Getting Divorced Checklist

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Wealth Management

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General information	Yes	No	N/A
1. Has relevant personal information been gathered? • Each spouse's name, date of birth, and Social Security number • Names and birth dates of children • Date and place of marriage and length of time in present state • Information about prior marriages and children • Date of separation and grounds for divorce • Current occupation of spouses and name/address of employers • Education and degrees of each spouse • Name, address, and telephone number of attorney	☐	☐	☐
2. Has financial situation been assessed? • Income of each spouse • Expenses of each spouse • Assets of the spouses (joint and separate) • Liabilities of each spouse • Employee benefits each spouse is entitled to • Life, health, and disability insurance policies owned by each spouse • Credit reports	☐	☐	☐
Notes:			

Property settlements	Yes	No	N/A
1. Does prenuptial agreement exist?	☐	☐	☐
2. Do spouses reside in a community property state?	☐	☐	☐
3. Have all assets been listed, valued, and classified as joint or separate?	☐	☐	☐
4. Have the tax bases of all assets been determined?	☐	☐	☐
5. If assets will be transferred or sold, have tax consequences been calculated and explained to client?	☐	☐	☐
6. Have loans and other liabilities on the properties (or otherwise) been listed and considered?	☐	☐	☐
7. Is there a family business?	☐	☐	☐
Notes:			

Alimony and child support	Yes	No	N/A

1. Have tax consequences of classifying support as alimony or child support been reviewed?	❑	❑	❑
2. Has physical custody of children been determined?	❑	❑	❑
3. Has legal custody of children been determined?	❑	❑	❑
4. Have visitation parameters been established for the noncustodial parent?	❑	❑	❑
5. Will alimony be paid?	❑	❑	❑
Notes:			

Marital home	**Yes**	**No**	**N/A**
1. Will home be transferred to either spouse as part of settlement?	❑	❑	❑
2. If yes, has cost basis been reviewed for improvements?	❑	❑	❑
3. Has amount of outstanding mortgage been calculated?	❑	❑	❑
4. Will the principal residence be sold to a third party?	❑	❑	❑
5. If yes, has the tax cost (if any) been computed?	❑	❑	❑
Notes:			

Retirement planning	**Yes**	**No**	**N/A**
1. Have retirement plans been listed and interests in retirement plans been reviewed?	❑	❑	❑
2. Will the divorce decree provide a payout from the plan? If so, will a qualified domestic relations order (QDRO) be used?	❑	❑	❑
3. Should beneficiary designations be changed?	❑	❑	❑
4. Will any IRS penalties apply?	❑	❑	❑
5. Can retirement money be rolled over to IRA?	❑	❑	❑
Notes:			

Tax planning	Yes	No	N/A
1. If already divorced, was divorce finalized by year-end?	❑	❑	❑
2. If still married at year-end, agree to file jointly?	❑	❑	❑
3. Have joint filing risks been discussed?	❑	❑	❑
4. Has separate maintenance decree been obtained to permit filing as unmarried or head of household?	❑	❑	❑
5. Have head of household conditions been met?	❑	❑	❑
6. Has it been decided which spouse will get dependency exemption?	❑	❑	❑
Notes:			

Other	Yes	No	N/A
1. Should will and trust be changed?	❑	❑	❑
2. Should insurance policy beneficiaries be changed?	❑	❑	❑
3. Should banks and other creditors be notified of divorce and signatures changed?	❑	❑	❑
4. Will either spouse's health insurance plan cover the children post-divorce? Cover spouse?	❑	❑	❑
5. Has budget been revised to account for changes in income and liabilities?	❑	❑	❑
6. Does credit need to be repaired or established?	❑	❑	❑
Notes:			

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