

# Divorce Decisions Worksheet

You're starting your divorce or seriously considering one, and understandably dealing with a lot of uncertainty. This worksheet will help you create a plan for the road ahead by helping you get organized and understand all of the issues you may need to address and resolve in order to finalize your divorce. We've got you, and you've got THIS!



# Divorce Decisions Worksheet

## Essential Info

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

What date did you and your spouse get married?

\_\_\_\_ / \_\_\_\_ / \_\_\_\_ (MM/DD/YYYY)

What date did you separate? (exact date is important) [See more info here](#)

## Income

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

Your income:

Source	Amount per Month

Your spouse's income:

Source	Amount per Month

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

You:

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

Your spouse:

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

## Children

Do you have children with your spouse?

- No (Skip to Spousal Support below)
- Yes

### How old are your children?

The age of the children will influence how long they may (or may not) go without seeing the other parent. As children get older, parents sometimes get 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 week-ends works better.)

## Notes:

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## Parenting and Visitation

There are two types of custody – legal and physical. Physical custody and visitation refer to where the children will live and how much time they will spend with each parent. Legal custody addresses who will have the authority to make decisions regarding the education, health, and welfare of your children. For either type of custody, joint means that both parents will have equal custody. **Will you be requesting joint or sole legal custody?**

- Sole legal custody
- Joint legal custody

**Will you be requesting joint physical custody or sole physical custody (with or without visitation rights for the other parent)?**

- Sole physical custody
- Joint physical custody

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

- No
- Yes

**Are you and your spouse able to work together to make decisions regarding the children?**

- No
- Yes

**Are there issues with the other parent that would justify a request for sole legal custody?**

- No
- Yes
- I don't know

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

- No
- Yes

**Do you and your spouse parent well with each other?**

- No
- Yes
- I don't know

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

- No
- Yes
- Which parent?

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

- No
- Yes

**Notes:**

**Do both you and your spouse work?**

- No
- Yes

If yes, 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-week-end-working parent and weekdays to the other.)

**Notes:**

**Is one household more stable than the other?**

- No
- Yes

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

**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

**What parenting schedule split is right for you and your spouse?**

- 50/50
- 60/40
- 70/30
- 80/20
- Other

**What kind of timing do you want your parenting schedule to have?**

- One day on / one day off
- One week on / one week off
- Two days with one spouse, two with the other, then alternate weekends between parents
- Shared physical care (child lives with both parents for part of the time)

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## Parenting and Visitation

Use the table below to outline your desired parenting schedule for both you and your spouse.

The children will be in my care on the following schedule:

Sunday	
Monday	
Tuesday	
Wednesday	
Thursday	
Friday	
Saturday	

The children will be in the care of your spouse on the following schedule:

Sunday	
Monday	
Tuesday	
Wednesday	
Thursday	
Friday	
Saturday	

## Divorce Decisions Worksheet

Does your child have any special needs that would impact the schedules above?

(For example, maybe transitions are particularly difficult, perhaps one home is closer to the tutor the child sees two days a week, or maybe they play baseball on a traveling team and is gone with the team (and a certain parent most weekends).

- No
- Yes

**Notes:**

Are both parents available to ensure participation in extracurricular activities?

- No
- Which parent is available? \_\_\_\_\_
- Yes

Your house rules for your children:

Your spouse's house rules for your children:

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

- No
- Yes

**Notes:**

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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 of the holidays from three-day weekends to Fourth of July and Halloween.

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

- No
- Yes

Event or tradition: \_\_\_\_\_ Observed by: \_\_\_\_\_

Event or tradition: \_\_\_\_\_ Observed by: \_\_\_\_\_

Event or tradition: \_\_\_\_\_ Observed by: \_\_\_\_\_

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Event or tradition: \_\_\_\_\_ Observed by: \_\_\_\_\_

Event or tradition: \_\_\_\_\_ Observed by: \_\_\_\_\_



# Divorce Decisions Worksheet

## Proposed Holiday Co-Parenting Schedule

Events	Odd Years	Even Years	All Years	Time & Place of Exchange
MLK Day				
(if schools are closed)				
President's Day				
(if schools are closed)				
Spring Break				
Easter				
Mother's Day/Weekend				
Memorial Day/Weekend				
Father's Day/Weekend				
July 4th				
Labor Day/Weekend				
Columbus Day				
(if schools are closed)				
Halloween				
Thanksgiving Day/Break				
Hanukkah				
Las Posadas				
Christmas Eve				
Christmas Day				
Kwanzaa				
Week 1 of Winter Break				
Week 2 of Winter Break				
Children's Birthday				
Children's Birthday				
Other (identify)				
Other (identify)				
Other (identify)				

*hello*divorce. NOTE: If there is a holiday neither you nor your ex celebrate, write "no change" in the "all years" category. Add any additional observances/breaks in the "Other" fields.

