

16 Steps to help you Plan and Prepare for your Texas Divorce



I have written other articles regarding things that can be done and should be considered when preparing for a [divorce in Texas](#). However, this question comes up a lot in my consultations, so I thought I would take some time and write a little bit more on the subject. I will also add links to the bottom of this blog to the other articles I have written or may be useful to read when preparing for a divorce.

1. UPDATE AND CHANGE ALL PASSWORDS AND UPDATE YOUR INFORMATION

I previously have written an article on this topic. It is important to properly protect yourself, as soon as you know you will be filing for divorce, change every one of your passwords to something that your spouse will not be able to guess. If you are one of those people that only uses 2-3 passwords for everything, think of something new; preferably ones that include random letters and numbers. This should include changing PIN numbers on your debit cards and the passwords on all your bank account websites.

2. HAVE MONEY SET ASIDE THAT YOUR SPOUSE DOES NOT HAVE ACCESS TO

A divorce can be very expensive. Often times during the divorce process one spouse cannot access funds to move ahead with their divorce because the other spouse controls all access to the marital funds. This puts the other spouse at a great disadvantage in terms of hiring professionals to navigate her divorce as well as having sufficient money to live on. Taking steps ahead of time can help get to the point in the [divorce process](#) can make orders starting [child support](#) or possible [spousal support](#).

3. GET A NEW MAILING ADDRESS

It is important to protect your communications during the divorce. Sometimes a spouse will be able to intercept your mail. Should this happen it will not only hinder your ability to gather information your lawyer needs, it may interfere with your lawyer's ability to communicate with you. One possible solution would be to establish a P.O. Box and have your mail forwarded to the P.O. BOX. Taking this preventive measure will save you a great deal of future heartache.

4. OBTAIN A SEPARATE EMAIL ADDRESS

If you are one of those couples that shared an email address with your spouse, it's time to get your own. There are multiple free email providers to choose from including Gmail, Yahoo, Hotmail, etc. It is not recommended that you use your work email. Under the law your employer owns that email and may be subject to a subpoena from your spouse's attorney where your ex can then get access to all of your work emails.

5. OBTAIN A COPY OF YOUR CREDIT REPORT

There have been times in divorce, where one of my clients has discovered their spouse has used that person's name and credit to secure loans, credit cards, etc. without telling my client about it first. Obtaining a credit report will allow you to find out about any unknown debts earlier rather than later. There are many places to obtain a free copy of your credit report for free off of the internet.

6. TAKE STEPS TO PROTECT YOUR CREDIT

One of the first things you should consider prior to filing for divorce is remove your spouse as an authorized user from your credit cards. Authorized user means your spouse is not responsible to the lender for the credit that is incurred but they are able to charge on the account. Enrolling in free credit monitoring services will also alert you to changes on your credit report to help you spot any possibly incorrect information on your report. You may want to watch out for accounts you never opened and hard inquiries placed by creditors you never applied for credit with.

7. IF POSSIBLE AT LEAST PAY THE MINIMUM AMOUNT ON YOUR FINANCIAL OBLIGATIONS

It can be financially difficult to carry the full cost of a monthly mortgage payment, credit card payments, and other financial obligations by yourself. It may be tempting to stop paying when you are not getting any help from your spouse. Not paying can:

1. Hurt your credit score
2. Cause you to be in default on your mortgage and eventually lead to the lender repossessing your home.
3. Losing your home could be painful and lead to the loss of any home equity you may have acquired.

8. USE A CALENDAR

A calendar and accurate timeline of events may become an important tool in your divorce. You will need something to keep track of visits you or your spouse have with your children, incidents between you and your spouse, appointments with your attorney, or court dates. This can be a physical calendar, an app on your phone, or a simple word document. If you use a smartphone, you can also use the calendar/notes app on the phone. It is important to be aware if you back up your phone "to the cloud" and if you share a user account with your spouse they may be able to access your notes. Which refers us back to number 4 on this list change all your passwords.

9. CHANGE YOUR BENEFICIARIES AND GET A NEW WILL

One of the conversations I have with my clients is during the divorce process is they need to start thinking about changing their will and updating their beneficiaries with any and all financial institutions. One of the questions I ask my clients if they died today is do they want their spouse to get everything. Most of the time the answer is no. If you do not have a will, you should get at least a simple will. If you die without a will before the divorce is final, your spouse will probably inherit the lion's share of your estate.

10. TAKE A LOOK AT YOUR SOCIAL MEDIA PROFILES

The deletion of pictures, posts, from social media account, during or prior to litigation, could be deemed to be destruction of evidence for which you could be sanctioned by the court. However, many accounts such as Facebook will allow you to inactivate the account but it still exists and could be reactivated if necessary. You may want to check out one of my other articles I have written for additional tips regarding social media in a divorce.

