

Checklist of Documents for your Custody Case



Schulz

Stephenson

Law

www.CarteretLaw.com

We have found the documents listed below to be quite helpful in preparation and presentation of a child custody and support case. Please gather the following documents, if you can, and provide them to your attorney as soon as possible:

- **Your marriage certificate**
- **All prior divorce decrees**
- **All documents from the files of your former family law attorney(s)**
- **Copies of all prior court proceedings**
- **Tax returns during the marriage, including wage stubs, 1099, and W-2 forms**
- **Your employment records from all employers during the marriage**
- **The other parent's employment records, if available**
- **Deeds, deeds of trust, notes, and mortgages for property owned during marriage**
- **Motor vehicle registrations or certificates of title for currently owned vehicles**
- **Insurance policies: life, health, disability, auto, home, etc.**
- **Bank statements, deposit slips, check stubs cancelled checks for all accounts**
- **Wills, trusts, powers of attorney, and other estate documents**
- **Pensions, IRAs, 401(k)s and other retirement benefits documents**
- **Credit card statements, and all other debts, addresses of creditors, and amounts owed**
- **A list of you and children's average monthly living expenses, including day care**
- **Copies of applications for loans, appraisals, recent vehicle purchases**
- **Each child's medical, hospital, and dental records**
- **Each child's school records, including report cards, kindergarten, and day care**
- **Copies of each child's school work**
- **Records of each child's awards, activities, achievements, etc.**
- **Photographs, video tapes, audio tapes**
- **Names, addresses and phone numbers of all potential witnesses**
- **Letters, faxes, and emails between you and the other parent**
- **Telephone and cell phone records**
- **Computer hard drives that may contain important information**
- **Your daily diary***

****Instructions on Keeping a Diary***

If you have a diary, provide a copy of it to your attorney immediately, and after you do so, keep it stored in a secure place. If you do not have a diary, you should begin immediately to keep a daily diary of events as they unfold. Keep in mind that two of the primary factors will be considering in your case are each parent's credibility and their moral character. This can include many aspects of your life, including your sex life. You are being compared against the court's ideal image of the perfect parent. The best way to be credible and give accurate testimony to the court is to record events through a diary. You will be a much more credible witness if you have kept a diary and you can relate who, what, when, where, and how events unfolded. You should write only what is true and you should write down what happened as accurately as possible. Do not exaggerate events. Record as many events as possible. Do not record only the things that make you look good or the other parent look bad. Include explanations for your bad conduct immediately after it happens. Keep your diary in a safe place where it is not accessible to the children or others. It will be helpful to concentrate on the following areas in keeping your diary:

1. Record names, addresses, and phone numbers of potential witnesses, neighbors, persons you date, school teachers, counselors, ministers, and others who may testify for or against you.
2. When you go out on dates, record the places you go, who kept your children while you were out, and other important details.
3. When the other parent calls, keep a written record of what was said. Do not tape record or wiretap. Wiretapping is against the law and may result in fines or imprisonment. Write down the nature of the conversation in as much detail as possible. Do not exaggerate what was said.
4. Write down any oral changes in visitation schedules. If you already have a custody/visitation order, write down any agreed changes and have the other parent sign the writing before agreeing to the changes. This will keep you from being held in contempt for varying the schedule.
5. Record the condition of your children. If a child is returned in dirty clothes or is returned with unexplained bruises or cuts take photographs with dates on them, and make descriptive written entries in the diary about their condition.

6. Record all field trips, games, activities, and events involving the children. Record the date and state whether the other parent is present. Make notes of other persons present who may become potential witnesses.

7. If the other parent makes abusive or threatening statements in person, by phone, or through someone else, write down what was said as soon as possible after the statements were made; including the date and time they were made.

Provide monthly copies of your diary to your attorney. