

I share the first pages of a Massachusetts Separation Agreement Template on my website, <https://www.AmherstDivorce.com> to illustrate some typical elements of a Massachusetts Separation Agreement.

Be aware that the courts are not necessarily helpful to people trying to file their own divorces, and they repeatedly reject paperwork that has only minor errors or omissions. It often takes multiple attempts to get your paperwork accepted if you are doing it on your own. This means it might take a year or so to get divorced if you do it yourselves, rather than a few months.

I mediate divorces and prepare all court documents in ALL Massachusetts counties (via Zoom), and I would be happy to mediate yours. It does not matter what county you live in. My flat fees for divorce mediation range from \$800 to \$3000. See details at: <https://www.amherstdivorce.com/cost-html>.

Please feel free to contact me for divorce mediation and divorce document preparation in any Massachusetts court or county,

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Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department

Worcester Division, ss.

Docket No. _____

SEPARATION AGREEMENT
(APPLICABLE TO ALL DIVORCES)

Party A

v.

Party B

AGREEMENT made between _____
(Name of Party A)

of _____
(Street Address) (City/Town, State, Zip)

(referred to as the Party A), and _____
(Name of Party B)

of _____
(Street Address) (City/Town, State, Zip)

(referred to as Party B).

The parties were married in: _____
(City/Town, State, Zip)

on / / and last lived together at _____
(Date of Marriage) (Street Address)

_____ on / /
(City/Town) (State) (Zip)

when an irretrievable breakdown of the marriage occurred.

CHILDREN

- o No children were born of this marriage or were legally adopted by both parties.
- o The following children born of this marriage, or by legal adoption of both parties, are not yet emancipated because they are under the age of eighteen years OR are between the ages of 18 and 23 years and are dependent on the parties for support:

CHILD'S NAME

DATE OF BIRTH

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

- D The following children born of this marriage are over the age of eighteen years AND are emancipated, as he/she/they are no longer dependent on the parties for support.

CHILD'S NAME

DATE OF BIRTH

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

This Separation Agreement is made in order to settle and determine:

- a) the property and support rights of Party A and Party B; and
- b) the care, custody, support, maintenance and education of the minor and/or dependent child(ren) of this marriage (*attach Schedule A*); and
- c) all other rights and obligations arising from the marital relationship.

In consideration of the mutual promises contained in this Separation Agreement, Party A and Party B agree to the terms contained in this Agreement.

PROPERTY DIVISION AND DEBTS

A. Real Estate:

D Neither party holds any interest in real estate.

D The parties have already divided their interest in the marital home located at:

(Street Address, Town, State, Zip Code)

D The parties agree to have the real estate appraised and listed for sale by
____/____/____. The expenses shall be paid by _____
and the proceeds from the sale shall be divided as
follows: _____

D Said property is to be sold under the terms and conditions of a short sale. Both parties
shall cooperate with all interested parties regarding the listing of the property and sale.

D Said property shall be refinanced by Party A/Party B on or before ____/____/____. In the
event that Party A/Party B is unable to refinance, then the parties shall:

D Party A/Party B shall remain in the home until ____/____/____, at which time:

B. Personal Property (including motor vehicle, excluding bank accounts):

The parties hereby agree that:

D There has been a full and satisfactory division of all other personal property and each
party shall hold full right, title and interest in all items of personal property now in their
respective possession.

D The parties have personal property in the possession of the other or a third party.
Retrieval of any and all personal property in the possession of the other, or any third
party, shall be obtained by ____/____/____ at 5:00 P.M., unless otherwise agreed
upon, in writing, by both parties to this agreement. Both parties hereby waive all rights,
title and ownership, if any personal property is not claimed by said date and time.

D **Party A** shall have full right, title and interest in the following items:

o **Party B** shall have full right, title and interest in the following items:

C. Pension / Retirement Benefits:

D The parties have no retirement or pension benefits to be divided.

D Party A/Party B shall transfer _____ (amount or percentage), adjusted for gains or losses as of the date of transfer, of the _____ account (name of financial institution and last 4 digits of account #) to Party A/Party B on _____ (date) by a Qualified Domestic Relations Order. The parties shall cooperate with one another to prepare any and all necessary documents for this transfer. The parties shall equally share the cost of preparation and all other expenses associated with this transfer. Party A/Party B or third-party "_____"
name
shall be responsible for the preparation of said Qualified Domestic Relations Order.

D Party A and Party B shall each keep their respective retirement accounts as listed in their financial statements dated _____

D The retirement or pension benefits of the parties shall be divided as follows:
