

Divorce Preparation Checklist for Women

A step-by-step guide to getting organized, protecting yourself, and understanding the Texas rules before and during a divorce.

INSIDE: FOUR PHASES

- 1 Gather financial and personal documents
- 2 Secure independent financial resources
- 3 Protect digital privacy and social media evidence
- 4 Understand Texas custody and property rules

Why this checklist

Many women begin a divorce at a disadvantage they did not choose. One spouse often managed the investments, taxes, insurance, retirement accounts, or debts more closely than the other, and even after many years of marriage the other spouse may lack a complete picture of the family finances.²

Preparation is valuable even if you are not sure you will file. If the divorce never happens, you have simply become better informed about your own life. If it does, you are not scrambling to rebuild your financial history in the middle of a crisis.⁴

The legal rules here apply equally to husbands and wives. This checklist is written for women because the practical gaps it addresses, such as access to records, independent funds, and a private way to communicate, are common starting points for the women who ask these questions.

Before you begin

☐ Build your support system

Identify trusted friends, family members, or professionals you can talk to regularly. Some relationships may shift during a divorce.¹

☐ Consider individual counseling

A therapist helps with the emotional side; your attorney helps you evaluate legal choices. Both can be valuable.^{2,4}

☐ Consult a family lawyer early

Early advice helps you separate urgent decisions from those that can wait.²

☐ Tell your lawyer everything

Your attorney can only protect you from what they know about, including past mistakes that could come up in court.⁵

☐ Start a confidential journal

Record important events and conversations. Store it securely and share it only with your attorney to preserve attorney-client privilege.¹



WARNING FLAGS | Getting started

Do not let your spouse dictate the process. You do not have to accept claims that neither of you should hire a lawyer, that the case must be finished in 60 days, or that a proposal is obviously fair.²

Slow down. You do not have to solve everything on the first day.²

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PHASE 1 | DOCUMENTS

Gather Financial and Personal Documents

Goal: know exactly what exists before anyone starts negotiating.

Financial preparation is one of the most important parts of a Texas divorce.¹ Before agreeing to any property division, you need enough reliable information to understand the assets, debts, income, and claims involved.²

Income and tax records

- ☐ **Tax returns and recent pay records**
Returns with all schedules, plus pay stubs and other income records for both spouses.^{1,2}
- ☐ **Business records**
If either spouse owns a business, gather its records. These may require financial tracing or expert analysis.²

Accounts, assets, and debts

- ☐ **Bank and credit union statements**
Checking, savings, and money market accounts, in either name or jointly.^{1,2}
- ☐ **Retirement, pension, and investment statements**
401(k)s, IRAs, pensions, and brokerage accounts.^{1,2}
- ☐ **Credit cards, loans, and loan applications**
Statements and loan documents for every significant debt, plus any loan applications either of you submitted.^{1,2}
- ☐ **Payment app records**
Venmo, Cash App, Zelle, and PayPal records can be requested in North Texas divorce discovery, and courts have relied on them over a spouse's sworn testimony.³

Real estate, vehicles, and insurance

- ☐ **Deeds and real estate documents**
Deeds, closing documents, and mortgage statements for the home and any other property.^{1,2,4}
- ☐ **Vehicle titles and insurance policies**
Titles for every vehicle, plus health, life, and homeowners policies.^{1,2}
- ☐ **Proof of separate property**
Records of anything you owned before marriage, inherited, or received as a gift: purchase documents, inheritance and gift records, and account histories.^{2,6}

Household and personal records

- ☐ **List every household service provider**
Utilities, internet, landscaping, childcare, phone plans, health insurance, and toll tags. Note how each is paid and whose name is on it.¹
- ☐ **Children's records**
Academic, medical, and extracurricular records, plus school and activity schedules.^{1,2}
- ☐ **Make secure copies**
If you cannot access a record, note how to get it. Store copies in private cloud storage (Google Drive, Dropbox, or OneDrive) that only you can access.¹



WARNING FLAGS | Documents

Name on title is not the final word. Whose name is on an account or deed, or who earned the money, does not by itself decide how Texas law treats the property.²

A spouse's assurance is not proof. "Trust me, it's fair" is no substitute for reviewing the actual financial picture.²

Watch for spending on an affair. Charges for travel, hotels, gifts, or secret apartments may support a waste claim. Keep the statements.⁴

Never destroy or alter records. Once a case is filed, you have a legal duty to preserve relevant evidence.³

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PHASE 2 | FINANCES

Secure Independent Financial Resources

Goal: have the means to support yourself so you are never pressured into a bad settlement.

