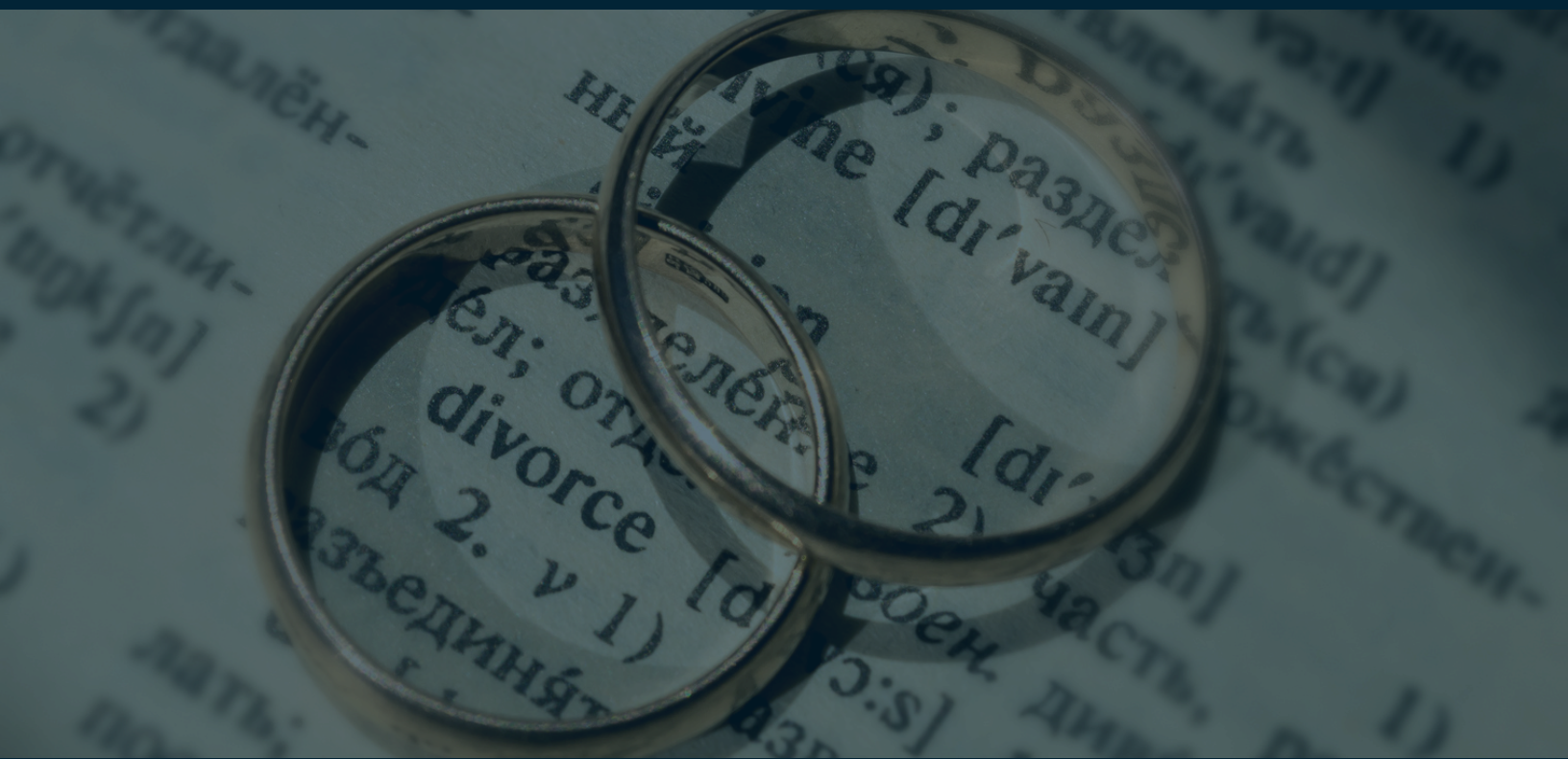


THE RAMAGE LAW GROUP

DIVORCE PLANNING GUIDE

A guide to help you through the divorce process



THE
RAMAGE
LAW GROUP

WELCOME.

This divorce planning guide is intended to help guide you through the divorce process while also tracking important information you can reference to any time during and after your divorce.

While this book is intended to help you, please refer to your legal team if you have questions or concerns.

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Documents You May Need



Documents You May need:

Whether you need these documents or not, its best to get them ready and available in the event that they are needed.

- ☐ **Income Tax Returns.** Personal, corporate, partnerships, joint ventures, or other income tax returns, state and federal, including W-2, 1099, and K-1 forms, in your possession or control for the period beginning _____ to _____.
- ☐ **Personal Property Tax Returns.** Filed in this state or elsewhere at any time throughout the marriage.
- ☐ **Banking Information.** All monthly bank statements for personal and business accounts, certificates of deposit, money market accounts in your possession or control from banks, savings and loan institutions, credit union, or other institutions, which have been or are maintained by you or your spouse for the period beginning _____ to _____.
- ☐ **Financial Statements.** Submitted to banks, lending institutions, or any persons or entities, which were prepared by you or your spouse during the last five years.
- ☐ **Loan Applications.** For all loans applied for, whether approved or not, for the last five years.
- ☐ **Broker's Statements.** All statements of securities and commodities dealers and mutual funds you and your spouse maintained and received during the marriage and held individually, jointly, or as a trustee or guardian for the period beginning _____ to _____.
- ☐ **Stocks, Bonds, and Mutual Funds.** Certificates held individually, jointly or as a trustee or guardian, including any stock brokerage accounts (and statements) owned during the marriage.
- ☐ **Stock Options.** All records pertaining to stock options held in any corporate or other entity, exercised or not.

