



POST- DIVORCE CHECKLIST

_____ Obtain and save your divorce judgment. It is your “to do” list and rule book.

APPEAL

_____ Unhappy with a judgment after a trial? You can bring an appeal within 60 days. Don’t wait until day 59 to discuss an appeal with your attorney. Unless the Court orders otherwise, the terms of a judgment are effective while the appeal pends. Parties whose judgment is based upon an agreement do not bring appeals. You retained us to handle your matter at the District Court level. We will not handle your appeal without a new fee contract.

REAL ESTATE

_____ Convey real estate per judgment instructions. Usually, the attorney for the party receiving the real estate is responsible to draft conveyance documents. Often deeds are not required, because the Court signs a companion judgment—a Summary Real Estate Disposition Judgment—that substitutes for a deed.

_____ Change utility bills into name of responsible party.

_____ Begin refinancing loans or otherwise gaining your ex-spouse’s release from loans per judgment requirements.

TAXES

_____ Our attorneys do not give tax advice. Consult your tax preparer/advisor to obtain such advice.

RETIREMENT/INVESTMENT/FINANCIAL/INSURANCE ASSETS

_____ Change all beneficiary designations per terms of judgment. When judgments and the plan’s beneficiary designations conflict, beneficiary designation on plan forms prevail over judgment terms.

_____ Obtain a Qualified Domestic Relations Order (if necessary) to divide ERISA-qualified retirement assets, and to avoid causing a taxable event. Typically, the attorney for the party receiving funds drafts the QDRO.

_____ After Judgment enters, you are no longer restrained from changing beneficiary designations. You must, however, do so in conformity with the judgment’s terms.

_____ Nonemployee spouses may be eligible for COBRA benefits (continued insurance, at their expense) for up to 36 months, but application for such benefits must be made within 60 days of judgment.

RELOCATION

_____ Notify your employer, banks, investment agents, healthcare providers, insurance companies, and all other entities important to you of your new address.

_____ Mail a completed Form 8822 to the IRS (www.irs.gov/pub/irs-pdf/f8822.pdf)

EMPLOYER

_____ Update/change your W-4 within 10 days of entry of Judgment (e.g., to change new number of exemptions).

CHANGED NAME?

_____ If so, notify: the Social Security Administration by submitting a completed Form SS-5; your employer; your bank, creditors, and other financial institutions; your medical providers and pharmacist.

_____ Change your passport, driver's license, and other identifying documents.

PERSONAL PROPERTY

_____ Schedule dates, times, and terms to transfer personal property. Document your scheduling efforts to help your attorney contend with difficulties.

_____ Document what you've received from, and what you've transferred to, your former spouse.

_____ If your former spouse won't retrieve his/her property, take good care of it, but document your efforts to convince him/her to retrieve it. After a period of documented efforts, you'll be more likely to be able to sell those items for a fair market value and give him/her the proceeds (less costs of sale).

VEHICLES/PLANES/BOATS/MOTORCYCLES/ETC.

_____ Take care of title transfers, registration, license plates, insurance, and any tax issues.



ESTATE PLANNING DOCUMENTS

_____ If you haven't already, in consultation with a lawyer, revoke prior Wills, Trusts, Health Care Declarations, Durable Powers, and other testamentary documents. Give notice of revocation to those who need it (e.g. medical providers who have previous Health Care Declaration in their chart). Prepare new documents. Gjesdahl Law, P.C. Attorney, Mr. Travis Jung, can help you with these documents.

SOCIAL SECURITY

_____ If you were married for more than 10 years, you may be eligible for benefits under your former spouse's account (100% of your benefits or 50% of your former spouse's, whichever is greater). Consult the SSA website, office, or professional to discuss eligibility and benefits.

CLOSING/CHANGING ACCOUNTS

_____ Close all joint credit card and store accounts. Court orders regarding payment of joint debts bind the parties, but not the creditors. Cancelling and closing accounts is your only protection.

_____ Consider doing a credit report to confirm you are off your former spouses debts.

_____ Close all joint financial accounts.

_____ Establish your own credit history (e.g. open your own credit cards and accounts).

_____ Change all online passwords.

BUSINESS INTERESTS

_____ Should bylaws or other corporate documents be amended to reflect any ownership changes?

_____ Do releases of personal loan guarantees need to be obtained?

_____ Do lenders need to be consulted or to approve any judgment terms?

PARENTING TIME

_____ Some attorneys can/will provide clients a parenting schedule in calendar format, to post at home.



_____ Keep a journal that, with brief entries, records when the kids are with you and with the other parent, and any significant events/disputes/statements. It should be kept in a discrete location where the children never become aware of it or its contents.

_____ Initiate a Google Calendar or OurFamilyWizard account to keep both parents informed of kids' activities and needs.

CHILD SUPPORT

_____ Complete necessary paperwork to initiate wage withholding.

_____ If you are the payor, keep in touch with your employer's payroll department/staff to avoid non-payment or double-pay in first months.

_____ Contact the Child Support Division (ND: (701) 328-5440; or (800) 231-4255 | MN: (651) 431-4400; or (800) 657-3890) to make sure your account is open, functioning, you have a personal identification number, and you are able to monitor the account.

_____ Keep documents regarding shared costs (e.g., medical receipts, Explanations of Benefits, activity bills.

LEGAL FILE

_____ Do you want your legal file? If not the whole file, did you provide your lawyer important or personal papers or things you'd like returned? If so, let us know. Otherwise, we will digitally archive your file, then confidentially destroy it.

