

When a couple divorces, it is an emotional experience; however, the key items to negotiate for the settlement agreement should be the focus. By concentrating on these factors, you can save time, money, and emotional distress.



1. Division of Property and Assets

- **Real estate** (marital home, rental properties, vacation homes)
- **Vehicles** (cars, boats, motorcycles)
- **Bank accounts** (checking, savings, CDs)
- **Investment accounts** (stocks, bonds, mutual funds)
- **Long Term Employment Benefits** (Options, Life Insurance Proceeds, Pensions)
- **Retirement accounts** (401(k), 403 (b), and IRA)
- **Business interests** (ownership, value, future income)
- **Personal property** (furniture, jewelry, collectibles)
- **Debts** (credit cards, mortgages, personal/business loans)
- **Premarital Assets** (which items are exempt from property distributions)

2. Spousal Support (Alimony)

- Whether support will be paid
- Amount and duration
- Terms of modification or termination (e.g., remarriage, cohabitation, change in income)

3. Child-Related Matters *(if children are involved)*

- **Custody arrangements**
 - Legal custody (decision-making rights)
 - Physical custody (where the child lives)
- **Visitation schedule**
 - Regular schedule, holidays, vacations, school breaks
- **Child support**
 - Payment amount and frequency
 - Who pays and who receives
- **Educational expenses**
 - Private school, college tuition, and extracurriculars
- **Healthcare**
 - Insurance coverage
 - Out-of-pocket costs and copays
- **Relocation restrictions** (whether a parent can move with the child)

4. Insurance and Benefits

- Health insurance (who covers whom and the children)
- Dental insurance (who covers whom and the children)
- Life insurance (as a condition of child/spousal support)
- Long-term care or disability insurance (if relevant)

5. Taxes

- Who claims children as dependents and Head of Household status
- How to handle past tax liabilities or refunds
- Filing status for the year of divorce
- Allocation of deductible items during the separation period (i.e. mortgage interest and property taxes)

6. Name Changes

- Whether either spouse will revert to a former name

7. Future Dispute Resolution

- Mediation or arbitration clauses for future disagreements

8. Legal Issues, Fees, and Costs

- Who pays for attorney fees, court costs, and expert evaluations
- Which party will draft the Settlement Agreement
- Who will file and be the Plaintiff, and who will be the Defendant