Documents You May need:

Whether you need these documents or not, its best to get them ready and available in the event that they are needed.

- ☐ **Pension, Profit Sharing, Deferred Compensation Agreement, and Retirement Plans.** Or any other kind of plan owned by you and by your spouse or by any corporation in which you are or have been a participant during the marriage
- ☐ **Wills and Trust Agreements.** Executed by you or your spouse, or in which either of you have a present or contingent interest or in which you are named a beneficiary or trustee.
- ☐ **Life Insurance.** Or Certificates of life insurance currently in existence, in which you or your spouse are named as either owner, primary or contingent beneficiary, including any disability insurance currently in existence.
- ☐ **Outstanding Debts.** Documents reflecting all debts owed, secured or unsecured, including personal loans and lawsuits now pending or previously file din any court, showing the name of the debtor and/or creditors, the date each debt was incurred, the total amount and the unpaid balance.
- ☐ **Real Property.** All deeds, closing statements, tax bills, appraisals, mortgages, security agreements, leases and other evidence (including monthly payments and present principal and interest balances) of any type of interest or ownership, whether as owner, co-owner, fiduciary, trust beneficiary (vested or contingent), partner, limited partner, shareholder joint venturer, mortgagee, developer, manager, or otherwise, during the term of the marriage, together with evidence of all contributions, in cash or otherwise, made by you or on your spouse's behalf, toward the acquisition of such real estate during the marriage or afterward.
- ☐ **Sale and Option Agreements.** On any real estate owned by either of you, either individually, through another person or entity, jointly, or as a trustee or guardian.
- ☐ **Motor Vehicles.** Titles to all motor vehicles owned by you or your spouse, individually or jointly, at any time during the last five years, including airplanes, boats, automobiles, or any other type of motor vehicle.

Documents You May Need:

Whether you need these documents or not, its best to get them ready and available in the event that they are needed.

- ☐ **Corporate Interest.** All records indicating any kind of personal interest in any corporation (foreign or domestic) or any other entities not evidenced by certificates or other instruments.
- ☐ **Partnership and Joint Venture Agreements.** To which you or your spouse have been parties during the marriage.
- ☐ **Employment Records.** During the terms of the marriage, showing evidence of wages, salaries, bonuses, commissions, raises, propositions, expense accounts, and other benefits of deductions of any kind that were, are or may be paid, available, credited, or withheld for any purpose by any individual or entity or to which you or your spouse were, are or may be entitled in the future.
- ☐ **Memberships.** Documents identifying participation rights in any country clubs, key clubs, private clubs, associations or fraternal organizations during the marriage, together with all monthly statements.
- ☐ **Gifts.** All records pertaining to gifts of any kind made t you or by you to any person or entity, together with all records in connection with the transfer of personal property, by sale, gift or otherwise, during the marriage.
- ☐ **Inventory of Safe Deposit Boxes.** Of you and your spouse.
- ☐ **Payroll Statements and Pay Stubs.** All payroll statements and pay stubs that evidence the parties' earnings from _____ to _____.
- ☐ **Financial Statements.** All financial statements, profit and loss statements, balance sheets, income and expense statements, and operating statements regarding the parties and prepared by or on behalf of the parties.

Documents You May Need:

Whether you need these documents or not, its best to get them ready and available in the event that they are needed.

- ☐ **Articles of Incorporation or Organization.** All articles of incorporation or organization f any entity in which the parties now claim or have claimed any legal or equitable interest.
- ☐ **Policies of Insurance.** All policies of insurance, whether health, automobile, disability, casualty, homeowner's personal articles or otherwise, in which the parties claim any insurance protection.
- ☐ **Mortgages / Accounts Receivable.** All mortgages, notes receivable, accounts receivable, or other evidence or information pertaining to debts due in which you own or claim or have owned or claimed any interest, whether payable to you or your spouse individually or otherwise.
- ☐ **Lines of Credit / Loans.** Copies or originals of all credit files, loan files, loan, credit or lease applications, promissory notes, guaranty agreements, lease agreements, lines of credit, contracts for drafting authority, security agreements, or other obligations and contractual agreements in the name of the parties or to which the parties are signatories.
- ☐ **Psychological / Psychiatric Records.** All records, including invoices, relating to medical, psychological and psychiatric treatments, consultations, or diagnoses of the parties, including but not limited to any prescriptions.
- ☐ **Telephone Records.** All telephone records of the parties, including but not limited to residence, business, cellular, and portable telephone phones, for the period beginning _____ to _____.
- ☐ **Transfers to a Third Party.** Every document or tangible thing constituting or containing evidence or information relating to any money or property that has been used or expended for the use and benefit of any party other than your spouse (in whole or in part and whether by gift, loan, advance, or otherwise), regardless of whether you claim such money or property was used or expended for business purposes or whether you claim adequate consideration was given.

Documents You May Need:

Whether you need these documents or not, its best to get them ready and available in the event that they are needed.

