



BUTLERS

*Barristers & Solicitors
Notary Public*

The Personal Law Firm

FAMILY LAW CHECKLIST FOR SETTLEMENT OF FINANCIAL ISSUES

In determining a property settlement, one of the first issues to be resolved is the valuation of the matrimonial assets and liabilities. Accordingly, it is wise to prepare notes, or collect documents, which provide the following information:-

1. Details of your current income and your partner's current income. We suggest that you obtain each of your current wage/salary statements from 1 July of the current tax year and copies of each of your tax return and assessment for at least the last 3 years.
2. Details of your current expenses and your partner's current expenses and, in particular, as much information as possible in relation to your ordinary expenses with estimates covering areas such as accommodation, food and household supplies, any regular commitments and expenses for your children (if any).
3. The current value of your home, and any other real estate owned by you or your partner. We suggest that you obtain appraisals from at least two real estate agents.
4. Details of the lending institution and the balance outstanding on any mortgage or mortgages over the home, and any other real estate owned by you or your partner. We also suggest you obtain copies of electricity, gas, council and water rates and other outgoings in relation to each parcel of real estate.
5. Details of all accounts in your name or your partner (whether or not also held jointly with anyone else) in banks, credit unions, building societies or other financial institutions. Record the name and number of the account including the BSB and obtain a photocopy of the statements of account for at least the last 2 years.
6. Details of all shares in private or public companies owned by you or your partner (individually or jointly with each other or someone else). Please obtain photocopies of share certificates where possible.
7. As much information as possible in relation to any partnerships or companies or trusts in which you or your partner have any interest. If possible, we suggest that you obtain copies of the following documents:-

www.butlers.com.au

Email: legal@butlers.com.au

All mail to:
PO Box 460
Nedlands WA 6909

Nedlands (Head Office)
83-85 Stirling Hwy
Nedlands
WESTERN AUSTRALIA

Fremantle
3/18 Parry Street
Fremantle
WESTERN AUSTRALIA

Bunbury
119 Beach Road
Bunbury
WESTERN AUSTRALIA

Visiting Asia incl. China,
Malaysia & Singapore.

Associated firm
Malaysia
Jerald Gomez & Associates
Penthouse, D2-U6, Solaris Dutamas
1 Jalan Dutamas
50480 Kuala Lumpur
MALAYSIA

Telephone calls
answered 24 hours
Telephone: (08) 9386 5200
Country calls: 1800 675 200
International: 618 9386 5200

Facsimile: (08) 9386 4650
International
Facsimile: 618 9386 4650

Copyright © 2003 - 2010 - Butlers Barristers & Solicitors

Disclaimer : This handout is provided by Butlers for general information purposes only. While every care has been taken in preparing this handout, it is intended to be a guide only, and no warranty is given as to the accuracy, currency or completeness of the information contained herein. It is not intended to be, nor should it be, relied upon as a substitute for legal or other professional advice. Formal legal advice should be sought in particular matters.

- ⊕ The memorandum of article, or partnership agreement, or trust deed governing the relevant entity;
 - ⊕ Business Activity Statements for the last 2 years;
 - ⊕ Financial statements for at least the last 3 years including balance sheet, profit and loss accounts, depreciation schedules;
 - ⊕ Tax returns and assessments for at least the last 3 years;
 - ⊕ Bank statements and any other documents showing the income, assets and liabilities of the partnership or company or trust.
8. As much information as possible as to any other assets or liabilities that you or your partner may have (eg. life insurance policy, personal debts, motor vehicles, antiques, jewellery etc.).
 9. All available information in relation to any superannuation which you or your partner may presently have, or may become entitled to in the future. Superannuation is a complex area, which is best specifically raised with your solicitor.
 10. Any information in relation to any Estate (inheritance) in which you or your partner presently have an interest, and any Estate from which it is anticipated you or your partner will inherit.
 11. If either you or your partner own a safety deposit box or has access to a storage facility, we suggest that you obtain a list of the contents is possible.

It is beneficial for you to obtain as much of the above information as possible prior to your first appointment with a solicitor, as this will assist your solicitor to more accurately advise you of your entitlements. For the initial interview, we suggest that you create a schedule showing the assets, liabilities and financial resources of you and your partner, if possible. We understand that some of the information above may be difficult to obtain or the value of items may be difficult to ascertain. Where you have difficulties obtaining the precise information, an estimate may be used in the meantime

Butlers

At Butlers we pride ourselves on being “The Personal Law Firm”. Our commitment at Butlers is to make the law more accessible, affordable, understandable and human. We aim to reduce your concerns by speaking and writing in plain English, cutting through legal jargon and keeping you informed at all times. Through it all, we work closely with your family’s accountant, bank manager, financial adviser, and other professionals as required. We therefore encourage you to contact us if we may be of any assistance.