

I. PROPERTY DIVISION

A. Real Estate

Marital homes, investment property, vacation homes, time shares, business property.

1. Who will retain the property
2. Refinancing & equity payout
3. Responsibility for maintenance & repairs
4. Approach to obligations considered joint
5. Timing and decision maker if selling home(s)

B. Contents of Marital Home

All furnishings, decor, artwork/paintings, appliances, outdoor maintenance equipment

1. Which contents each spouse retains
2. When items will be divided
3. When will be removed from marital home

C. Personal Property

Non-household items acquired during the marriage

1. Division of items
2. Exotica: club memberships, season tickets, frequent flyer miles, credit card points, collections

D. Vehicles

Cars, boats, trailers, campers, ATVs, motorcycles

1. Who holds Titles & Registrations
2. Obligation for loans in both names
3. Refinancing joint loans
4. Who retains recreational vehicles

E. Bank Accounts & Cash Assets

Personal & business checking, savings, CDs

1. Will joint accounts be closed or retained by one spouse
2. How and when funds in these accounts will be divided
3. Beneficiaries of these accounts

F. Stocks & Bonds

1. Certificate shares in equities, stocks, stock options
2. Date of Maturity
3. Commercial & Treasury Bonds
4. Mutual Fund holdings
5. Brokerage account holdings (with all of the above)
6. Employer provided stock accounts
7. Savings Bonds
8. Beneficiaries

G. Life Insurance Policies

Private and those provided and offered by your employer

1. Are policies Whole Life or Term
2. Values & death benefits
3. Beneficiaries
4. Annuities

H. Retirement Accounts

IRAs (traditional, Roth, SEP) 401k, 403b, 414h, Pensions, Deferred Comp, Annuities

1. Percentage of how these accounts will be divided
2. Beneficiaries
3. Survivor Benefit options

I. Businesses

Sole proprietor, DBAs, S-Corps, Partnerships, LLCs

1. Asset values including all bank accounts, inventory, and real estate or other investments or holdings
2. Necessity for business valuation/appraisal
3. Spousal interest in business and payment

J. Miscellaneous

1. Pending lawsuits
2. Royalties, patents, copyrights, intellectual property rights
3. Trusts

K. Marital Consumer Debt

Joint & individual credit cards, private or personal loans, installment loans, automobile loans, leases, tax liabilities or liens

1. How joint accounts will be paid
2. How accounts are held - individual, joint or authorized user
3. When joint accounts will be closed
4. Refinancing or assuming joint loans

2. Spousal Support

Alimony and marital settlement

1. Whether appropriate
2. Tax considerations
3. Duration and amount
4. Method of payment (direct deposit or direct payment)
5. Life insurance safeguards for payment

3. Income Taxes

1. Filing Joint or Individual if still married
2. Responsibility for and payment of past tax liabilities
3. Assignment of deductions to jointly owned/jointly paid real estate taxes

Health Insurance

1. Continuation of spousal benefits - RI Title 27 Insurance Continuation Act
2. Coverage through Affordable Care Act (eff. 1/1/14)
3. Spousal reimbursement for benefits
4. Paying health insurance costs as alimony

5. Restoration of Maiden Name

6. Last Will & Testament

1. Making changes
2. When changes will be made
3. Beneficiary changes
4. Legal guardian for minor children

Notes

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