- ☐ **Instruments of Guarantee.** Each and every document and instrument which either of you personally guaranteed, or offered to personally guarantee, in whole or in part, the indebtedness of or any payment owing by any other person, corporation, or other entity at any time, regardless of whether the guaranty is presently in effect or was accepted, and accompanied by each document or piece of paper given you by the lender or lenders and the principal or principals in connection with each said guaranty or the loan which was guaranteed or offered to be guarantee.
- ☐ **Power of Attorney.** Each and every power of attorney granted to any person or organization by either of you at any time since _____, wherein either of you is a principal, regardless of when granted or of whether or not the same has been revoked.
- ☐ **Pawn Tickets.** Each and every document, writing and other tangible thing reflecting, mentioning, or pertaining to or containing information relating to any items of personal property that has been pawned, sold or consigned to a pawn shop or other similar entity or individual, or used as collateral for a loan at a pawn or loan company.
- ☐ **Records of Cash Documents or Transactions for Same.** Records of any and all purchases of traveler's checks, money orders, or cashier's checks, or other documents evidencing a cash transaction to which you were a party for the period beginning _____ to _____.

Documents You May Need:

Whether you need these documents or not, its best to get them ready and available in the event that they are needed.

- ☐ **Documents Relating to Separate Property Interest.** Any and all documents pertaining to the acquisition of said property: (a) owned prior to your marriage; (b) acquired during the marriage by gift, descent or devise; and/or (c) during the marriage by any expenditure of separate funds, or right of reimbursement claimed by either of you with respect to any community property owned or claimed by either of you.
- ☐ **Other Lawsuits.** Any and all documents, including but not limited to all pleadings, correspondence, reports, discovery documents, agreements, releases, judgments, etc. relating to each and every lawsuit, other than this lawsuit, to which either of you is or since _____ has been a party.
- ☐ **Personalty Instruments.** Any and all bills of sale, payment or receipt records, title certificates, invoices, receipts, inventories, and lists, and any and all other instruments, documents, or other written indicia pertaining to or relating to the ownership of value of any and all personal property in which either of you has owned regardless of whether either of you presently claims said interest(s), and further including, but not limited to, the following items of personalty: coin collection; stamp collection; photographic equipment; household furniture, furnishings, appliances and fixtures; tools; automobiles; aircraft; trucks, trailers; boats and motors; recreational vehicles; animals of each and every type, except household pets; stocks and bonds and other securities; television, video tape and radio equipment and materials, including tapes, disks, records and cassettes; insurance policies; jewelry, electronic and/or electronic communication equipment and materials; firearms; hunting and fishing equipment; office equipment and materials; cash proceeds; and books, vases, and art objects.
- ☐ **Frequent Flyer Mileage Accounts.** Any and all books, records, documents, and instruments pertaining to frequent flyer mileage accounts received by either of you from any source.
- ☐ **Prior Court Orders.** All court orders requiring either of you to pay or entitling either of you to receive spousal maintenance, alimony or child support.

Notes

Developing a Parenting Plan



Developing a Parenting Plan

Parents

Mother's name: _____

Mother's address: _____

Mother's phone number: _____

Mother's e-mail address: _____

Father's name: _____

Father's address: _____

Father's phone number: _____

Father's e-mail address: _____

Attorneys

Mother's lawyer's name: _____

Mother's lawyer's address: _____

Mother's lawyer's phone number: _____

Mother's lawyer's fax number: _____

Mother's lawyer's e-mail address: _____

Father's lawyer's name: _____

Father's lawyer's address: _____

Father's lawyer's phone number: _____

Father's lawyer's fax number: _____

Father's Lawyer's e-mail address: _____

Developing a Parenting Plan

Therapists

Mother's Therapist's Name: _____

Mother's Therapist's address: _____

Mother's Therapist's phone number: _____

Mother's Therapist's fax number: _____

Mother's Therapist's e-mail address: _____

Father's Therapist's name: _____

Father's Therapist's address: _____

Father's Therapist's phone number: _____

Father's Therapist's fax number: _____

Father's Therapist's e-mail address: _____

Developing a Parenting Plan

Children *(lists starts with oldest child and ending with youngest child)*

Name

Date of Birth

Age

Grade

Collaborative Professionals

Child 1 Therapist's name: _____

Child 1 Therapist's address: _____

Child 1 Therapist's number: _____

Child 1 Therapist's fax number: _____

Child 1 Therapist's address: _____

Child 2 Therapist's name: _____

Child 2 Therapist's address: _____

Child 2 Therapist's number: _____

Child 2 Therapist's fax number: _____

Child 2 Therapist's address: _____

Child 3 Therapist's name: _____

Child 3 Therapist's address: _____

Child 3 Therapist's number: _____

Child 3 Therapist's fax number: _____

Child 3 Therapist's address: _____

Developing a Parenting Plan

Develop a parenting plan with the goal of doing what is best for our child and minimizing the negative effects of conflict on him/her.

- ① What is your intention with this parenting plan?

- ② Do you and your spouse have the same goals? If not, how are they different?

- ③ Have you taken parenting classes? If not have you signed up for parenting classes?

- ④ What is the difference to you between 'exclusive', 'independent', and 'joint' rights or duties as a parent?

- ⑤ Have you told your child(ren) about your plans to divorce? If not, how do you plan to tell them and what will you tell them?