Divorce can create financial uncertainty. Planning how you will cover living expenses and legal costs helps you avoid pressure to settle under unfavorable terms.¹

Know your numbers

- ☐ **Build a post-separation budget**
Estimate what it will cost to live on your own: housing, utilities, childcare, insurance, and transportation.⁴
- ☐ **Understand income and potential support**
Know your income, your spouse's income, and what support may be available to you.⁴
- ☐ **Explore housing options**
Decide where you would live and whether you or your spouse will move out.⁴

Plan how you will pay for the case

Options from the firm's divorce preparation guide. Discuss each with your attorney before acting.¹

- ☐ **Open a personal line of credit or credit card in your own name¹**
- ☐ **Consider a loan against a retirement account¹**
- ☐ **Consider selling investments or securities¹**
- ☐ **Ask a trusted relative about borrowing funds¹**
- ☐ **Use home equity only with court approval¹**

Protect your financial independence

- ☐ **Get a private mailing address**
Consider a P.O. Box so financial and legal mail reaches only you.¹

- ☐ **Change passwords on your own financial accounts**
Secure online banking and other accounts that belong to you.¹

- ☐ **Know when temporary orders can help**
They can address child support, temporary spousal support, household bills, use of the home and vehicles, preservation of assets, and attorney's fees. They take time, so plan for the gap.^{1,2}



WARNING FLAGS | Money

Do not move, hide, or spend down community assets. In Denton County, the Standing Order takes effect at filing and bars transferring or disposing of community assets without court authorization. Violations can mean contempt, fines up to \$500, and up to six months in jail per violation.³

Pause before big moves. Closing accounts, large purchases, or selling property can create legal and practical complications.²

Do not settle just to be done. A sound settlement is one you understand and believe is appropriate.²

Spending can undercut a support request. If you seek spousal maintenance based on need, posts showing travel, dining, and new purchases can be used against you.³

3

PHASE 3 | DIGITAL PRIVACY

Protect Digital Privacy and Social Media Evidence

Goal: keep your accounts private, your record clean, and your evidence usable.

Posts, photos, check-ins, comments, direct messages, and even deleted material can be admitted in a Texas divorce if relevant and authenticated. Courts do not draw the line between "public" and "private" the way most people assume.³

Lock down your devices and accounts

- ☐ **Change passwords and secure your online accounts**
Email, cloud storage, banking, and social media.¹
- ☐ **Keep case documents in private storage only you can access¹**
- ☐ **Audit privacy settings**
Review who can tag you, see your posts, and is still connected to you. Settings reduce snooping but do not stop a subpoena.³

Manage social media during the case

- ☐ **Pause posting**
The safest approach during an active divorce or custody dispute is a complete social media pause.³
- ☐ **Ask friends and family to stand down**
Ask them not to tag you, post photos of you with the children, or post about your divorce.³
- ☐ **Assume every platform is discoverable**
Facebook, Instagram, TikTok, Snapchat, texts, iMessage, WhatsApp, Messenger, dating apps, Venmo, Cash App, and Zelle.³
- ☐ **Keep communication with your spouse off social media**
Use text or email for co-parenting and case-related messages.³

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- ☐ **Stay composed online**
Post nothing negative or emotional about your spouse. Assume a judge will see it.¹

Preserve evidence the right way

- ☐ **Save important communications and relevant posts**
Keep messages that may affect disputed issues.² Screenshot your spouse's relevant posts, such as photos contradicting financial claims or showing inappropriate behavior around the children, before they disappear.³
- ☐ **Record key events in your confidential journal**
Share it only with your attorney.¹
- ☐ **Ask your lawyer about lawful evidence tools**
Subpoenas, discovery requests, and properly conducted digital forensics.⁴



WARNING FLAGS | Digital

Do not delete anything after filing. Deleting posts, messages, or accounts can be treated as spoliation (destroying evidence). Courts may assume the content would have hurt you and may order you to pay the other side's fees. Changing privacy settings is generally fine; ask your attorney first.³

Never access your spouse's private accounts. Hacking email, installing spyware or tracking apps, placing a GPS device on a car, or secretly recording calls can be illegal, may make the evidence unusable, and can create a criminal problem.^{1,4}

"Private" groups are not private. Venting in a closed Facebook group can still end up in court.³

New-partner photos carry extra risk. Photos of a new partner with the children during the case may violate a Standing Order or Temporary Order.³

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PHASE 4 | TEXAS RULES

Understand Texas Child Custody and Asset Division Rules

Goal: make informed decisions about your children and your share of the estate.