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## Child Support

Child support is determined using a state-mandated calculator. The amount of support awarded usually depends on factors such as:

- You and your spouse's incomes (listed in Essential Info, above)
- Timesharing
- Other factors (for example, special needs or other arrangements)

In order to calculate guideline support in your state, you will need to gather the following information (and possibly other factors):

**What percentage of time does each parent spend with the children?**

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

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

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

Parent name: \_\_\_\_\_ Monthly cost: \_\_\_\_\_

**Is there an agreement for how the cost will be shared?**

**Do either you or your spouse earn bonuses or commission? How about stock options? Any other non-cash compensation? 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 or 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?

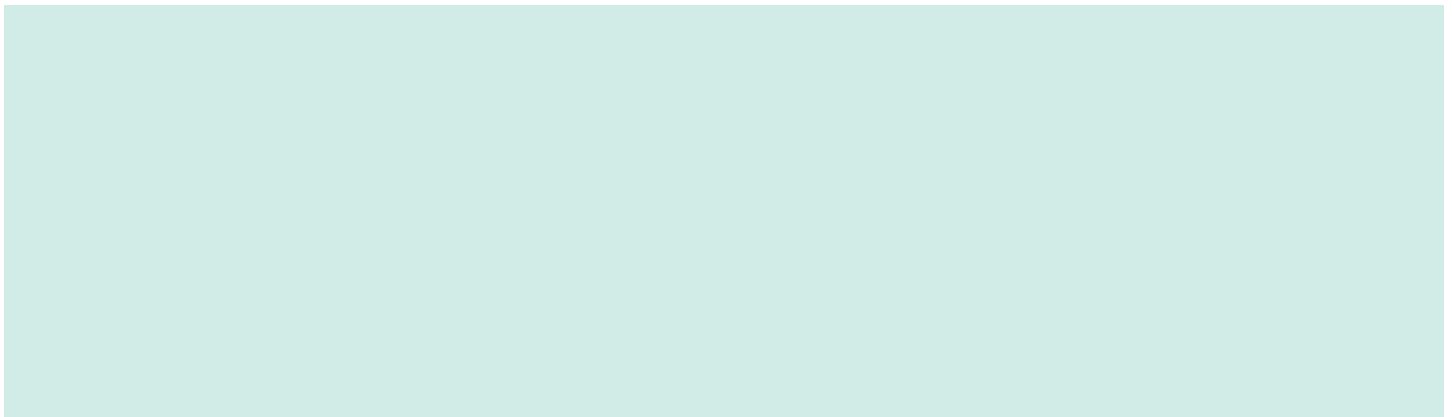


What will each parent's tax filing status be? (Your tax professional make need to weight in about this.)