Allocation of Parental Rights and Duties

	RIGHTS AND DUTIES	EXCLUSIVE MOTHER	EXCLUSIVE MOTHER After notice to father	EXCLUSIVE MOTHER After Consultation w Father	EXCLUSIVE FATHER	EXCLUSIVE FATHER After notice to Mother	EXCLUSIVE FATHER After consultation w Mother	INDEPENDENT	INDEPENDENT After notice to other parent	INDEPENDENT After consultation w other parent	JOINT (SUBJECT TO AGREEMENT)
1	Duty to make periodic child support payments										
2	Right to receive and give receipt for periodic payments for the support of the child and hold or disburse these funds for the benefit of the child										
3	Right to designate the primary residence of the child either: <input type="checkbox"/> without regard to geographic location, or <input type="checkbox"/> which must be maintained within an established geographic area.										
4	Right to make decisions concerning the child's education. Any special provisions:										
5	Right to consent for the child to medical, dental, and surgical treatment involving an invasive procedure										
6	Right to consent for the child to inpatient psychiatric and psychological evaluation										
7	Right to consent for the child to inpatient psychiatric and psychological treatment										
8	Right to consent for the child to outpatient psychiatric and psychological evaluation										
9	Right to consent for the child to outpatient psychiatric and psychological treatment										
10	Right to represent the child in legal action and to make other decisions of substantial legal significance concerning the child										

Allocation of Parental Rights and Duties

	RIGHTS AND DUTIES	EXCLUSIVE MOTHER	EXCLUSIVE MOTHER After notice to father	EXCLUSIVE MOTHER After Consultation w Father	EXCLUSIVE FATHER	EXCLUSIVE FATHER After notice to Mother	EXCLUSIVE FATHER After consultation w Mother	INDEPENDENT	INDEPENDENT After notice to other parent	INDEPENDENT After consultation w other parent	JOINT (SUBJECT TO AGREEMENT)
11	Right to consent to marriage										
12	Right to consent to enlistment in armed services of U.S.										
13	Right to make decisions regarding the services and earnings of child [unless the child is in foster care]										
14	Except when a guardian of the child's estate or a guardian or attorney ad litem has been appointed for the child, the right to act as an agent of the child in relation to the child's estate if the child's action is required by a state, the U.S. or a foreign government										
15	Right to manage the child's estate to the extent the estate has been created by community or joint property of the parents										

Notes

Developing a Parenting Plan

Residence

In Texas, the term “possession and access” refers to the parenting time each parent will spend with their child(ren). For the most part, one parent will establish the child’s primary residence, or the Court will designate the geographical area for the child’s residence. The “non-custodial” parent will then have possession and access according to a set schedule. The policy in the State of Texas is that the child should have frequent access to and contact with both parents, so typically the courts will impose a geographical restriction on the child’s primary residence. Where both parents live in relation to your child after the divorce impacts day-to-day involvement in the child’s education, activities and relationships. Take the time to consider what is important in terms of where your child will reside in relation to each parent.

1 Have you and your spouse thought about the terms of determining your child's primary residence?

2 How important is it for your child to live in a certain location [region, city, school district, etc.]?

3 Do you want to specify that geographic area to assure your child remains in that location? If so, what is that geographic area?

4 Under the circumstances that one or the other of you want or need to relocate, how do you see yourselves handling that circumstance? How could this circumstance affect your child?

Developing a Parenting Plan

Education

Educational decisions go beyond deciding which school district or school the child is to attend. You should consider a wide range of decisions related to the child's education, educational experiences and activities.

① How have you made school-related decisions in the past? How have you involved your child in the decisions? Who is the "go-to" parent when it comes to school issues?

② How will you coordinate monitoring your child's school responsibilities (homework, projects, activities, carpool, etc.)?

③ What are the best ways to keep each other informed about school-related issues/concerns and/or sharing school-related information? How do you see school conferences being handled?

Developing a Parenting Plan

Education

Educational decisions go beyond deciding which school district or school the child is to attend, you should consider a wide range of decisions related to the child’s education, educational experiences and activities.

- 4 Does your child have any special educational needs that should be addressed? Are you both in agreement about those needs and how to best handle them? What choices are available for handling such educational needs? Which parent goes to ARD meetings if your child receives special education? Do both parents agree on the nature of your child's disabilities?

- 5 What concerns would you have if the other parent has the exclusive right to make educational decisions? How could your concerns be addressed to benefit your child and avoid future conflict?

- 6 Does either parent want the child to go to private school?

Developing a Parenting Plan

Mental Health Care

Develop a parenting plan with the goal of doing what is best for our child and minimizing the negative effects of conflict on him/her.

- ① What are your general thoughts about mental health treatment?

- ② What would your concerns be about making mental health evaluation or treatment decisions in regard to your child?

- ③ Have you considered how you would approach decisions regarding psychotropic medication and/or do either of you have concerns that should be addressed in your parenting plan about how such decisions can be made?

- ④ What concerns would you have if either of you had the right to make such mental health decisions independent of the other? How could your concerns be addressed to benefit your child and avoid future conflict?

- ⑤ Are there advantages/disadvantages of making these decisions independently or jointly?

Developing a Parenting Plan

Parenting Time: Basic Schedule

It is important that your Divorce Decree include a parenting time or possession schedule so you, your child's other parent, and your child(ren) can have predictability. Of course, sometimes it is important to have flexibility, so your Decree will provide that possession and access will be at all times agreed upon by both parents. But it is equally important to have a schedule and structure. In Texas, the default is the Standard Possession Order, but many families alter the schedule to meet what works for their family, whether that is a split week, alternating week or standard possession order.

- ① How are you sharing time with your child now and how is it working?

- ② What kind of parenting time with each of you do you think your child needs and how can you best accommodate that?

- ③ What weekday and weekend plan would be best achieve your goals for your family during the school year? During the summer?

- ④ Are there special considerations, including the age of your child, that may affect a parenting time schedule now or in the future?

