



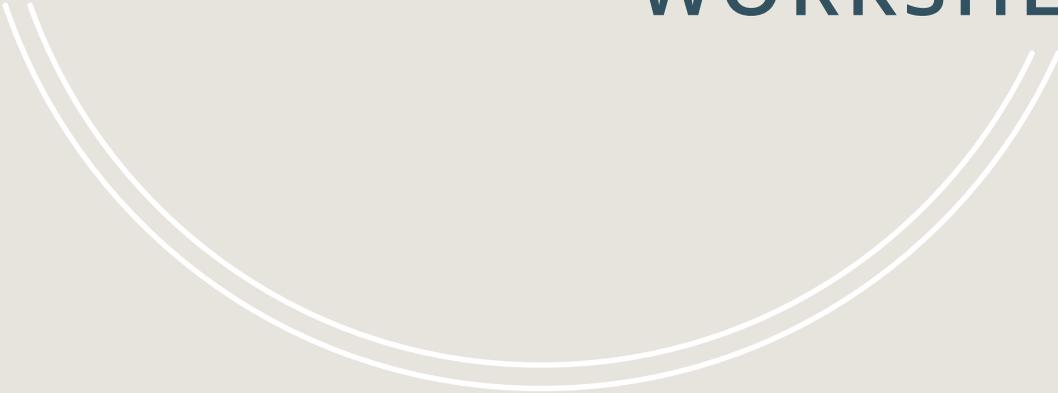
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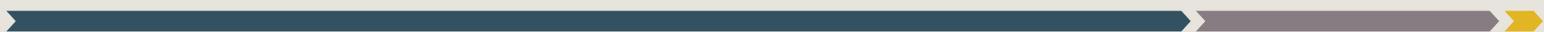
# Hello Divorce

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WORKSHEET



*hello* divorce.



You are starting your divorce and from where you stand the road looks long and likely a bit uncertain. This worksheet will help you create a plan for the road ahead by organizing and considering the issues you may need to address and resolve in order to finalize your divorce.

## Essential Info

*This general information will need to be considered as you work with your spouse to resolve all of the issues below.*

When did you and your spouse get married?

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List you and your spouse's income from all sources. If you are a W-2 employee, this answer may be simple. If one parent is self-employed or earns income from other sources, it may be a bit more complicated.

You:

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Your spouse:

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What proportion of your income is derived from earnings and investments, respectively?

You:

Earnings: \_\_\_\_\_ Investments: \_\_\_\_\_

Your spouse:

Earnings: \_\_\_\_\_ Investments: \_\_\_\_\_

Do you have children with your spouse?

- No (Skip to Issue #3)
- Yes

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# Issue #1: Child Custody and Visitation

There are two types of custody – legal and physical. Physical custody and visitation refer to where the children will live. Legal custody addresses who will have the authority to make decisions regarding the education, health and welfare of your child(ren).

[CLICK HERE](#) for everything you need to know about kids & divorce.

Will you be requesting joint or sole legal custody?

- Sole legal custody
- Joint legal custody

Will you be requesting sole physical custody or joint physical custody (meaning significant periods of time with both parents)?

- Sole legal custody
- Joint legal custody

Are you and your spouse able to work together to make decisions?

- No
- Yes

Are there tools that might help you become better at communicating or making decisions?

- No
- Yes
- I don't know

Are there issues about the other parent that would justify a request for sole legal custody? *(Need more information about what might warrant such an award of custody? Hello Divorce offers legal services to help you!)*

- No
- Yes
- I don't know

Do you and your spouse parent well with each other?

- No
- Yes

Does it make sense to have a more specific schedule detailed in an enforceable order or would you prefer more flexibility? *(If you and your spouse do not parent well together, a specific schedule detailed in an enforceable order will save time and energy in the long run.)*

- Specific schedule detailed in an enforceable order
- Flexible arrangement

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## How old are your children?

(The age of the children will influence how long they may (or may not) be able to go without seeing the other parent. As children get older, parents often prefer longer stretches of time with the child (such as an alternating week schedule) but for young children sometimes a schedule that alternates every couple of days or provides the non custodial parent with a dinner visit and alternating weekends works better.)