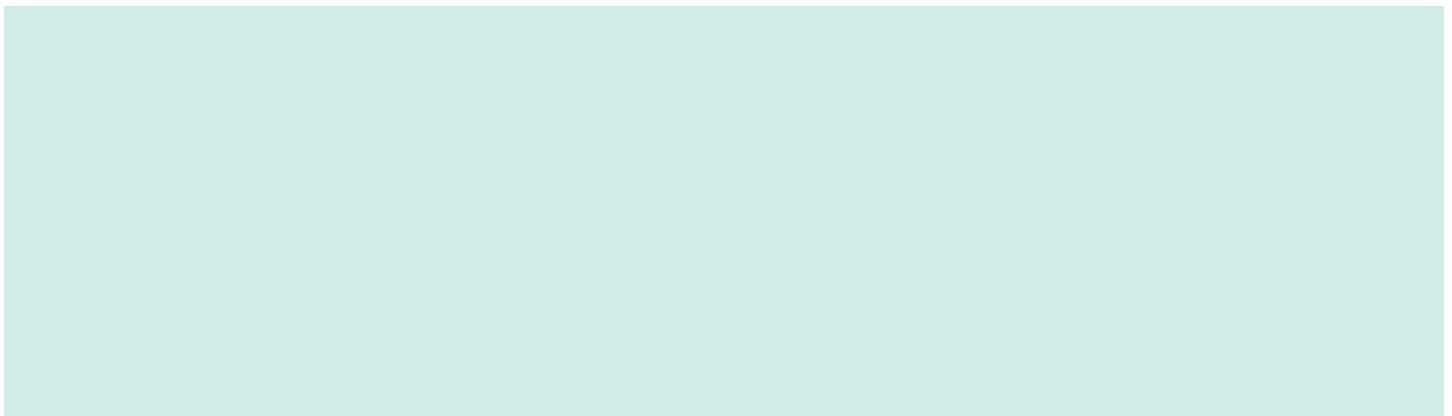
Your tax filing status: \_\_\_\_\_

Your spouse's tax filing status: \_\_\_\_\_

Which parent will be entitled to claim the child or children as dependents each year for tax purposes?



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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## Pets

*(If you do not have pets, skip to Spousal Support below.)*

Although the courts consider pets property, sometimes judges grant shared custody. Because your pet is probably more like a member of the family than an item of property, you may wish to work out the below details with your spouse.

Which spouse will get custody? If you want shared custody, write both your names.

Pet name	Spouse with custody

### Notes:

## Divorce Decisions Worksheet

Does the spouse without custody want visitation rights?

- No
- Yes
- Not sure

Describe occasions when, where, and how visitation will be permitted (perhaps you will meet in a park).

Are there issues about the other spouse that would justify a request for sole custody, such as not being home often or the inability to care properly for the pet's needs?

- No
- Yes
- Not sure

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# Divorce Decisions Worksheet

## 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. The amount of support awarded may depend on factors such as:

- 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 including age, health, and future earning potential

**Will you or your spouse be requesting spousal support?**

- No
- Yes
- I don't know

**Notes:**

**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?** \_\_\_\_\_

- No
- Yes

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

How long do they anticipate they will need to find employment?

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

- No
- Yes

## Divorce Decisions Worksheet

Did either you or your spouse take time from the workforce during the marriage to take care of the home or 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 need to maintain your lifestyle?

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

Your Spouse: \_\_\_\_\_

How much longer do you and your spouse anticipate working?

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

Your Spouse: \_\_\_\_\_

**Notes:**

# Divorce Decisions Worksheet

## 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 want the assistance of a lawyer to help you with the process, review documents, or provide advice. The biggest factor here usually is whether or not one spouse has greater access to money (from earnings, assets, 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?**

Write down an approximate % each of you will pay

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

Your Spouse: \_\_\_\_\_

**Is your spouse willing to negotiate or cooperate?**

No

Yes

Explain \_\_\_\_\_

**Are either you or your spouse unwilling to cooperate in the settlement process?**

No

\_\_\_\_\_ Yes  
Explain

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

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

Your Spouse: \_\_\_\_\_

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

No

Yes

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

**Notes:**



# Divorce Decisions Worksheet

## Assets and Debt Division

All of the assets you and your spouse accumulated and all of the debts that accrued during the marriage are considered community or marital 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 how property and debts are divided.)**

- No
- Yes

State the main terms of the agreement:

## Property

**Do you own real estate?**

- 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 estate you and your spouse own.*

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

**When was the property acquired? \_\_\_\_/\_\_\_\_/\_\_\_\_(MM/DD/YYYY)**

**How was the property acquired (inherited, purchased)?**

# Divorce Decisions Worksheet

Is the mortgage in one or both spouses' 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)  
How much? \_\_\_\_\_  
Source: \_\_\_\_\_  
To both parties or one party alone? \_\_\_\_\_
- Separate property down payment from either

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

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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?

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

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

Name of account	Date opened	Name(s) on account

What was the balance of those accounts at the time of marriage and at the date of separation (or what their current balance is now)?

Name of account	Balance at time of marriage	Balance at date of separation or now

Are you or your ex currently collecting retirement or pension?

- No
- Yes

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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?

## Vehicles

*Note: You will need to answer these questions for every vehicle you and your spouse own or lease.*

**Description of vehicle you and your partner own or lease:**

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Year: \_\_\_\_\_

When was this vehicle obtained? \_\_\_\_\_  
\_\_\_\_\_

**How was this vehicle acquired?**

- Gift to both parties
- Gift to one party only  
Who? \_\_\_\_\_
- Purchased  
Source of funds used? \_\_\_\_\_
- Other  
Explain: \_\_\_\_\_

How much is owed on the vehicle? \_\_\_\_\_

# Divorce Decisions Worksheet

## 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.

Name of account	Date opened	Name(s) on account

What was the balance of those accounts at the time of marriage and at the date of separation (or what their current balance is now)?