- ⑤ How will you handle situations in which your child is sick during your scheduled parenting time? Should there be make-up time for missed parenting time?

Developing a Parenting Plan

Parenting Time: Holidays

Major holidays usually incorporated in parenting plans are Thanksgiving, Winter Holiday Break (or Christmas vacation), Mother's Day (weekend or day), Father's Day (weekend or day), Child's Birthday, and Spring Break. The plan may then list any of the remaining holidays the parents believe need to be addressed and discussed.

- ① How have you celebrated holidays in the past, especially in terms of extended family celebrations? What are your thoughts about how to share these holidays in the future?

- ② Which holidays are especially meaningful to each of you, and how can you preserve those special times with each parent?

- ③ If your child has half-siblings or step-siblings, how would you coordinate holiday schedules?

- ⑤ Are there any specific non-major holidays that have significance that need to be addressed? (ex: religious holidays)

Developing a Parenting Plan

Parenting Time: Summer

- ① What does your child expect to do in the summer? What do you anticipate in terms of summer vacations for each of you?

- ② Does your child participate in sports or other activities that require summer plans? When you look at the amount of summer vacation time, what makes sense to you in terms of time-sharing, e.g. week on - week - off, 30 days with each parent.

- ③ Are both parents able to take the children to summer activities? If you have summer parenting time and are working, what would you do about child activities, child care, and supervision?

- ④ What types of vacation time do you wish to spend with your children? How much notice do you need from the other parent to schedule extended summer periods? Who would be the first to designate?

- ⑤ What will you do if a parent fails to designate their extended summer period by the required deadline?

Developing a Parenting Plan

Additional Topics: Extracurricular and Social Activities

- ① What activities does your child participate in?

- ② How will you make decisions regarding your child's extracurricular activities in the future?

- ③ How do you want to handle activities that cross over each parent's parenting time?

- ④ How will you handle the cost of your child's activities? If your child wanted to participate in multiple activities at the same time, how would you select activities?

- ⑤ How will you make decisions about your child's social activities—things like birthday party invites, play dates, sleepovers, etc., during each parent's parenting times?

Developing a Parenting Plan

Additional Topics: Child Care

As a general rule, each parent has the responsibility to provide child care during their respective periods of possession. However, it is important to consider what is important to you in terms of child care, such as when it is required, the age at which it is no longer necessary, who shall provide it, and should a parent be given preference to provide child care?

① What have your child care arrangements been up to this point?

② Are there any child care providers about whom you have concerns?

③ Do you anticipate sharing the same child care provider(s)? How do you believe the cost should be addressed?

④ What are your criteria for selecting a child care provider (e.g., age, gender, qualifications, cost)? How would the criteria differ depending on whether it was a formal child care provider or a babysitter? Do you have a preference for family members?

Developing a Parenting Plan

Additional Topics: Child Care

As a general rule, each parent has the responsibility to provide child care during their respective periods of possession. However, it is important to consider what is important to you in terms of child care, such as when it is required, the age at which it is no longer necessary, who shall provide it, and should a parent be given preference to provide child care?

⑤ How do you feel about older children babysitting younger siblings?

⑥ At what age and under what conditions should your child be able to stay home alone and for what period of time?

⑦ How do you think summer and holiday child care should be handled?

⑧ Are there circumstances when one parent can have a right of first refusal instead of the other parent arranging for child care?

Developing a Parenting Plan

Additional Topics: Contact with Significant Others/Restriction on Adults Overnight

Most divorced parents will get involved in future relationships of significance and some remarry. Addressing these realities up front helps avoid conflict.

- ① How do you define “significant other” or “significant relationship”?

- ② How do you plan to introduce significant other relationships into your child’s life?
How will you share this information with each other?

- ③ What guidelines should there be about the significant other spending time with your child?

- ④ Do either of you have any concerns about introducing new adult relationships into your child’s life? What would be the best way to address those concerns?

- ⑤ What are your thoughts about having significant others spend the night when your child is at home with you? With your child’s other parent?

Developing a Parenting Plan

Additional Topics: Communications

- ① What do you find are the best means of communicating between you and your spouse?

- ② What methods of communication [e-mail, instant messaging, video conferencing, phone calls, letters, face-to-face conversations, etc.] do you believe would work best to protect your child from conflict?

- ③ How do you want to handle telephone contact from your child to each parent when he or she is with their other parent?

- ④ Do you need to establish basic ground rules about such telephone contact between parent and child regarding:

- a. Frequency
- b. Duration
- c. Times of calls
- d. Privacy/Eavesdropping

Developing a Parenting Plan

Additional Topics: Discipline

- ① How have you handled disciplining your child in the past?

- ② How similar are your house rules and disciplinary approaches?

- ③ What kind of behavior problems, if any, have you encountered with your child?

- ④ If you have disagreements about discipline, how will you handle such disagreements?

- ⑤ How will you set ground rules for your child so there is consistency between homes?

- ⑥ What will you do if one parent sets a consequence that impacts the other parent's scheduled time?

Developing a Parenting Plan

Child Support

As parents, you know that supporting children takes a lot when you are in one household. Planning for how to support the children after you separate households is vitally important. In Texas, the default child support standard is the statutory child support guidelines, which sets support at a percentage of net resources (which is different from net income). Whether a parent has other children for whom they owe a duty of support can also affect child support. You may access the child support calculator on the Attorney General's website [here](#). Child support will typically reduce slightly as each child reaches 18 or graduates from high school. It is important to remember, however, that application of the guidelines can vary and be nuanced, so you should speak with an attorney for a more definitive calculation of support now and in the future. In addition to child support, the parents must plan for the provision of health insurance and division of non-covered medical expenses. Medical support is typically in addition to child support.

