

MARRIAGE CONTRACT / COHABITATION AGREEMENT PACKET

This packet contains information on the law, process and costs of obtaining a Marriage Contract or Cohabitation Agreement. As well, it explains one's rights and obligations when one starts living together with another person they are not married to including one's rights and obligations with respect to the children of the partner.

I have enclosed articles that I have written entitled **Marriage Contracts / Cohabitation Agreements** and **Rights and Obligations of Unmarried Cohabitants**. I have written those articles in the popular frequently asked questions format. The packet also contains a **Client Questionnaire** to obtain the information that is required to draft a Marriage Contract or a Cohabitation Agreement. It also acts as a checklist for what Marriage Contracts / Cohabitation Agreements obtain. Also enclosed is my **Survey Contest** so I can obtain feedback and suggestions from my clients.

FEES

Provided there is nothing out of the ordinary (which is the case 99% of the time) my fee to advise one as to their rights and obligations and to draft their Marriage Contract or Cohabitation Agreement is \$750. If much more than the standard amount of time is needed, such as major negotiations, the extra work is billed at my standard hourly rate of \$300 an hour. There is HST payable but generally no other office disbursements. I have enclosed my standard **Retainer Agreement for Marriage Contracts and Cohabitation Agreements**. I ask that \$500 be payable at the end of the first consultation and the balance paid at the signing appointment. Payment can be made by cheque, Interac, VISA or MasterCard. The Retainer contains an acknowledgment setting out the limitations of Marriage Contracts and Cohabitation Agreements.

PROCEDURE

I ask my clients to complete the **Client Questionnaire** and bring it to their initial consultation. At the initial consultation I explain the law, their rights and obligations and obtain their instructions so that I can draft their Marriage Contract or Cohabitation Agreement. At their initial appointment, the client is provided with a Manual to hold their Agreement and letters and articles concerning their Agreement. I then draft the Marriage Contract or Cohabitation Agreement and send it to my client to review. The client would then call or email me with questions, changes or to advise everything is okay. If the Agreement is acceptable, then it is arranged that it be given to the partner or partner's lawyer either by me or the client. If the partner or partner's lawyer is satisfied, then signing and witnessing of the Agreement takes place at each lawyer's office (or if the partner is unrepresented then at their desired place, which cannot be my office). The client, partner and each lawyer get a copy of the Agreement signed by both sides. I then report to the client.

I would remind you that my articles are for general information and are not intended to be a substitute for legal advice. If I can be of further assistance, please call me or my staff for an appointment.

LAWRENCE S. PASCOE