Name of account	Balance at time of marriage	Balance at separation or now

## Divorce Decisions Worksheet

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

Name of account	Who contributed	Source of funds

## Life Insurance

List each life insurance policy that you and your partner have.

Policy name	Date opened	Opened by	Beneficiaries

Are there any loans against any of the policies?

- No (skip to Business & Partnerships)
- Yes (see below)

## Divorce Decisions Worksheet

Name of loan	Date of loan	Name on loan	Loan used for

## Businesses & Partnerships

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

Business or partnership name	Spouse with custody

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

Business or partnership	Date started/acquired	Nature



## Divorce Decisions Worksheet

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

Business or partnership	Spouse 1 ( _____'s ) role	Spouse 2 ( _____'s ) role

Who will keep each business?

Business or partnership	Who will keep

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

Business or partnership	Estimated value

# Divorce Decisions Worksheet

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## Debts

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

Debt name	When was debt acquired?	Who acquired the debt?	What was the debt used for?

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

Debt name	Who paid down this debt?	Source of money

Who will keep each debt?

Debt name	Who will keep this debt?

## Divorce Decisions Worksheet

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

- No
- Yes

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

## Tax Decisions

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

Who will file on both party's behalf? \_\_\_\_\_

How will you pay to file? \_\_\_\_\_

- 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

If you are receiving money back from your return, or you owe money, how will you be dividing it?

- 50/50
- Other

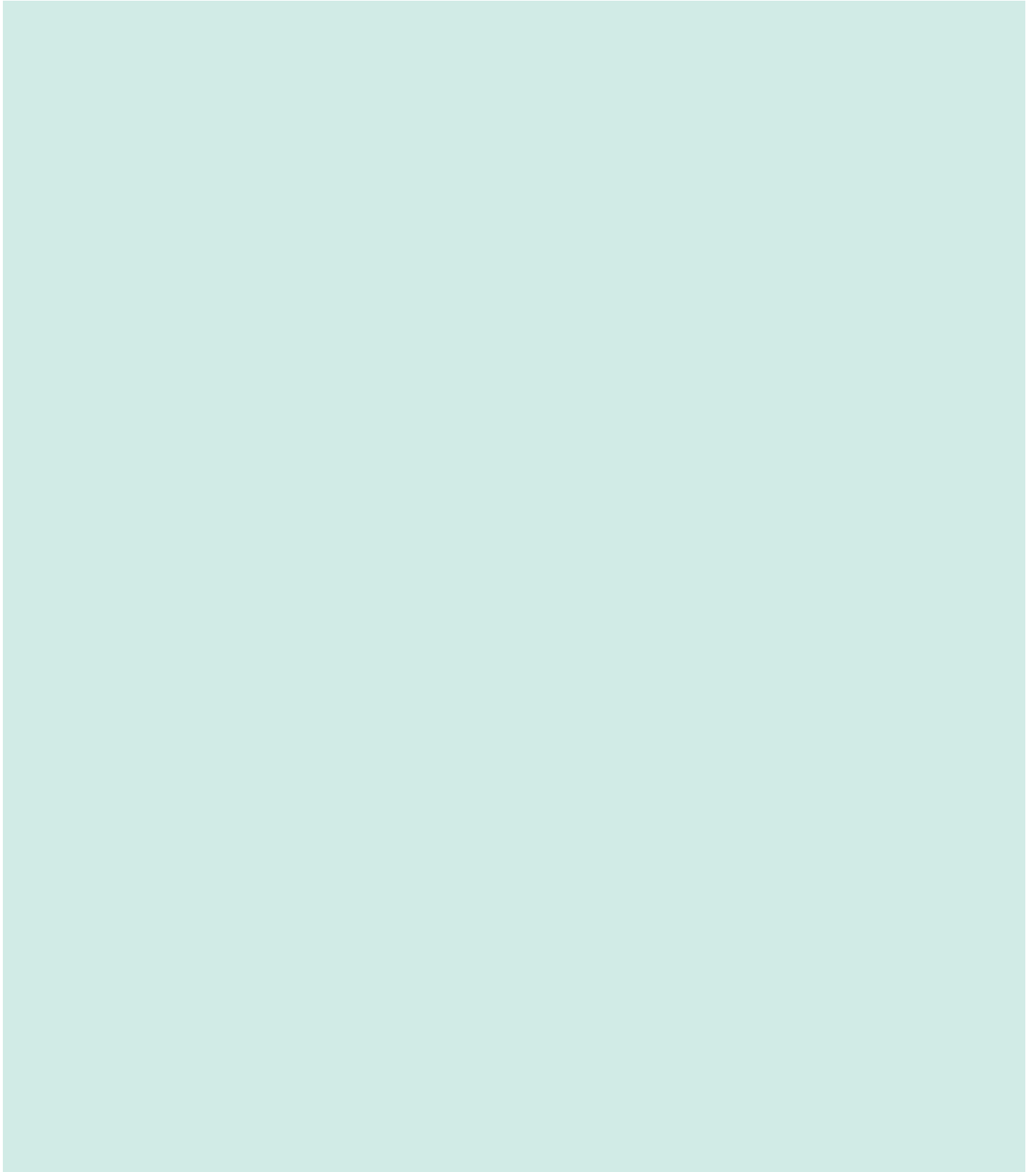
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- No
- Yes

