

THINGS TO DO BEFORE FILING FOR DIVORCE

THE CHECKLIST

1. AVOID TOXICITY

Don't do anything that will embarrass your spouse, turn the children against your spouse, or leave your spouse unexpectedly without funds. In some cases, this cannot be avoided, but in most cases, it can. Paying attention to this one principle can frequently cut the overall cost of the divorce in half.

2. PROTECT ITEMS THAT HAVE SENTIMENTAL VALUE TO YOU

It is best to just simply get them out of the home.

3. CHANGE YOUR PASSWORDS AND YOUR SECURITY QUESTIONS

Pay special attention to making sure your email is secure so your spouse can't make any changes to any passwords.

4. TAKE YOUR SPOUSE OFF OF ALL ACCOUNTS THAT YOU ARE OBLIGATED TO PAY FOR

- Credit cards
- Toll tags
- Internet accounts (don't forget Amazon, Venmo, or any other sites)
- Line of credit
- Look at all of your automatic payments and verify whether or not they need to continue

5. AVOID OPENING NEW ACCOUNTS THAT YOU ARE FINANCIALLY RESPONSIBLE FOR

For example, if your spouse is buying a car, make sure the loan is in your spouse's name.

6. OPEN A SEPARATE BANK ACCOUNT IN YOUR NAME

Change all of your direct deposit payments and paychecks to go into your new account.

7. GET COPIES OF IMPORTANT FINANCIAL DOCUMENTS

- Insurance policies
- Deeds
- Retirement accounts
- Financial accounts
- Debts
- Loan
- Loan applications (This one is *extremely* helpful if you think that your spouse is going to try to hide income)
- Profit and loss statements for a privately held business
- Balance sheets for a privately held business

Don't do anything illegal or enter into a physical argument in order to get documents. If you can't get them, your attorney can, but if they are readily available to you now you can save time and money by taking photos of them.

8. BE CAREFUL WITH WHAT YOU POST ON SOCIAL MEDIA

Assume your judge and your spouse will read every word you write- anywhere. Don't make statements criticizing your spouse or flaunting your new love interest.



9. **BE CAREFUL OF WHAT YOU SAY**

Your spouse may tape record you.

10. **DON'T TALK TO YOUR CHILDREN ABOUT YOUR MARITAL ISSUES**

If your children express a preference for which parent they want to live with, you will want to discuss that preference with an attorney, but children should never be pressured to "choose" one of their parents over the other.

11. **PLAN AHEAD FOR WHERE YOU WANT TO LIVE AFTER THE DIVORCE**

If you want to live in the marital residence, don't move out now, unless you need to to protect yourself or your children. Your spouse does not have the right to tell you to leave.

12. **IF POSSIBLE, KEEP YOUR CHILDREN WITH YOU NOW IF YOU WANT THEM TO LIVE WITH YOU AT THE END OF THE DIVORCE**

Be sure that you are not exposing your children to traumatizing arguments to do this. Do *not* hide the children from your spouse. Do *not* ask them to deliver messages to the other parent from you.

13. **IF YOU ARE MOVING, CHOOSE A PLACE APPROPRIATE FOR YOUR CHILDREN**

Even if you anticipate that the children will live primarily with the other parent, you need a home that they can spend a month at a time in.

14. **IF YOU ANTICIPATE A CUSTODY BATTLE, OR ALLEGATIONS THAT YOU ARE NOT AN APPROPRIATE PARENT, DOCUMENT THE ROLE THAT YOU PLAY IN YOUR CHILDRENS' LIVES**

Keep track of their extra-curricular activities that you attend, make notes of conversations or meetings with the children's teachers, doctors, or their friend's parents. Keep a journal of time that you spend doing things with your children.

15. **KEEP TRACK OF INTERACTIONS BETWEEN YOU AND YOUR SPOUSE THAT MIGHT BE RELEVANT LATER ON IN THE DIVORCE**

Keep a divorce journal of important dates and events that led to the break up of the marriage. Don't delete hurtful messages that your spouse sends to you.

16. **IF YOU OR YOUR SPOUSE OWN A PRIVATE BUSINESS, DOCUMENT YOUR ROLE IN THAT BUSINESS**

Make a list of what all of your responsibilities in the business are, and track the number of hours that you spend working on the business and promoting the business.

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