Monthly Support

Statutory Choice

_____ also has the right to receive and give receipts for periodic payments for the child's support and to hold or disburse those funds for the child's benefit.

Child support to be paid by _____ to _____

Amount to be paid on a monthly basis: \$ _____

To be paid ☐ weekly ☐ bi-weekly ☐ semi-monthly ☐ monthly

Beginning date: _____

Income withholding order

☐ will be served

☐ will not be served unless obligee is delinquent in payments.

To be reduced as follows: (complete as applicable)

\$ _____ when Child #1 is no longer eligible to receive child support

\$ _____ when Child #2 is no longer eligible to receive child support

\$ _____ when Child #3 is no longer eligible to receive child support

Developing a Parenting Plan

Child Support

Health Insurance

Health insurance for the child:

To be provided by ☐ me ☐ my spouse

☐ by carrying health insurance on the child

☐ by reimbursing the other parent _____% for carrying health insurance on the child

(Consider a dollar cap or a cap based on the percentage of the paying parent's income and consider to what extent this applies to private insurance not available through employment.)

Uninsured medical expenses are to be paid as follows:

If the healthcare expenses are incurred by using an HMO or PPO plan, in an emergency, or with the written agreement of the other parent,

_____ % by the parent providing the insurance

_____ % by the other parent

Except in an emergency or if the other parent agreed in writing if a parent incurs health-care expenses for their child by using the services of health-care providers not employed by the HMO or approved by the PPO:

_____ % by the parent incurring the services

_____ % by the other parent

If a parent provides health insurance for their child through an HMO or a PPO that does not provide coverage for their child where their child resides or have network providers in the area where their child resides:

_____ % by the parent providing the insurance

_____ % by the other parent

If the child is enrolled in a health-care plan that is not an HMO or a PPO:

_____ % by the parent providing the insurance

_____ % by the other parent

Developing a Parenting Plan

Provisions to Optimize Development of a Close and Continuing Relationship between Each Parent and the Child

- ① Would regular meetings help you plan for the changing needs of your child?

- ② Do you anticipate future needs and circumstances which you want to address now?

- ③ Have you considered the best way to insure that such meetings take place?

- ④ How will you commit to making parenting time agreements which maximize quality time with each parent as your child's needs change with age?

- ⑤ What plan for communication methods will best maintain parent-child contact, especially when separated by long distance?

Notes

Planning Steps:



1

Understand and
Agree to the Process

2

Determine the shared and
differing goals, interests and
concerns of each person and
your children.

3

Gather all financial, legal,
and other factual
information necessary to
make informed choices.



Notes/Questions



Goals, Interests, Concerns, and Values

- ① What are the five most important goals you would like to accomplish during the divorce process?

- ② Why are these goals important to you or your family?

- ③ Putting yourself in the other person's shoes, what are the five most important goals that you believe he or she would most like to accomplish during this process?



Goals, Interests, Concerns, and Values

- ④ Putting yourself in the other person's shoes, as to each of the items listed above, explain why you believe these goals are important to the other person.

- ⑤ What are your five biggest concerns or worries about your divorce?

- ⑦ From the perspective of the other person, what do you believe are his or her five biggest concerns or worries?



Goals, Interests, Concerns, and Values

9 What goals do you have for your child(ren) after your divorce?

11 What are your concerns and worries about the legal process?



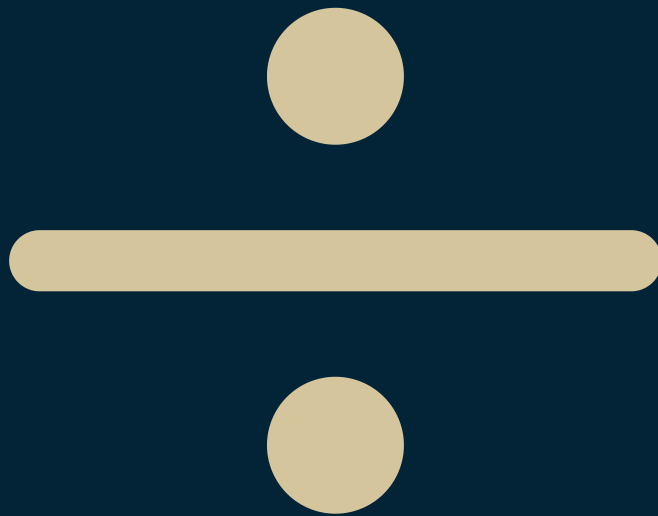
Gather Information

Before filing for divorce, it is generally advisable for you to be fully aware of the financial, legal and factual circumstances surrounding your case. This may involve creating written lists of property and debts, budget statements documenting monthly expenses and income, and financial statements, as well as collecting and copying tax returns, bank and brokerage account statements, and numerous other documents and information related to your situation.

