



It's Not Over Yet: Post-Divorce Issues



By MARLA MARINUCCI, ESQ.

While the backwards-upside-down part of the rollercoaster ride may be over, there are still some twists and turns ahead before the ride is actually over. In other words, once you have your final judgment of divorce, most likely there are many loose ends that still need to be tied.

The following are some very important post divorce tasks you cannot afford to ignore:

1 Review Your Final Papers. Once your divorce case is resolved, whether it was from a trial or by consent of the parties, it is imperative that you review very carefully the final papers. Be sure to read everything thoroughly and without interruptions, making sure you understand everything. Once you have done that, repeat the process again. It reminds me of the wash-rinse-repeat instructions found on most shampoo bottles. Read your divorce papers several times to be absolutely certain everything is accurate. There have been many times in my experience where something as obvious as the date

of marriage is misprinted in the final papers. To some, this could be a nominal mistake, but others could suffer adverse consequences if the date is not corrected in a timely manner. If you discover that a provision was left out, for example, you must take immediate action: either contact your lawyer or go to the court and file a motion. If you do not follow through in a reasonable amount of time, it is quite possible you might be stuck with it.

2 Update Life Insurance and Beneficiaries. Most often, once the actual divorce is entered, litigants are so exhausted from the whole process that oftentimes, they overlook their insurance policies. For example, if you own life insurance and your now ex-spouse was your beneficiary, and you are not obligated to maintain it to secure any support obligations, you can change the beneficiary.

3 Update Your Deeds for Real Estate. One of the most important post divorce tasks that you absolutely cannot blow off is making sure that whoever is keeping the house gets the deed into their sole name. Very often, parties procrastinate in effectuating the creation and signing over of a new deed. Usually, the onus is on the person keeping

the house to get the deed made and have the other party sign it. It is sometimes easier said than done as the level of spite that has been accruing up until this point is overwhelming. I have seen parties flat out refuse to sign any thing after the divorce has been entered and I once had a judge sign a court order that would result in the other party's arrest if they continued their path of noncompliance. Suffice it to say the non-compliant party could not have driven to my office faster to sign the document once she was threatened with going to jail.

4 Transfer Title of any Vehicles. Transferring title of a vehicle to the other party is yet another important task that is difficult to effectuate post judgment as it often feels like you are chasing a fugitive because this person who, pursuant to court order, is supposed to be signing the title over to the other spouse, takes pride in escaping the task. Even worse is the fact that 99% of the time when your client tells you the other spouse has the title in their possession, that other spouse inevitably claims, "I can't find it." It only makes things more difficult, yet it is part of the divorce process presumably as the emotional wounds are still open and healing.

5 Update Any Auto Insurance. Even before your divorce is final, make sure you call your insurance agent to confirm that you still have auto insurance. Canceling the other's car insurance is a popular vehicle (no pun intended) that one spouse will use just to make the other one angry during and after the divorce. Once your divorce is final, it is true that you each should obtain your own car insurance on separate policies, however, that does not happen immediately. It is common for the joint policy to have a month or more left on it before it is terminated. Just make sure you get the appropriate information so your coverage is not interrupted.

6 Confirm that All Bank Accounts Are Separated. Most likely you have already separated your bank accounts, but just be sure that your name isn't lingering on a former joint account that has no balance left and which is incurring a service charge each month that you didn't even know about because your new ex-spouse removed themselves from the account and left you hanging.

7 Follow Up on Any Name Change. If you changed your name as part of the divorce, which generally means that you were the wife and you have gone back to your maiden name, you will have to follow up and make sure that any official documents reflect your name change. You will have to send your divorce judgment to many government agencies such as: New Jersey Motor Vehicle Commission; Social Security Administration; Passport office; your employer, just to name a few.

This checklist touches on just a few of the many tasks that you need to conquer after your divorce is final. It can be overwhelming and you are better off continuing to enlist the services of your attorney during this process as well. It will be well worth it in the end. Finally, in honor of this wonderful fall weather, I have the following advice to any men reading this article: If you feel your significant other is the apple of your eye, be sure to tell her such as you sit down be cider.

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