

# **12 Things to do Before filing for Divorce**



**ENSURE YOUR RIGHTS AND FAMILY  
ARE PROTECTED**

# **1. INTERVIEW ATTORNEYS**

Interview attorneys to determine which attorney you feel comfortable working with for a while. Are you comfortable discussing your situation with them? Is the attorney fairly easy to contact? Every attorney's style is different. You need to know whether or not they contact you regularly, whether they have been practicing family law for a while, and whether they have earned a ranking of 10 on AVVO.com.

# **2. REVIEW YOUR INSURANCE**

If you have insurance through your spouse's employer, get all major medical and dental procedures finished before you file. That way you will have insurance to cover those procedures.

# **3. TALK TO YOUR SPOUSE**

If you can talk with your spouse, discuss what life looks like after you are divorced—including custody and financial support. Neither one of you will feel like you have enough to survive. It is an important discussion.

# **4. TALK TO YOUR CHILDREN**

If you have children, and you and your spouse have open communication, discuss the future with your children and remind them constantly that you love them, and that it is not anyone's fault.

## **5. UNDERSTAND YOUR FINANCES**

- How much income does the family have?
- How many liquid assets does the family have?
- How much debt does the family have?
- How long will spousal support last?
- Do not cancel any insurance. The community may still be liable for any accidents or medical bills between the time of filing and the judgment for divorce.

## **6. KNOW YOUR FINANCIAL NEEDS**

- How much money do you need to survive?
- Do you need to return to school before you file?
- If your medical coverage is through your spouse's employer, you will have to pay for your own health insurance after the divorce. What is available? How much does it cost?

## **7. PRESERVE PROOF OF YOUR ASSETS**

Get copies, if not the original, of all important financial documents for the last three months: statements from bank accounts, pay stubs, investment accounts, retirement accounts, latest deeds for real property, credit cards, etc.

## **8. PROTECT YOUR ONLINE PRESENCE**

Change the passwords to your online bank accounts, investment accounts, and emails.

## **9. SECURE VALUABLE ITEMS**

- Consider items that have personal value as well
- If you have items that can easily disappear such as photos, jewelry, and passports, you need to take them with you and preserve them
- You should consult with an attorney before taking half of any community money. Technically, you can take half of community money, but beware of taking half of any amounts that will be used to pay for community debt such as mortgages or any amounts that are considered separate property. Any money you take should be kept in a safe place. Do not spend without discussing with an attorney.
- Open a new, separate bank account.

## **10. MOVING OUT OF YOUR HOME**

You do not have to move out of the family home, but you can if you want to find another place to live. However, if you do not have access to your children, we must file for custody orders as soon as possible. If you leave the house, it is better to take the children with you. You do not want to leave a situation where your spouse is the children's sole care giver, because that will affect your custody.

## **11. DO NOT SIGN ANY AGREEMENTS**

**If you and your spouse sign an agreement, it will be enforceable. It is important that before you sign any agreements it should be reviewed by an attorney.**

## **12. DEVELOP A SUPPORT NETWORK**

**Find people you can trust including friends and a therapist. It takes about five years to process a divorce. You should strongly consider a therapist. Having a therapist will help you through the process and will also allow you to speak freely without fear of what you say being used in court. You will have a therapist-patient privilege with the therapist.**

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**This advice is NOT for those who live in fear. If you are in an abusive relationship, you should create a safety plan and consult an attorney right away.**

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