Children and their ages:

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Have you historically been the primary caretaker for your children? *(For example, did you take them to the doctor or dentist; parent/teacher conferences; soccer etc.)*

- No
- Yes

Do you or your spouse have another child (or other children) that your child(ren) have a relationship with?

- No
- Yes

Does your child have any special needs that would impact the schedule?  
*(For example, maybe transitions are particularly difficult, perhaps one home is closer to the tutor the child sees two days a week, or maybe he plays baseball on a traveling team and is gone with the team (and Dad) most weekends.)*

Notes:

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Do the child or children have a preference on living/visiting arrangements?

- No
- Yes:

Which parent? \_\_\_\_\_

Do both you and your spouse live within a reasonable distance of school and extra-curricular activities? (If not, a schedule that minimizes commutes and concentrates time might be preferable.)

- No
- Yes

Do both you and your spouse work? If so, do you both have a regular schedule? Is there a way to capitalize on one parent's availability when the other parent is at work? *(For example, if one parent works weekends and the other doesn't, it might work well to craft a visitation schedule that assigns weekends to the non-weekend-working parent and weekdays to the other.)*

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Is one household more stable than the other?

- No
- Yes:

Which household? \_\_\_\_\_

Are both parents available to ensure participation in extracurricular activities?

- No
- Yes:

Which parent is available? \_\_\_\_\_

What type of discipline is used at both households?

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# Holidays

You will also need to develop a schedule for sharing holidays. Some families assign only big holidays (like Thanksgiving, Christmas and Spring Break). Other families assign all the holidays from three day weekends to 4th of July to Halloween.

**Note:** You can find a helpful list of many of the Holidays you might want to consider on form FL-341(C)

## In developing a holiday schedule you might want to consider:

Does one parent celebrate any special holidays with the child or children that the other parent doesn't?

- No
- Yes:

Which holidays with which parent?

With you:

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With your spouse:

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Are there any religious or holiday traditions that one parent observes that the other doesn't?

- No
- Yes:

Which traditions and which parent?

Traditions only you observe:

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Traditions only your spouse observes:

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Are there any holidays or events that are really important to you? (Maybe you have a huge Christmas Eve family event every year or maybe there is an annual camping trip on Memorial Day weekend.)

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## Issue #2: Child Support

Child support in California is determined using a state mandated calculator. The amount of support awarded depends on:

- You and your spouse's incomes (listed in Essential Info, above)
- Length of marriage (listed in Essential Info, above)
- Timesharing
- Other factors

[CLICK HERE](#) for our convenient child support calculator

### **In order to calculate guideline support, you will need to consider:**

Timesharing: What percentage of time does each parent spend with the child(ren)?

You:

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Your spouse:

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Which parent pays for health insurance for the child or children and how much is it?

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Which parent pays for child care for the child or children and how much is it? Is there an agreement for how the cost will be shared?

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Do either you or your spouse earn bonuses or other non-cash compensation like stock options? If so, how much have they been in the past and when are they usually received? Are the bonuses performance based? Have past bonuses been consistent and regular or more sporadic?

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Is there an agreement about how uninsured/uncovered health care costs and extracurricular activity costs will be shared? What activities do the children participate in and how much are they? Do any of the children have special medical needs/expenses that aren't covered?

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What will each parent's tax filing status be? (You may need to talk to your tax professional about this.)

Your tax filing status:

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Your spouse's tax filing status:

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Which parent will be entitled to claim the child or children as dependents each year for tax purposes? Will you each claim one child (if two children)? Will you alternate years?

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Does one parent need to seek work or go back to school for training? How long is that expected to take and what is the plan?

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## Issue #3: Spousal Support

Do you or your spouse need help to maintain your lifestyle (referred to as the marital standard of living by the Court)? If so, an award of spousal support may be appropriate. Spousal support is tax deductible to the payor and taxable as income by the support recipient.

- You and your spouse's incomes (listed in Essential Info, above)
- Length of marriage (listed in Essential Info, above)
- Standard of living
- Living expenses
- Other factors

Will you or your spouse be requesting spousal support?

- No
- Yes

### Consider:

What was your lifestyle during the marriage? Consider the type of home you owned or rented, cars you purchased, vacations you took (frequency and cost).

