

DIVORCE

VS

SEPARATION

## DEFINITION

### LEGAL TERMINATION OF A MARRIAGE

This is known as a divorce. It is required if you want to remarry. Only a judge of the Supreme Court of British Columbia can grant a divorce, provided that certain conditions are met.

### LIVING APART WHILE LEGALLY MARRIED

This is known as separation. It means the time spent living apart while still legally married. The law requires that a married couple live separate and apart for a period of twelve months before a divorce is granted. If you do not intend to remarry, you can stay separated forever.

## SEPARATION TO DIVORCE STEPS



### 1. POST-SEPARATION PLANNING & NEGOTIATION

- We work with you to implement a plan that incorporates your immediate and ongoing needs and goals.
- We help you resolve any uncertainties such as where you will live, finances and parenting agreements.
- When negotiation is possible, we seek full disclosure from other party to find a fair resolution for all.
- When child custody negotiation is not possible, we seek expert reports and recommendations on parenting arrangements.



### 2. SEPARATION AGREEMENT

- If a settlement is reached through negotiation, we will draft a separation agreement that addresses numerous topics, including:
  - parenting arrangements;
  - income determination;
  - child support and spousal support; and,
  - division of assets and debts.



### 3. COURT OR ARBITRATION

- If a settlement is not reached, we will discuss the possibility of going to court or arbitration to reach a final resolution.



### 4. DIVORCE

- We help you gather all the necessary documents and information to start your divorce process.
- The court will grant a divorce if one of the following has occurred:
  - you have been living separate and apart from your married spouse for one year; or,
  - one spouse has committed adultery; or,
  - one spouse has been mentally or physically cruel to the other.



THOMAS & ASSOCIATES  
TRIAL & APPEAL LAWYERS

## WHY PLACE YOUR TRUST IN GK THOMAS AND ASSOCIATES

38

Years of combined experience

16

Years in business

2

Lawyers committed to our clients

Our efficient, caring and experienced team delivers successful legal results in what is often a complicated and emotional process. We have built our business on establishing trust with our clients and by proving our expertise both in and out of the courtroom. Our team is here for you.