



CHECKLIST: EVALUATING A SEPARATION AGREEMENT

Although you will certainly ask for your lawyer's advice, you are ultimately responsible for evaluating the draft agreement. Ask yourself these questions when considering a separation agreement:

Y **N** Is this agreement fair? Apply this question to yourself—don't try to guess what your spouse might think about it at this point.

Y **N** Is it in my best interests? Is it in my children's best interests?

Y **N** Can I afford this agreement—now and in the foreseeable future?

Y **N** Is there a clearly stated method to collect or enforce financial obligations? What did I want (see "My Priorities" worksheet) that I didn't get?

Y **N** Can I live without it?

Y **N** Is it worth additional time and money to renegotiate? What am I willing to give up in order to get the missing items?

Y **N** Am I rejecting this agreement because important provisions are missing or very unfavorable to me? Or am I angry with my spouse and want to make him/her suffer?

Y **N** Will I be better or worse off if I go to trial?

Ask your lawyer how a judge is likely to rule given your state, province or territory's laws and guidelines.

Y **N** Is the financial and emotional toll of not settling too high for me or my children?

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