Filing a petition starts the case, but it does not decide who keeps the house, how property is divided, where the children live, or whether support is paid. Those issues are resolved by agreement, court order, or trial.²

Key terms in plain English

Community property

Property, other than separate property, acquired by either spouse during marriage.⁷

Separate property

Owned before marriage, or received by gift or inheritance. Once proven, the court cannot award it to the other spouse.⁷

Commingling

Mixing separate and community property until they cannot be told apart, which can cost separate property its protection.⁷

"Just and right" division

The Texas standard for dividing the community estate: fair, not necessarily equal.⁷

Conservatorship

The Texas legal term for custody: each parent's rights and duties, including decision-making.⁷

Possession and access

The schedule for when each parent has the children, often called visitation.²

Temporary orders

Court orders that set the rules while the divorce is pending.²

Standing order

Automatic rules in many Texas counties that take effect at filing and carry the force of a court order.⁵

Property division



Sort each asset and debt into community or separate

Flag anything acquired before marriage, by gift, or by inheritance, and gather proof.^{6,7}



Identify complex items early

Retirement and investment accounts, closely held businesses, real estate, commingled funds, and reimbursement claims may need tracing or expert analysis.²

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- ☐ **Weigh net value and affordability**
A house with high equity is not a benefit if you cannot afford the mortgage, insurance, taxes, and upkeep. Cash for your share may serve you better.⁶
 - ☐ **Ask whether fault matters in your case**
Adultery or cruelty can support a disproportionate share, and money wasted on an affair can be added back before the estate is divided.^{3,4}
 - ☐ **Prepare an accurate Inventory and Appraisement**
This sworn list of assets and debts must match your records and your online life.³
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Child custody

- ☐ **Learn the best-interest standard**
Texas courts decide custody under Family Code Chapter 153 based on the child's best interest.⁵ Judges weigh each parent's involvement, the child's needs, stability, and sometimes the child's wishes.⁸
 - ☐ **Document who does what day to day**
School schedules, medical needs, activities, and which parent handles each.⁴
 - ☐ **Know the September 1, 2025 Family Code changes**
A higher child support cap, expanded Expanded Standard Possession Orders, tighter standing rules for many non-parents, and new documentation and affidavit requirements.⁵
 - ☐ **Show you can co-parent**
Accommodate reasonable requests, such as trading a weekend for a school event.⁵
 - ☐ **Shield the children from the conflict**
Never use them as messengers or ask them to report on the other home.^{2,5}
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Process and timing

- ☐ **Plan for at least 60 days**
Texas requires 60 days after filing before a divorce can be finalized, with limited family violence exceptions. Contested cases take longer.²
 - ☐ **Expect mediation**
Most North Texas courts, including Denton and Collin County district courts, require mediation before trial in most divorce and custody cases.⁸
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WARNING FLAGS | Children and property

Follow every order. Ignoring Standing, Temporary, or final orders can lead to sanctions, fines, jail, and major custody changes.⁵

Keep children out of adult conflict. Bad-mouthing the other parent can lead to restricted rights, supervised visitation, or a change in primary custody, and serious emotional harm can trigger a CPS investigation.⁵

Take new relationships slowly. Introducing children to a new partner too quickly can lead courts to restrict overnights or contact.^{4,5}

Never agree to a split without the full picture. Settle only after you understand the assets, debts, income, and claims.²

Sources

Superscript numbers throughout this checklist refer to these Heiman Law Firm articles and pages.

1. How to Prepare for Divorce in Texas: 8 Essential Steps for a Better Outcome (Nov. 3, 2025)
<https://www.heimanlawfirm.com/blog/2025/november/divorce-attorney-david-heiman-joins-the-divorced/>
2. What Happens After You File for Divorce in Texas? (Sept. 22, 2026)
<https://www.heimanlawfirm.com/blog/2026/september/what-happens-to-your-life-when-you-file-for-divo/>
3. Your Phone Is Watching: How Social Media Becomes Evidence in a Texas Divorce (July 9, 2026)
<https://www.heimanlawfirm.com/blog/2026/july/your-phone-is-watching-how-social-media-becomes-/>
4. How Affairs Affect Divorce in Texas: A Family Lawyer Explains (Apr. 22, 2026)
<https://www.heimanlawfirm.com/blog/2026/april/how-affairs-affect-divorce-in-texas-a-family-law/>
5. Texas Child Custody in 2026: 8 Costly Mistakes That Can Ruin Your Case (Feb. 16, 2026)
<https://www.heimanlawfirm.com/blog/2026/february/texas-child-custody-in-2026-8-costly-mistakes-th/>
6. How to Expedite Your Divorce Case (Part 1) (May 2022)
<https://www.heimanlawfirm.com/blog/2022/may/how-to-expedite-your-divorce-case-part-1-/>
7. Divorce Attorney in Lewisville, TX (practice page)
<https://www.heimanlawfirm.com/family-law/divorce/>
8. Texas Family Law FAQ: Answers for Denton County & Collin County (Aug. 2025)
<https://www.heimanlawfirm.com/blog/2025/august/texas-family-law-faq-answers-for-denton-county-c/>

Ready to talk it through?

Heiman Law Firm offers free 30-minute initial consultations by phone or video conference.⁴

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This checklist is for general informational purposes only. It is not legal advice and does not create an attorney-client relationship. Every divorce is different, and the law may apply differently depending on your facts and county. Consult a licensed Texas family law attorney before acting on any item.