Divii

After your agreement: the checklist

The eight steps from draft to done, for BC separation agreements. Print it, and check them off as you go.

- [ ] **1. Get independent legal advice**

Independent legal advice means each of you meets privately with your own lawyer, who reviews the agreement with your interests alone in mind. It is not required for the agreement to be binding, and it is what makes the agreement strongest if it is ever challenged. Go in prepared and it is a short, focused meeting. When you book, ask for a consultation for independent legal advice, so the lawyer knows you need advice on an agreement.

- [ ] **2. Sign it properly**

Print at least two copies of the agreement, so each of you keeps a signed original. The first person initials every page and signs the last page of every copy, then the second person does the same, dates the agreement on the first page of each copy with the date they sign, and returns an original. With lawyers, each lawyer witnesses the signing and completes the Certificate of Independent Legal Advice attached to the agreement. Without lawyers, an adult over 19 who does not benefit from the agreement witnesses each signature, and the acknowledgements at the end of the agreement are adjusted to match how you signed.

- [ ] **3. Decide whether to file it with the court**

Filing is optional. Your signed agreement is binding without it. You can file it with the Supreme Court or the Provincial Court of British Columbia at any time, and filing lets the agreement be enforced like a court order. That matters most for support, because the BC Family Maintenance Agency can only enforce support terms from an agreement that has been filed. If you choose to hold off, keep the signed originals somewhere safe and a scanned copy where you can find it.

- [ ] **4. Tell the CRA**

The child support section of your agreement records who applies for the Canada Child Benefit and who claims the eligible dependant credit. Update your information through CRA My Account, and tell the CRA promptly whenever the parenting arrangement changes. Benefits paid on old information can be clawed back.

- [ ] **5. Make the transfers**

The signed agreement is your authorization, so give a copy to everyone carrying out a piece of it. A lawyer changes title on the home and handles any payout. The banks close or divide joint accounts and take a spouse off credit cards. RRSPs move between you without triggering tax using Form T2220. Pension plans follow their own division process once they have the agreement. For CPP, you can apply through My Service Canada to divide the credits earned during the relationship, one year after separation or on divorce.

Every step, explained with full guides: www.divii.ca/after-your-agreement

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- [ ] **6. Redo your will and your beneficiaries**

  Separation changes how your existing will operates, so make a new one, dated after the agreement, and tell the lawyer or notary preparing it about the agreement and any divorce plans. Update the beneficiaries on your life insurance, RRSPs and pension at the same time. If your agreement requires life insurance to secure support, make sure your insurance broker knows.

- [ ] **7. Apply for divorce, when you're ready**

  If you are married, the divorce is the court order that ends the marriage, and your agreement has already done most of the work. The final application goes in after you have been separated for one year, and the court takes time to process it. A lawyer can run the whole process. You can also complete the forms yourself and take them to the Justice Access Centre at the courthouse, which reviews them and helps you file at no cost beyond the court fee.

- [ ] **8. If a term isn't honoured**

  Start with the practical fixes. Automatic payments and clear records prevent most problems, and raising an issue early usually resolves it. If that fails, an agreement that has been filed can be enforced through the court, and the BC Family Maintenance Agency can enforce its support terms.

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