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Is either you or your spouse paying for any of the other's living expenses?

- No
- Yes:

Who is paying for the other's living expenses? \_\_\_\_\_

Are both you and your spouse working?

- Yes
- No:

Which one of you is not working? \_\_\_\_\_

How long does the one of you not working anticipate they will need to find employment \_\_\_\_\_

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Do either you or your spouse need additional education or training in order to re-enter the workforce?

- No
- Yes:

Which of you? \_\_\_\_\_

Did either you or your spouse take time from the workforce during the marriage to take care of the home/family?

- No
- Yes:

Which of you? \_\_\_\_\_

Did either you or your spouse earn their degree, certificate, or receive training for their career during the marriage?

- No
- Yes:

Which of you? \_\_\_\_\_

How much money will you each need to maintain their lifestyle?

You: \_\_\_\_\_

Your spouse: \_\_\_\_\_

How much longer do you and your spouse anticipate working?

You: \_\_\_\_\_

Your spouse: \_\_\_\_\_

Does either you or your spouse have any health issues that impair their ability to work?

- No
- Yes:

Which of you? \_\_\_\_\_

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## Issue #4: Attorney and Mediator Fees

A judge may require that you or your spouse pay attorney fees and legal costs to the other party. Even if you don't end up having to go to court, you might need the assistance of an attorney to help you with the process, prepare documents or provide advice. The biggest factor here is whether or not one spouse has greater access to money (from earnings, asset or credit) to pay for the attorney fees of both parties.

Do you and your spouse have equal ability to pay? Do you both have equal access to funds/loans/credit cards?

You: \_\_\_\_\_

Your spouse: \_\_\_\_\_

Is your spouse willing to negotiate and/or cooperate?

Yes

No:

Explain:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Are either you or your spouse frustrating the settlement process?

No

Yes:

Explain:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What are the living expenses and assets of both you and your spouse?

Your living expenses:

\_\_\_\_\_

Your spouse's living expenses:

\_\_\_\_\_

Your assets:

\_\_\_\_\_

Your spouse' assets:

\_\_\_\_\_

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Will either you or your spouse leave the marriage with significantly more assets?

- No
- Yes:

Which party? \_\_\_\_\_



## Issue #5: Assets and Debt Division

All the assets you and your spouse accumulated and all of the debts that accrued during marriage are called community property. As part of your divorce, they will need to be identified and divided. This section will help you think through the assets and debts you may have and the information you will need to gather.

Do you have a prenuptial agreement or post-nuptial agreement? These agreements may significantly impact who property and debts are divided. If yes, state the main terms of the agreement:

- No
- Yes:

State the main terms of the agreement:

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Do you own real property?

- No (Skip to Pensions, IRAs, Retirement, and Employee Benefit Accounts Below)
- Yes:

Note: You will need to answer these questions for every piece of real property you and your spouse own.

How is the property titled? (Whose name is on the grant deed?)

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When was the property acquired?

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How was the property acquired (inherited, purchased)?

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Is the mortgage in one or both parties names?

\_\_\_\_\_

Has the property been refinanced?

- No
- Yes

Where did the down payment come from?

- You or your spouse's earnings during the marriage?

How much? \_\_\_\_\_

Source? \_\_\_\_\_

- Gift from family member(s) or friend(s)?

To both parties or one party alone?

\_\_\_\_\_

- Separate property down payment from either you or your spouse alone?

How much? \_\_\_\_\_

Source? \_\_\_\_\_

Have there been many improvements made to the property?

- No
- Yes:

How were they paid for?

\_\_\_\_\_

Who made those improvements?

\_\_\_\_\_

How much money was invested in those improvements?

\_\_\_\_\_

Who has been making the mortgage payments?

\_\_\_\_\_

Where have the mortgage payments been coming from?

- Payments made from a community account  
What account? \_\_\_\_\_
- Either you or your spouse's separate account  
What account? \_\_\_\_\_

Does either party intend to continue living in the property?

- No
- Yes:

Can that party qualify to refinance the property?

- No
- Yes

Will the property be sold?

- No
- Yes:

What, if anything, needs to be done to the property in order to sell it?