11. UNTANGLE JOINT ACCOUNTS IF POSSIBLE

Many married couples share joint bank accounts, which means that both parties have equal access to the accounts. Nevertheless, people regularly come into my office and are surprised to find that their spouse has raided the account. One of these incidents stand out in my mind which I will share here. On one occasion I remember overhearing a client who was signing up saying to one of my paralegals, "Bryan warned me has your wife cleaned out your bank account yet? I told Bryan she would never do that. When I went home she was gone and then I looked online and I saw there was nothing in our checking account."

12. DO NOT LEAVE YOUR SPOUSE WITH NOTHING

My advice to my clients is not to do what the wife did to her husband but to protect yourself by opening a separate account and withdrawing no more than one-half of the proceeds of the joint accounts to give you something to live on for a while. Keep in mind that if you withdraw the entire account, a judge will be scrutinizing these actions later in court. It is one thing to protect yourself it is another to leave your wife and children without any money to live on or buy food. It is usually a good idea to open the account at a different bank than the one at which you and your spouse have done business.

13. GET A COMPLETE PHYSICAL

There are several reasons to do this. One, divorce is one of the top five stressors you will ever go through and it is more important than ever to make sure you stay healthy. Two, a person's physical health is an element considered by the court for numerous issues such as child custody and maintenance. Three, it is vital that you get yourself checked if you have any reason to suspect that your spouse has been unfaithful. If your spouse has infected you with a sexually transmitted disease, you need to find out before the divorce is over so your lawyer can ensure

that the philanderer pays the expenses of treatment. I have had clients who have sought my services after finding out they had a sexually transmitted disease and the only source of that disease was their spouse.

14. IMMEDIATELY START GATHERING INFORMATION

It is important to start gathering admissible information for court. Often times after a spouse finds out you are planning to divorce them it becomes more difficult to find various financial documents. It is usually a good idea to obtain the following documents before your spouse knows you are going to divorce them:

1. Real estate closing documents – deeds, mortgages, notes, tax records, etc
2. Credit card statements
3. Bank statements
4. Loan documents
5. Income tax returns (last 2 years)
6. Paycheck stubs for both parties
7. Title statements
8. Investment account statements (Mutual funds, IRAs, stock certificates, etc)
9. Retirement & pension account statements
10. Statements of insurance benefits (health, life, and disability)
11. Keep in mind that if there is a particular asset you believe to be a non-marital asset, the burden is on you to prove that it is non-marital.
12. If there is a certain document you cannot locate and you believe your spouse has in his/her possession, tell your lawyer about it and he may be able to get it through the discovery process.

15. PLAN YOUR CUSTODY CASE

If you will seek primary custody of your children, you need to start planning your custody case immediately. One useful exercise to think about how you will explain to the judge why you should have custody of your child. Write down everything you would say; get it all down on paper. What facts will need to be established with eyewitness testimony? Are there any facts that need documentary proof? Where can you find those documents? Bring this document with when you visit with a lawyer. This will give your lawyer a chance to review things that you think are important and ask you follow up questions.

16. COME IN FOR A FREE CONSULT WITH A DIVORCE LAWYER

Even if you and your spouse are divorcing amicably, meeting with a Houston divorce attorney is important to understanding the upcoming divorce process – and to knowing what else you may need to do to protect your interests going forward.

OTHER USEFUL ARTICLES REGARDING PREPARING A DIVORCE

1. [6 Tips - On How to prepare for a Texas Divorce](#)
2. [You've filed your Divorce... now what? The "Discovery Process" and why it's important](#)
3. [Steps to Take Before Moving Out of the Marital Residence During a Divorce](#)
4. [Do I Need to Change My Passwords for a Divorce in Texas?](#)
5. [I have been served with Divorce Papers - What do I do now?](#)
6. [8 Steps in the Divorce Process](#)

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Our [divorce lawyers in Spring TX](#) are skilled at listening to your goals during this trying process and developing a strategy to meet those goals. [Contact Law Office of Bryan Fagan](#) by calling (281) 810-9760 or submit your contact information in our online form. The Law Office of Bryan Fagan handles [Divorce cases in Spring, Texas](#), Cypress, Klein, [Humble, Kingwood](#), Tomball, [The Woodlands](#), the FM 1960 area, or surrounding areas, including [Harris County](#), Montgomery County, Liberty County, Chambers, Galveston, Brazoria, Fort Bend County and Waller County.