

# ORGANIZING YOUR FINANCES FOR DIVORCE

By Jeannie Santiago

*Divorce requires careful financial preparation.* This checklist will help you gather the necessary documents and information to ensure a smooth mediation process and a legally valid Memorandum of Understanding (MOU).

A Memorandum of Understanding (MOU) is a document outlining the terms of an agreement reached in mediation. It is not legally binding but serves as the foundation for a formal settlement agreement, which can be submitted to the court for approval. For an MOU to be legally valid, it must address all financial matters, including asset division, debts, alimony, and child support (if applicable).

By preparing all these documents in advance, you will be in the best position to navigate your divorce efficiently and with clarity. If you have any questions, consult a financial advisor or attorney to ensure full preparedness.



## INCOME & EMPLOYMENT RECORDS

- Recent pay stubs (last 3-6 months)
- W-2 and 1099 forms (last 3 years)
- Tax returns (last 3-5 years, both personal and business)
- Employment contracts or offer letters
- Other compensation: Bonuses, stock options, restricted stock units (RSUs), profit-sharing, deferred compensation, expense reimbursements, stipends, commissions, severance agreements, and any employer-provided benefits with monetary value

## UNDERSTANDING MARITAL PROPERTY IN NYC & NJ

In both New York and New Jersey, marital property includes all assets and debts acquired by either spouse during the marriage, regardless of whose name is on the title. This includes income, real estate, retirement accounts, and business interests. Separate property (assets owned before marriage, inheritances, and gifts to one spouse) is typically excluded from division unless commingled with marital assets.



# RETIREMENT ACCOUNTS & PENSIONS

- 401(k), 403(b), and other defined contribution plans (latest statements and contribution details)
- Defined benefit pension plan details, including benefit statements and payout options
- Individual Retirement Accounts (IRA, Roth IRA, SEP IRA, SIMPLE IRA)
- Annuities
- Military pensions and government pensions (FERS, PERS, etc.)
- Social Security benefit estimates
- Any qualified domestic relations order (QDRO) in place or needed for division

# BANK & INVESTMENT ACCOUNTS

- Checking and savings account statements (last 12 months)
- CDs, money market accounts
- Brokerage and investment account statements
- Cryptocurrency accounts and digital wallets
- Safe deposit box contents

# REAL ESTATE

- Deeds and mortgage statements
- Home equity lines of credit (HELOC) statements
- Appraisal or market value assessment
- Property tax records
- Rental property agreements and income records
- Timeshare agreements

# HOUSEHOLD & LIVING EXPENSES

- Utility bills (electricity, gas, water, phone, internet, cable)
- Homeowners or renters insurance policies
- House repairs and maintenance records (including contractor invoices and receipts)
- Furniture, appliances, and other major household asset valuations

# VEHICLES & TRANSPORTATION

- Car loan/lease agreements and payment history
- Vehicle titles and registration
- Auto insurance policies
- Maintenance records
- Public transportation expenses

## IMPORTANCE OF DOCUMENTATION

Divorce is a complex financial process, and having more documentation is always better than less. Providing complete and accurate records helps avoid disputes, ensures fairness, and speeds up the process. Missing or incomplete financial information can lead to delays, miscalculations, or even unfair settlements.

It is critical that all financial disclosures are factual and transparent. Any inaccuracies—intentional or unintentional—can lead to legal consequences, additional legal fees, and prolonged negotiations. If financial discrepancies arise or one party suspects hidden assets, a forensic financial analyst may need to be hired to trace missing funds, evaluate business interests, or uncover undisclosed income. This specialized analysis can cost anywhere from \$5,000 to \$25,000 or more, depending on the complexity of the case.

Being thorough and organized from the start can help avoid these extra expenses and ensure a fair and efficient resolution. If you're uncertain about any financial aspect of your divorce, consult a professional to ensure you're fully prepared.





## DEBTS & LIABILITIES

- Credit card statements (last 12 months)
- Personal loans, student loans, and medical debts
- Outstanding tax obligations
- Business-related debts (if applicable)

## BUSINESS & SELF-EMPLOYMENT DOCUMENTS

- Business tax returns (last 3–5 years)
- Profit and loss statements
- Business valuation or appraisals
- Partnership/shareholder agreements
- Payroll records

## INSURANCE POLICIES

- Life insurance (term, whole, universal) policies and cash value (if applicable)
- Health, dental, and vision insurance coverage details
- Disability and long-term care insurance

## LEGAL & INSURANCE DOCUMENTS

- Health insurance policies & coverage details
- Life insurance policies (term, whole life, beneficiaries)
- Estate planning documents (wills, trusts, power of attorney)

## CHILD & SPOUSAL SUPPORT CONSIDERATIONS

- Proof of childcare costs
- School tuition & extracurricular activity costs
- Health insurance & medical expenses for children
- Previous child support or alimony orders

Divorce can be overwhelming, but being financially prepared will help make the process smoother and more efficient. Gathering these documents ahead of time ensures you're ready for negotiations and minimizes unexpected surprises. If you have any questions, consult with a mediator or financial expert to ensure you're fully informed.



For more information about Civil and Divorce Mediation Please visit  
[www.MyMediator.JeannieSantiago.com](http://www.MyMediator.JeannieSantiago.com)

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