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

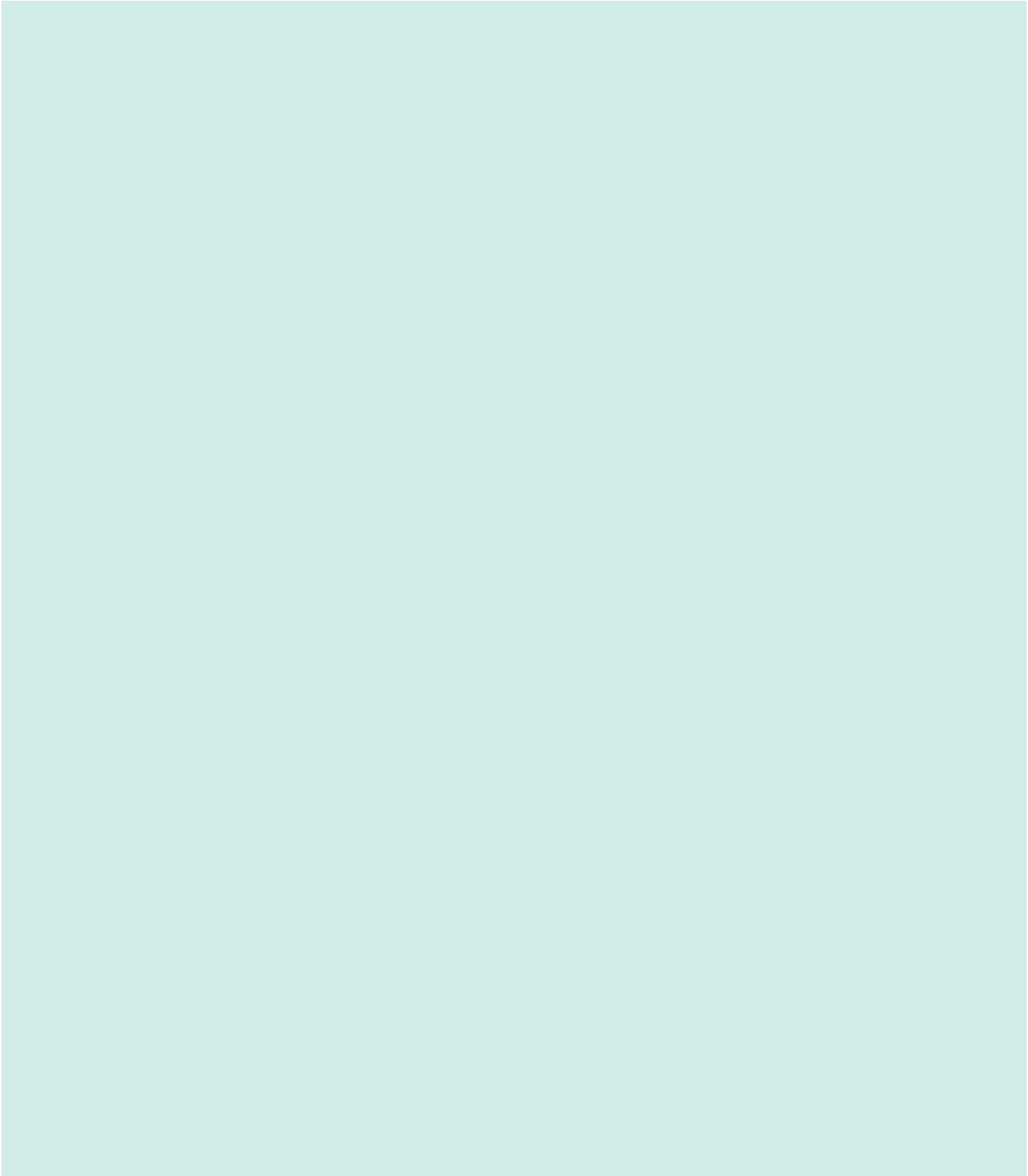
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## Additional Notes:



