven't lived in BC for a year, this might not be your route.



SEPARATION AGREEMENT

One thing you need to make sure you have before you consider using the DIY Divorce Kit is a **SEPARATION AGREEMENT**.

A separation agreement is a written agreement between you and your spouse that covers four categories: division of property and debt, spousal support, child support, and parenting arrangements. These are the four broad areas under the Family Law Act that must be dealt with after a separation. A separation agreement will refer to the four categories whether or not they apply to your situation. If there are no dependent children, the agreement will state this so to establish that there are no child support obligations or parenting arrangements. If there are no spousal support obligations, the agreement will state this as well. Similarly, if there are dependent children, a separation agreement will set out child support arrangements as well as parenting arrangements.

YOUR SEPARATION AGREEMENT SHOULD DEAL WITH THESE FOUR AREAS SO THAT THERE ARE NO “LOOSE ENDS”.



In British Columbia, separation agreements need to be written, signed by each parent, and witnessed by an independent third party. It's best if your separation agreement has been prepared by a lawyer. We also recommend that both you and your spouse get “independent legal advice” on the agreement before signing it. That means that each of you sees your own lawyer to review the agreement and have it explained to you.





SEPARATION AGREEMENT CONTINUED.

The lawyers can let you know whether they think the agreement is legally fair (ie, is in line with the Family Law Act and Divorce Act), or if they would need more information



While it is possible to prepare your own separation agreement, we recommend you get legal advice ahead of time and, wherever possible, have a lawyer prepare the agreement for you.

NOTE:

SEPARATION AGREEMENTS ARE A SPECIAL KIND OF CONTRACT THAT HAS CERTAIN REQUIREMENTS, AND PEOPLE WHO TRY TO DO THEIR OWN WITHOUT LEGAL ADVICE OR ASSISTANCE OFTEN RUN INTO PROBLEMS DOWN THE ROAD.



CAN I GET A DIVORCE WITHOUT A SEPARATION AGREEMENT?

In some cases, yes. The DIY Divorce Kit is designed for people who have already done their separation agreements, except for couples who don't have dependent children and don't have spousal support arrangements and property and or debt to divide**.

BECAUSE THE PROCEDURE FOR GETTING A DIVORCE REQUIRES SPECIFIC PROCEDURES AND RULES, GETTING THE DIVORCE ORDER IS MORE COMPLICATED WHEN THERE IS NO AGREEMENT.

If you don't have an agreement, we recommend speaking to a family lawyer to consider options to seek a divorce that fits your circumstances.



NOTE:

**If you have no dependent children, property claims, or spousal support claims, we strongly recommend speaking to a family lawyer first to understand the implications of applying for a divorce without a separation agreement. There are significant legal rights and entitlements that you may be giving up. Each case is unique, so you need to get advice that relates to your specific situation.

FAMILY VIOLENCE

If you have experienced violence or any form of abuse from the person you wish to divorce, please read this carefully. You need to consider whether proceeding with the divorce will cause a risk to you or your children's safety. This applies to you even if you think the violence or abuse is minor.

Family violence is the legal term used in family law to describe physical abuse, sexual abuse, attempts to physically or sexually abuse, psychological or emotional abuse, and exposure of a child to family violence against another family member or parent.

Parents and children both can be the victims of family violence from a spouse.



All family violence involves a pattern of power and control. It is impossible to predict whether someone will be violent or when they will escalate their violence.

If you have experienced family violence, you are at an increased risk of danger when

- Leaving an abusive partner
- Starting a family law action against an abusive partner, and/or seeking a divorce from an abusive partner
- Serving the abusive partner with divorce or separation court actions.

WE DO NOT RECOMMEND DIY DIVORCE COURSE IF YOU HAVE EXPERIENCED FAMILY VIOLENCE FOR THESE REASONS.

FAMILY VIOLENCE RESOURCES

Family violence is never the fault of the victim.
We wish the best for you as you get the support you need to safely
get a divorce from your former partner.

We recommend that you explore the best way for you to proceed by talking to a family lawyer about your options and discuss your safety concerns:

1 This is a good place to start gathering information:

<https://www2.gov.bc.ca/gov/content/safety/public-safety/domestic-violence/legal-support-and-information>



CREATING A SAFETY PLAN

[CLICK HERE](#)



3 Getting Support

<https://www2.gov.bc.ca/gov/content/safety/public-safety/domestic-violence>

You can also call or text VictimLinkBC at 1-800-563-0808 to get connected to a network of resources, including victim services, transition houses, and counselling.

CALL 911 IF YOU ARE IN IMMEDIATE DANGER OR FEAR FOR YOUR OR YOUR CHILDREN'S SAFETY.



CHILD SUPPORT

Divorce is never an easy process, especially when children are involved. It's completely understandable to feel a mix of emotions during this time – sadness, anger, confusion, and even guilt. But it's important to recognize that seeking support, whether through therapy, support groups, or trusted friends and family, can provide comfort and guidance as you navigate this challenging chapter in your life.

When it comes to child support, it's vital to understand that it's not just a legal

obligation – it's a fundamental right of the child. Child support ensures that your children's basic needs are met, including food, shelter, clothing, education, and healthcare. As you move forward with your divorce proceedings, child support arrangements must be addressed and included in your divorce application.



**HERE ARE A FEW
RESOURCES WE HOPE
YOU'LL FIND USEFUL.**

[Child Support Fact Sheet](#)

[Federal Child Support Guidelines](#)



SO WHAT'S NEXT?



If you're still not sure where you stand, talking to a lawyer can be a smart move. They can help you figure things out.

We offer a free 20-minute consult to help you decide if this is the right path for you. So, if you're considering a divorce and want to know if this process fits your situation, reach out and we'll guide you through it!

Follow the link to book your free consultation.

[CLICK HERE](#)

OTHER OPTIONS.

If you've read this and feel like the DIY Divorce Kit isn't the right fit for you, don't be discouraged. There are still lots of ways we can help you during this process. We strive to create a supportive and empathetic environment where you can feel heard and understood. We are not only legal experts but also compassionate allies who will guide you through the complexities of divorce while addressing your individual needs and concerns.

If you'd like to learn more about the ways that Clarity Family Law can help you then click the link below.

[CLICK HERE](#)