

Family Law - Property Settlement Flowchart

Has your marriage or de facto relationship broken down? Have you discussed how your property will be divided? Seek legal advice About your entitlements You can apply for a de facto property No Agreement settlement Agreement under the Family Law Act if you: 1) Lived together for at least two Commence negotiation Consent orders or years through lawyer or at financial agreements 2) Have a child mediation with lawyer together certificates are 3) Made a required to make the substantial agreement legally contribution to Apply for a Court Order if binding property or still no agreement finance 4) Your relationship was Steps for property settlement registered 5) Get legal advice Is a property division needed for a 'just and equitable' (fair and practical) outcome? **IMPORTANT INFORMATION** STEP 1: Identify the net pool of assets and Time limits apply for finalising liabilities from the relationship property settlements: eg. superannuation funds, houses, cars, debts 12 months after divorce Two years after date of separation for de facto couples STEP 2: Identify contributions—financial, non-Seek independent legal advice: financial, direct/indirect to 'acquisition, conserva-Before negotiating an tion, improvement' of any property agreement Finalising and signing Consent Orders or Binding **Financial Agreements** STEP 3: Consider the needs of each party eq. Financial resources, who has care of the chil-

DISCLAIMER—this fact sheet is information only, not advice. Other issues you have may be relevant to your case.

dren, income level of each party, age, health, etc.

