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GENERAL ISSUES TO BE CONSIDERED IN EVERY DIVORCE CASE

DIVISION OF PROPERTY

1. How will real property be divided?
2. Who gets the house?
3. If the house will be sold, who pays closing costs?
4. Who picks the realtor?
5. Who pays the repairs while the house is on the market?
6. Who lives in the house while it’s being sold?
7. When will the other party move out?
8. How will the equity be split?
9. What happens if the house doesn’t sell right away?
10. When will utilities be transferred out of one party’s name?
11. If there is a refinance, when will that occur?
12. How much is the buyout in the refinance – when will that be paid?
13. How will personal property be divided?
14. Who gets the pets?
15. Who gets the lawn equipment, tools, etc.
16. How long does one party have to get their items?
17. Does title to a vehicle need to be transferred and when will that happen?
18. Does the loan on a vehicle need to be assumed or refinanced?
19. How will retirement accounts be split?
20. Who will pay to have the QDRO (an order required for the division of certain retirement plans) drafted?
21. How will all other assets stocks, bonds, boats, etc. be divided?
22. Is there a business that needs to be valued and divided or sold? Will you continue to own the business together or will one party retain the business?
23. Will a pension be split?
24. How will joint bank accounts be split?
25. Are there restricted stock units or stock options that need to be divided?
26. How will tax returns be filed for years in which you can file jointly or married by separate?
27. What happens to the tax refund or debt?
28. What about previous year tax debts that are outstanding?
29. How will debts be shared?
30. Who pays the credit cards?
31. Who pays the student loans?
32. Will each party pay for his/her own health insurance and/or is COBRA available?
33. Who pays the cell phone?
34. Will a cell phone number need to be transferred to a party?

ALIMONY AND ATTORNEY’S FEES

1. Alimony - how much, if any, and for how long?
2. When is alimony paid? i.e., will it be paid monthly or in one lump sum?
3. How is alimony paid? E.g., via bank to bank transfer, via a payment app, via direct deposit?
4. Will alimony be non-modifiable?
5. Attorneys’ Fees – will one party be solely responsible or will each party pay his/her own fees?

CHILD RELATED ISSUES

1. Who has primary physical custody or will you share joint 50/50 custody? [DeKalb County Form Parenting Plan Agreement](https://www.dekalbsuperiorcourt.com/wp-content/uploads/2014/08/fillable_ParentingPlanAgreement.pdf)
2. What is the exact parenting time including the school year, all holidays, and the summer?
3. How will Christmas Break be split?
4. What is parenting time during the summer?
5. Child support – how much? [Georgia Child Support Calculator](https://csconlinecalc.georgiacourts.gov/frontend/web/index.php)
6. When is child support paid?
7. How is child support paid? E.g., income deduction order, via bank to bank transfer, via a payment app
8. How much life insurance will the non-custodial parent provide? Will the custodial parent also provide life insurance?
9. Who will cover the children on health insurance (medical, dental and/or vision)?
10. How will expenses not covered by insurance by paid?
11. How will work-related child care be paid, e.g., nanny, daycare, after school, care during school breaks, etc.?
12. How will extracurricular activity expenses be paid?
13. Are there any extraordinary expenses for your child/children such as private school, tutoring, extraordinary medical expenses like therapy, a vehicle and automobile insurance, bat/bar mitzvah expenses, or any other current or future expenses that need to be included beyond monthly child support?
14. Will child support continue during the summer?
15. Who picks and pays for summer camps?
16. What if the parties’ summer plans conflict?
17. What’s the grace period if a parent is late?
18. Where is pick up and drop off?
19. Who will make major decisions regarding the children for non-emergency health care, education, extracurricular activities, and religion if the parties cannot agree?

ANY OTHER ISSUES

1. A court cannot require either party to pay for the expenses of children beyond the age at which they are no longer eligible for child support, i.e., most often at the age of 18 or graduation from high school, whichever date is later. However, some parties may agree that one parent will pay 100% or the parties jointly will share in a child’s post-majority expenses through the completion of college, e.g., tuition, room and board, books, other required fees, the cost of health insurance, uncovered health care expenses, automobile insurance, etc.