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Divorce Documents Checklist: What to Gather Before Filing

Most divorce courts require both spouses to exchange financial information. Collecting it early saves time and legal fees and helps you see what is at stake.

Name: _____ Date: _____ Case/claim no.: _____

Personal records

- [ ] Marriage certificate
- [ ] Prenuptial or postnuptial agreement
- [ ] Birth certificates and Social Security cards for you and the children
- [ ] Any existing court orders or protective orders

Income

- [ ] Recent pay stubs for both spouses
- [ ] Federal and state tax returns, usually for the last 3 years
- [ ] W-2s, 1099s and business records if self-employed
- [ ] Records of bonuses, commissions and benefits

Assets

- [ ] Bank account statements
- [ ] Retirement and pension account statements
- [ ] Brokerage and investment statements
- [ ] Real estate deeds, mortgage statements and appraisals
- [ ] Vehicle titles and loan statements
- [ ] Valuable personal property: jewelry, art, collectibles
- [ ] Business ownership documents

Debts

- [ ] Credit card statements
- [ ] Personal, student and auto loans
- [ ] Medical debt
- [ ] Tax debts

Children

- [ ] School and medical records
- [ ] Childcare costs
- [ ] Health insurance information
- [ ] Records of activities and extracurricular costs
- [ ] A calendar of current parenting time

Tips

- Do not hide or move assets; courts can penalize it.
- Open a bank account in your own name if you do not have one.
- Taxes on alimony depend on when the divorce or separation agreement was signed; see IRS Topic 452.

Official resources

IRS: Topic 452, Alimony and separate maintenance
https://www.irs.gov/taxtopics/tc452

IRS: Publication 555, Community property
https://www.irs.gov/publications/p555

Notes