Steps to gathering information:

1. A listing of all property and accounts owned by you and your spouse, including real estate, retirement benefits, employee benefits, business assets, future bonuses and insurance investments, regardless of whether the property is held in your name or your spouse's name.
2. A discussion or determination as to whether or not the listed property is community or separate property. This is a legal issue that should be discussed with your lawyer if there is property that was owned prior to marriage or received during marriage by gift or inheritance or as the result of a recovery for personal injuries. Additionally, if there is any pre- or post-marital agreement, this should be discussed with your lawyer.
3. A discussion or determination of the value of all property, paying special attention to closely held businesses, stock options, retirement benefits, and other employee benefits.
4. A list of all of your debts and liabilities.
5. A discussion or determination of tax liabilities that may be associated with the ownership or transfer of any of your property
6. A budget for your estimated monthly income and living expenses.

Suggested Ways to Divide Household Goods and Personal Possessions



Suggested Ways to Divide Household Goods and Personal Possessions

❶

CHOICE 1 - SIMPLE AGREEMENT

1. Make a list of all household goods and agree on the contents of that list.
2. You may wish to include tools, patio items, garage items, lawn mowers, etc.
3. If you both agree that:
 - any of the items were a gift to the other person;
 - any of the items belongs to the other person before the marriage;put those items on a separate list called "Separate Property." This property will then go to that person
Then simply agree on who gets what.

❷

CHOICE 2 - ALTERNATE PICKS

1. Follow steps 1, 2, & 3 from choice 1 above.
2. Flip a coin to see who gets to start
3. The first person picks the item he or she wants. The second person picks an item of equal value or a number of items to make up the same value.
4. You both continue to pick until all items are gone. Both parties hopefully end up with property of equal value.

❸

CHOICE 3 - SILENT AUCTION

1. Follow steps 1, 2, & 3 from choice 1 above.
2. Each person submits values for each item. The person who submitted the highest value gets to keep the item.
3. The value of the items retained by each person is added up and the person with the highest value of items make an equalization payment to the other person.

Suggested Ways to Divide Household Goods and Personal Possessions

④ 3 Ways to Value Your Household Goods and Personal Possessions (for choices 1 and 2 above)

1. Agree

- There are different ways to value household goods. Unless an item is brand new, the purchase price is usually not important.
- Consider using garage sale or estate sale values
- Use your common sense - what would you pay for that item right now?

2. Average your value and your spouse's value

- Make a list of the items you cant agree on
- Each of you value those items.
- Take an average of the two values and use that value.

3. Appraise

You can have your entire household appraised by an accredited appraiser for a fee. The cost of the appraisal can vary significantly depending on the number items and whether or not there are antiques. When you receive the appraisal you can then follow choices 1 or 2 above.

⑤ Write down three or more plans for meeting your child(ren)'s financial needs. Put an asterisk by those that you would find acceptable at this time.

1. It is always difficult when there are children involved and some of the property belongs to your children or is for your children's use.
2. In these cases, agree on what are legitimate children's items and divide these between you in accordance with:
 - your child's wishes;
 - the amount of time your children spend with each of you; and
 - the nature of the item.
3. It is very important to be reasonable and moderate in your discussions when you divide your children's things.

Suggested Ways to Divide Household Goods and Personal Possessions

⑥ Consider the High Cost of Prolonged Disagreement

If you have to use two lawyers and a mediator to resolve the issue of who gets what furniture and furnishings, it may cost the two of you a combined cost of \$500.00 to \$1,000.00 per hour or more to resolve the dispute. Try thinking of it this way– would you pay someone \$200 to \$400 per hour to go shopping with you?

If after all this you still cannot agree, consider these if you can have a sense of humor:

Seven Fun Ways to Divide Furniture and Art If You Cannot Agree And Have a Sense of Humor (Sense of humor is **not** optional)

- **Pin the tail on the dining room table.** Think of pin the tail on the donkey. Take pictures of all disputed furniture. Put the pictures on a wall or corkboard. Alternate blindfolding each other and trying to “pin the tail” on the furniture you want. Blindfold not optional. Number of times to spin around before attempting to pin is optional.
- **Chicken Pickin.** Borrow two chickens from a local farmer. Designate one chicken as “his” and one as “hers.” Assign numbers to each item of disputed furniture. Create a poster board with a square with a number for each disputed piece of furniture. Put a kernel of corn on each numbered box. Let the chickens go at it. Whatever items of furniture each chicken “picks” belongs to the “his” or “her.” If there are no chickens available, two children under 10 months old can be substituted for the chickens.
- **Pitching Quarters.** Create a list of the disputed property. As each item comes up on the list the parties each “pitch” one quarter up against a wall. The party’s quarter that lands closest to the wall “wins” the item in dispute. If one party is a star quarter pitcher, flipping the quarters can be substituted.
- **Carnival Darts.** Take pictures of the disputed items and put them on a wall. Create a line fifteen feet from the wall. Take turns throwing the darts from behind the line. Each party wins whatever furniture they hit with the dart. The loser has to also repair the wall.
- **Property Blackjack or Property Poker.** Play a hand of blackjack or poker to decide the fate of each item of disputed furniture. You can make the jokers or one-eyed jacks claim especially coveted items.
- **Rock, scissors, paper.** Use this time tested school yard game to decide the future ownership of any precious furniture and priceless works of art. If there are any sore losers you can choose to invoke the “two out of three” option.

List of Household Items

You may wish to include tools, patio items, garage items, lawn mowers, etc.

