

# A Basic Checklist for a Separation



## THE CHILDREN

- Legal Custody (the power to make major decisions)
- Where do they live
- When does the other parent have access
- Removal from Connecticut, or moving within the state
- Emergency decisions
- Temporary incompetence of one parent

## ALIMONY AND CHILD SUPPORT (the Child Support Guidelines)

- Amount and timing
- Tax treatment
- Inflation
- Reductions
  - Emancipation
  - Remarriage and “cohabitation”
- Duration
  - Child support ends when emancipated, usually
  - When does alimony end? (cannot be affected by a child)
    - Leave the question open?
    - Waiver of all future alimony?

## COLLEGE AND OTHER EDUCATION

- Summer camp, extracurricular activities, other costs
- Private school
- Graduate school
- Weddings, etc.

## MEDICAL INSURANCE AND EXPENSES

- Insurance for the children
- Insurance for the non-employee spouse, if there is one
- Uninsured medical and dental expenses—braces, therapy, etc.

## LIFE INSURANCE

- Duration, amount, beneficiaries, proof of insurance
- Relationship to support obligation

## INCOME TAX RETURNS

- The pending refund or liabilities
- How to file for this year?
- If joint, how to divide liabilities

## PROPERTY DIVISION

- Equitable distribution under C.G.S. Sec. 46b-81

### THE HOUSE

- Use and possession
- Ownership
  - Buy-out for cash or exchange for release of other assets, such as pension or business
  - Liability for mortgage remains after transfer of ownership between spouses
- Tax consequence of transfer between spouses
- Timing for sale or transfer
  - When the children are emancipated
  - Some other defined time

### OTHER REAL ESTATE (vacation house, rental units, etc.)

### PERSONAL PROPERTY

- Pensions
- Business Interests
- Other intangibles: securities, royalties, receivables, bank accounts
- Inheritances
- Tangibles

## DEBTS AND CREDIT CARDS

- The mortgage on the house, any equity loan, any other mortgage on any property
- Liability for joint mortgage debt remains after transfer of jointly owned property between spouses
- College or other student loans
- Individual debts
- How to eliminate all joint credit cards

## STANDARD PROVISIONS

- Separate wills
- Waiver of future claims
- Personal freedom to live his or her own life
- Mediation of future disputes
- Completeness of this agreement
- Status of the agreement
  - Merged into the judgment
  - Survives as an independent contract