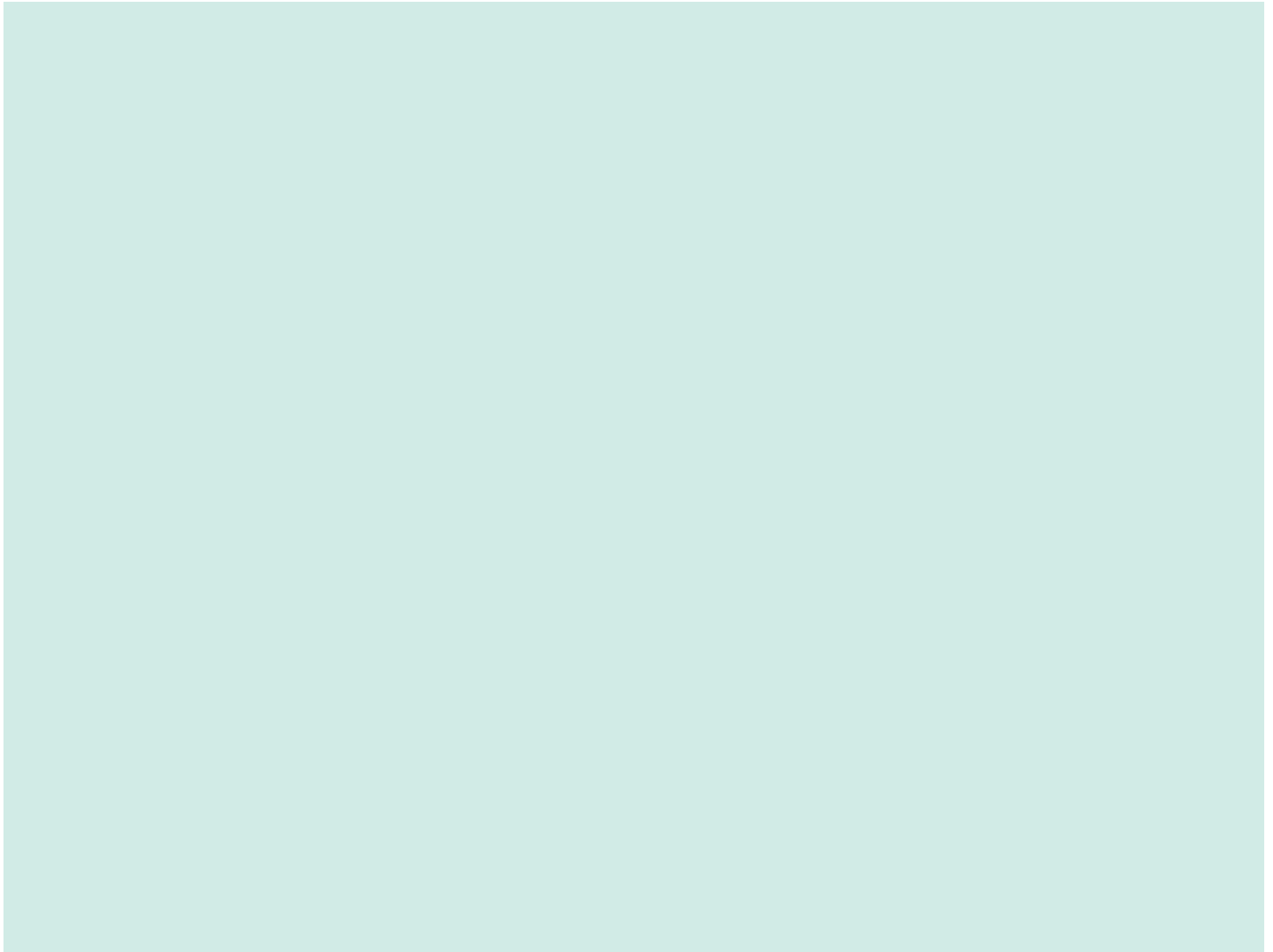
# Divorce Decisions Worksheet

## Additional Notes:



## Divorce Decisions Worksheet

### Additional Notes:



**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!

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