Separate Property

- any of the items were a gift to the other person;
- any of the items belongs to the other person before the marriage

Property Division Worksheet



Property Division Worksheet

Community Assets/Liabilities	Husband's Values	Wife's Values	Net working Value	To Husband	To Wife	Notes
1. Real Property						
1A. Primary Residence (Homestead)						
1.B. Other Real Property Interest						
1.C. Mineral Interest						
2. Cash and accounts with financial institutions						
2.A.1. Name of financial institution						
2.A.2. Name of financial institution						
2.B.1. Brokerage/mutual fund accounts						
2.B.2. Brokerage/mutual fund accounts						
3. Stocks, bonds, options and other investments						
3.A.1. Name of security/investment						
3.A.2. Name of security/investment						
4. Retirement accounts						
4.A. Individual accounts						
4.A.1. IRA/SEP/Solo 401(k)						
4.A.2. IRA/SEP/Solo 401(k)						
4.B. Company retirement accounts						
4.B.1.a. Defined contribution plan						
4.B.1.b. Defined contribution plan						
4.B.2.a. Defined benefit plan						
4.B.2.b. Defined benefit plan						
4.C. Uniformed services						
4.C.1. Name of plan						
4.C.2. Name of plan						
4.D. Other retirement accounts						
4.D.1. Name of plan						
4.D.2. Name of plan						
5. Employee-related benefits						
5.A.1. Stock options						
5.A.1.a. Description						
5.A.1.b. Description						
5.B. Bonuses						
5.B.1. Description						
5.B.2. Description						

Property Division Worksheet

Community Assets/Liabilities	Husband's Values	Wife's Values	Net working Value	To husband	To wife	Notes
5.C. Other employee-related benefits						
5.C.1. Description						
5.C.2. Description						
6. Life Insurance/annuities						
6.A.1. Description						
6.A.2. Description						
7. Closely held business interests/corporations/partnerships						
7.A.1. Description						
7.A.2. Description						
8. Contents of safe deposit box/home safe/storage facility						
8.A.1. Description						
8.A.2. Description						
9. Motor vehicles, boats, airplanes, cycles, trailers, RVs						
9.A.1. Identify vehicle						
9.A.2. Identify vehicle						
10. Miscellaneous personal property						
10.A. Not itemized nor valued for settlement						
10.B. Household furniture, furnishings and fixtures						
10.B.1. In Wife's Possession:						
10.B.2. In Husband's Possession:						
10.C. Clothing, jewelry and items of personal adornment						
10.C.1. In Wife's Possession:						
10.C.2. In Husband's Possession:						
10.D. Miscellaneous sporting goods and firearms						
10.D.1. In Wife's Possession:						
10.D.2. In Husband's Possession:						
10.E. Electronics, computers, office equipment/furniture						
10.E.1. In Wife's Possession:						
10.E.2. In Husband's Possession:						

Property Division Worksheet

Community Assets/Liabilities	Husband's Values	Wife's Values	Net working Value	To husband	To wife	Notes
11. Antiques, artworks and collections						
11.A. In Wife's Possession:						
11.B. In Husband's Possession:						
12. Club memberships						
12.A.2. Name of club						
6.A.2. Description						
13. Travel awards/frequent flyer accounts						
13.A.1. Description of benefit						
13.A.2. Description of benefit						
14. Sports/cultural events/memberships						
14.A.1. Description						
14.A.2. Description						
15. Livestock/pets						
15.A.1. Description						
15.A.2. Description						
16. Money owed to husband or wife						
16.A.1. Name of debtor						
16.A.2. Name of debtor						
17. Contingent assets and claims						
17.A.1 Description						
17.A.2. Description						
18. Any other assets						
18.A.1. Description						
18.A.2. Description						
19. Economic contribution/reimbursement						
19.A. Nature of claim						
19.B. Nature of claim						
TOTAL COMMUNITY ASSETS						

Property Division Worksheet

Community Assets/Liabilities	Husband's Values	Wife's Values	Net working Value	To Husband	To Wife	Notes
20. Unsecured community liabilities						
20. Attorney's fees in this case						
20.A. Unpaid attorneys fees for wife						
20.B. Unpaid attorneys fees for husband						
21. Other professional fees						
21.A. Name of professional						
21.B. Name of professional						
22. Credit and debit cards/charge accounts						
22.A. Name of account						
22.B. Name of account						
23. Unsecured loans owed to other people						
23.A. Name of creditor						
23.B. Name of creditor						
24. Federal, state and local tax liability						
24.A. Description						
24.B. Description						
25. Contingent liabilities						
25.A. Description						
25.A. Description						
26. Other liabilities not listed above						
26.A. Description						
26.B. Description						
TOTAL COMMUNITY LIABILITIES						
NET COMMUNITY ESTATE						
PERCENTAGE DIVISION BEFORE ADJUSTMENTS						

Property Division Worksheet

Community Assets/Liabilities	Husband's Values	Wife's Values	Net working Value	To Husband	To Wife	Notes
ADJUSTMENTS						
Present value of alimony/spousal maintenance						
Tax consequences						
Contribution to separate estates (not covered in 19)						
Contribution from separate estates						
DIVISION AFTER ADJUSTMENTS						
PERCENTAGE DIVISION AFTER ADJUSTMENTS						
Trust, estate and custodial assets						
27. Assets held by either party for the benefit of another						
27.A. Description of assets						
27.B. Description of assets						
28. Assets held by another party for the benefit of either party or the children						
28.A. Description of assets						
28.B. Description of assets						
29. Custodial accounts [Uniform Transfers to Minors Act]						
29.A. Name of financial institution						
29.B. Name of financial institution						
Separate property and separate liabilities						
30. Separate property and liabilities of wife						
30.A. Description of assets and liabilities						
31 Separate property and liabilities of husband						
31.A. Description of assets and liabilities						

Notes