**General Information**

* **Separation Agreement:** A Separation Agreement is a written legal document or contract between two spouses wanting to separate before or during the divorce process, and establishes terms by which each spouse will have to abide until the divorce is final. It addresses matters such as property, debt, and financial asset division, spousal maintenance, child custody, and child support. Once signed by each spouse, it becomes a binding contract between them. It contains binding and – in most cases – final promises. Please speak to an attorney to see if a separation agreement may benefit you and your family.
* *No one can compel a spouse to sign a separation agreement, not even a First Sergeant or Commander!* A separation agreement must be voluntarily entered into and signed. No law or regulation can require a separating couple to execute a separation agreement, including ERD requests. Coercion, fraud, undue influence, or lack of knowledge may void the terms of a separation agreement. Fair agreements are more likely to be upheld by a court. Terms regarding child support, custody, and visitation may always be reviewed by the court.
* **Changes to a Separation Agreement:** If any party wants to change the terms of the separation agreement; both parties are free to renegotiate the terms of the separation agreement. However, it can be modified only if both parties agree to the new terms. In rare cases, a court may order changes to the separation agreement.

**Process of Obtaining a Separation Agreement While Stationed in Okinawa, Japan**

* **Camp Foster Legal Assistance**

-Speak with an Attorney during our Walk-In hours (Tuesdays and Thursdays @ 1300)

-Attorney will provide a separation agreement worksheet for you to fill out

-Once the worksheet has been completed and turned in, the drafting of the separation agreement commences

-Once the final separation agreement draft has been approved, the Attorney and Client will set up an appointment to go over and execute the agreement

**Please note**: **OUR OFFICE IS ONLY ABLE TO REPRESENT ONE PARTY.** The one who comes to the office first and establishes an Attorney-Client relationship will be the only one seen. The other party will be conflicted out and will not be eligible for legal advice from this office.

* **Kadena Legal Assistance**

-Kadena legal assistance DOES NOT draft separation agreements. They do, however, provide general legal advice on family law, relevant state law, and whether their clients would benefit from a separation agreement.

* **Torii Station Legal Office**

- Visit the Torii Station Legal Office and fill out initial intake paperwork

- Staff will then evaluate if eligible to assist in your particular situation, and follow up with you

* **Hire a Civilian Attorney in the U.S.A.**