



# THE FIRST 7 DAYS AFTER SEPARATION



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FIERCELY HUMAN. FEARLESSLY STRATEGIC. LAW DONE DIFFERENTLY.

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If you are reading this, you are likely in a situation you never expected to be in.

Things may have escalated quickly.

You may feel overwhelmed.

You may feel like you need to make decisions right now.

You do not.

But what you do in the first 7 days matters more than you think.



**MELANIE VAIRAWANATHAN**  
FOUNDER AND PRINCIPAL LAWYER

**15+ YEARS**  
EXPERIENCE IN FAMILY LAW

## WHAT WE CAN DO FOR YOU

- Maximise your time with your children from the very beginning
- Position you early so you receive everything you are entitled to
- Protect your position and stop you agreeing to arrangements that disadvantage you long term
- Identify risks immediately and take steps to prevent them from escalating
- Put a clear strategy in place so you are not reacting, you are in control
- Manage communication so it strengthens your position, not weakens it
- Step in early to prevent a damaging status quo from forming
- Guide you through the process with clarity, direction, and strategy from day one

## → **It happens fast**

One conversation. One argument. One moment.

Then suddenly:

- You are living separately
- You are trying to work out arrangements for the children
- Money feels uncertain
- Communication is tense or breaking down

No plan. No clarity. Just pressure.

## → **This is where things go wrong**

Most people think:

*"I will just get through this week"*

*"I will deal with it later"*

*"I will keep the peace for now"*

But what actually happens:

- Arrangements for the children start to form
- Financial control can shift
- Communication patterns get set
- A new routine is created

And very quickly, that becomes the new normal.

## → **The truth no one tells you**

The Court does not start from zero.

If your matter ends up in the Federal Circuit and Family Court of Australia

It will look at:

- what has already been happening
- who the children have been living with
- how things have been working in practice

That is why this first week matters.

## FIRST 7 DAYS AFTER SEPARATION (CRITICAL CHECKLIST)

This is the most important window.

What you do here can shape your entire matter.

### DAY 1–2: PAUSE

Do not make emotional decisions

Do not agree to arrangements “just for now”

Do not make promises you cannot take back

You do not need to solve everything today.

**The Rule: Do not react. Think.**

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### DAY 1–3: YOUR CHILDREN

Keep routines calm and consistent

Keep communication child-focused

Do not withhold the children out of emotion

Start noting key events if concerns arise

**Why this matters: Early care arrangements can very quickly become the status quo.**

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## IF THERE ARE FAMILY VIOLENCE OR SAFETY CONCERNS

This is different.

Prioritise safety — yours and your children’s

If you feel unsafe, remove yourself and the children from the situation

Seek urgent legal advice before facilitating or agreeing to time

Do not put yourself at risk to “keep the peace”

Keep communication limited and in writing where possible

Document incidents and any behaviour that places you or the children at risk

### Important:

**You are not expected to:**

- **Tolerate unsafe behaviour**
- **Facilitate arrangements that place you or your children at risk**
- **Prioritise cooperation over safety**

## FIRST 7 DAYS AFTER SEPARATION (CRITICAL CHECKLIST)

### IF YOU HAVE BEEN SERVED WITH AN INTERVENTION ORDER (IVO)

It often happens quickly.

And it can immediately change your ability to see your children.

Read the Order carefully — every condition matters

Do not breach the Order under any circumstances

Do not respond, even if the other party contacts you first

Do not attend locations you are restricted from

Get legal advice immediately before taking any steps

#### **The reality:**

An Intervention Order is not a Parenting Order.

But if you do nothing:

- You may stop seeing your children
- A new routine forms without you
- Your absence becomes the status quo

And that can be very difficult to undo.

#### **The rule:**

Comply first.

Then act strategically.

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### DAY 1-3: MONEY

Take copies of key documents

Download bank statements

Check access to joint accounts

Watch for unusual spending or withdrawals

If you have been cut off financially, get advice immediately.

**This is where control can shift quickly.**

## FIRST 7 DAYS AFTER SEPARATION (CRITICAL CHECKLIST)

### DAY 2–5: COMMUNICATION

- Keep messages brief
- Keep them factual
- Keep them calm

Assume everything you write could be read in Court.

If needed, move communication to a structured app like AppClose

**You are not trying to win the argument.**

**You are building your position.**

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### DAY 2–5: THE HOME

This is where people make one of the biggest mistakes.

- Do not move out without getting advice
- Do not make rushed decisions under pressure
- Consider the impact on your children and your position

**Leaving too quickly can create a new normal that is hard to reverse.**

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### DAY 3–7: STRATEGY

- Get legal advice early
- Understand your position
- Do not rely on informal or verbal agreements
- Map out your next steps properly

**The biggest mistake is not acting too early.**

**It is acting without a plan.**

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## → **Hard truths you need to understand**

- This is not just emotional. It is strategic
- What you do now will follow you
- Doing nothing is still a decision
- Waiting can work against you

## → **The shift you need to make**

You are not just getting through a separation.  
You are positioning yourself for what comes next.

## → **If you feel overwhelmed**

That is exactly when this matters most.  
The first 7 days set the tone.

## → **This is not the end. But it is a critical moment.**

What you do now will shape everything that follows.



# Need Advice Specific to Your Situation?

Melmark Law provides strategic advice for clients navigating separation, parenting arrangements, and complex family law matters. You do not have to figure this out alone.

**Book a confidential consultation today.  
Ring (03) 9098 8749.**



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