

# **DECISIONS TO BE MADE IN DIVORCE MEDIATION**

## **PARENTING DECISIONS**

### *RESIDENCY & LEGAL CUSTODY:*

Sole custody and decision making by one parent  
Joint decision making but reside mostly with one parent  
Split residency and joint decision making

Activities needing mutual consent or discussion

### *ACCESS OR VISITATION:*

Weekends  
Weekdays  
Holidays and long weekends  
School recesses  
Summer vacations  
Birthdays-your and theirs  
Other special occasions  
Notice of changes  
Expenses of missed times  
Telephone calls

### *GEOGRAPHIC RESTRICTIONS:*

Foreign travel  
Relocating the children

### *ACCESS TO RECORDS:*

Doctors, dentist, etc.  
Schools and teachers

### *NOTIFICATIONS OF:*

Addresses and phone numbers  
Illnesses and accidents  
Children's whereabouts

### *GRANDPARENTS' VISITATION*

## EQUITABLE DISTRIBUTION DECISIONS

### *REAL ESTATE (marital home or other):*

Who occupies until sale

Who pays expenses until sale:

Mortgage

Taxes

Utilities

Insurance

Repairs

Sale of house:

When - age or graduation of children, remarriage, cohabiting.

Selling price - how to determine

Division of proceeds

Option to buy

Expenses of sale

Capital Gains tax

### *RETIREMENT FUNDS:*

Valuation

Division of Value - lump sum, pay-out or both

### *DIVISION OF ALL OTHER PERSONAL PROPERTY:*

Cars

Boats

Jewelry

Household furniture

Bank accounts

Stock, bonds, tax shelters, etc.

Collectibles

Family photographs

### *BUSINESS INTERESTS:*

- Valuation

Division of Value - lump sum, pay-out of both

### *DEBTS & LIABILITIES:*

Who is to pay?

Credit cards

Car loans

Bank loans

Pension loans

Life insurance loans

## SUPPORT DECISIONS

### *CHILD SUPPORT:*

Amount  
Time of payment  
Amount of reduction on emancipation

Emancipation:  
College  
Marriage  
Living away  
Employment

Cost of Living Adjustments

Child Care expenses for working  
College or private school tuition  
Summer camp/activities  
Extracurricular activities

### *MEDICAL:*

Who provides insurance?  
Who pays uncovered expenses?  
Decisions on elective procedures, including orthodontia?  
Who files for insurance?  
Dental, prescriptions, glasses, psychotherapy expenses?

### *LIFE INSURANCE:*

Amount  
Type  
Beneficiary  
Trustee for children  
Duration

### *ALIMONY:*

Amount	Health insurance, including COBRA rights
Time of payment	Cost of Living Adjustment
Duration	

## **OTHER DECISIONS**

### *INCOME TAXES:*

Exemptions for children  
Joint or separate return and division of refunds  
Audits of previous returns and payment of deficiency

### *FUTURE DISPUTES:*

Mediation  
Arbitration  
Legal fees

### *MISCELLANEOUS:*

Religious divorce  
Wills

## **USUAL DOCUMENTATION**

(Depending on your circumstances):

Income Tax Returns - personal and business for 3 years  
Pay Stubs  
Bank Statements  
Pension Statements  
Budget Worksheet