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Who will be responsible for maintaining the property (mortgage, HOA, taxes, repairs) until the divorce is final?

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## Pensions, IRAs, Retirement, and Employee Benefit Accounts

What accounts do you have and when were they opened?

Types of Accounts	When Opened
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

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- 6. \_\_\_\_\_
- 7. \_\_\_\_\_
- 8. \_\_\_\_\_
- 9. \_\_\_\_\_
- 10. \_\_\_\_\_

What was the balance of those accounts at the time of marriage and at the date of separation/now?

	Balance at Time of Marriage	Balance at Date of Separation/Now
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____

Are you or your ex currently collecting retirement or pension?

- No
- Yes

Are there any outstanding loans on any of the accounts?

- No
- Yes:

Who took out those loans?

\_\_\_\_\_

What were the funds used for?

\_\_\_\_\_

Who is paying back the loan?

\_\_\_\_\_

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## Vehicles

What vehicles do you and your partner own or lease?

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When were those vehicles obtained?

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How were those vehicles acquired?

Gift:

Was (were) the vehicle(s) a gift to one party or to both parties?

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Purchased:

Source of funds used to purchase the vehicle(s)?

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When were those vehicles obtained?

No

Yes:

How much is owed on the vehicle(s)?

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## Checking, Savings & Money Market Accounts

List each account that you and your partner have in your names individually, jointly with each other and jointly with others

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

When were each of these accounts opened (before or during the marriage)? Who opened each account – you or your spouse?

When Opened	By Whom
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____

Was there money in each account at the time of marriage? How much?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

- 7. \_\_\_\_\_
- 8. \_\_\_\_\_
- 9. \_\_\_\_\_
- 10. \_\_\_\_\_

Who has contributed to each account and where did the funds come from to contribute to each of the accounts?

	Who Contributed	Source of Funds
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____

## Life Insurance

List each life insurance policy that you and your partner have

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

When were these policies acquired (before or during the marriage) and by you or your spouse?

	When Taken Out	By Whom
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

Are there any loans against any of the policies?

- No
- Yes:

When were those loans taken out?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Who took the loans out?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What were the funds used for?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Businesses & Partnerships

List all businesses or partnerships that you or your spouse own (together or individually)

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

When was each business started or acquired? What is the nature of each business?

- |    | When Started or Acquired | Nature of Business |
|----|--------------------------|--------------------|
| 1. | _____                    | _____              |
| 2. | _____                    | _____              |
| 3. | _____                    | _____              |

What was or is either party's role in each business?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Who will keep each business?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

What is the estimated value of each business? (If you know)

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

## Debts

List each loan, credit card debt, student loan etc. that you and your ex have – including those in your joint and individual names.

1. \_\_\_\_\_
2. \_\_\_\_\_

3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

When were those debts acquired? Who acquired the debt (you or your spouse)?  
 What were the funds used for?

	When Acquired	Who Acquired	What Used For
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____
7.	_____	_____	_____
8.	_____	_____	_____
9.	_____	_____	_____
10.	_____	_____	_____

Who has paid down which debts and what source did the money come from to pay down the debts?

	Who Paid Down	Where Funds Came From
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____

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- 9. \_\_\_\_\_
- 10. \_\_\_\_\_

Who will keep each debt?

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_
- 8. \_\_\_\_\_
- 9. \_\_\_\_\_
- 10. \_\_\_\_\_

Should one party receive a reimbursement or equalization payment for taking on more debt?

- No
- Yes:

Who & how much?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Additional Property and Debt Considerations

Will there be any tax consequences for proposed transfers of assets?

- No
- Yes
- I don't know

Will you file joint tax returns for this year (assuming your divorce will not be final this year):

- No
- Yes
- I don't know

Will your spousal support orders trigger any tax consequences (other than being tax deductible to the pay or spouse and taxable to the payee spouse)?

- No
- Yes
- I don't know

Will you be dividing the property or debt 50/50? If not, will one spouse be paid an equalization payment? How will that payment be made?

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The more you know, the more in control you'll feel. [CLICK HERE](#) to strategize your divorce.

## You're Finished!

Congratulations on making it through this worksheet. You've compiled the necessary information to complete the divorce process. Do something nice for yourself to celebrate!