

## Client Guide & Checklist: Separation Agreement (s 21A)

*From first meeting to signing — a practical pathway to a binding division.*

This guide covers the steps to document a full and final property division after separation. Each partner must receive independent legal advice and sign before a lawyer who certifies the agreement.

### At a glance — your pathway

- ☐ Book the initial free consult / this session enables us to scope your matter and confirm our fee (15 minutes).
- ☐ Engage PK Law and complete ID/AML checks if required.
- ☐ Book full consultation meeting (this is where we discuss your matter in detail, provide advice and strategy).
- ☐ Compile disclosure: assets, debts, income; trusts/companies; supporting documents.
- ☐ We draft the settlement agreement; you review and ask questions.
- ☐ We coordinate any negotiation (if you have chosen a package that involves negotiation attendances) with your partner's lawyer / exchange disclosure in respect of assets and liabilities.
- ☐ Once both of you and your respective lawyers are happy with the agreement, we arrange for the signing of the agreement (each lawyer will certify).
- ☐ Arrange signing with the witnessing lawyers (we will certify).
- ☐ Complete post-signing steps if applicable (conveyancing, releases, payments etc.).

### Step-by-step with timings

1. Initial consult & scoping (1–2 days): outline issues, separation date, objectives and risk/safety considerations.
2. Engagement & onboarding (1–2 days): sign our engagement, provide identity documents for AML, complete a short questionnaire.
3. Your disclosure (3–14 days): exchange clear schedules of assets, debts and income with evidence. We flag any gaps or inconsistencies.
4. Parenting (ideally be recorded separately): keep parenting plans separate so financial settlement can progress.

5. Drafting settlement agreement (3–7 days): who keeps what, cash adjustments, timelines, indemnities, maintenance (if any) etc.
6. Review / Negotiation (3–14 days): resolve remaining points; mediation can help if there is a deadlock.
7. Independent advice & certification (1–3 days): each partner receives independent legal advice; witnessing lawyers certify understanding and implications.
8. Implementation (1–30 days): conveyancing, bank releases, share/title transfers, payments, insurance updates, KiwiSaver provider steps if required.

### **What we need from you — documents checklist**

- ☐ Photo ID and proof of address to onboard you as a client.
- ☐ Asset & liability list with balances.
- ☐ Disclosure Documents: bank/loan statements, valuations, mortgage statements, KiwiSaver statements, trust/company records if applicable, any existing orders/agreements affecting property or maintenance.

### **Good practice to keep your agreement durable**

- ☐ Allow time for proper advice and reflection.
- ☐ Be forthcoming with your disclosure complete and ensure you have disclosed all relevant information.

**Important** - Where safety or coercion concerns exist, tell us immediately so we can adjust process and support appropriately.

### **Frequently asked by client**

*Can one lawyer act for both?*

No - independent lawyers are required for each partner.

*How long does this take?*

Straightforward separations usually complete within 6 weeks (with cooperation from all parties). Complex / contentions separations can take anywhere between 8-12 weeks to 6 months.

*Do you charge hourly or a fixed fee?*

We charge our clients fixed fee. We have three different separation packages, that vary by complexity level. The price of the applicable package applies. Please refer to the pricing tab on our website.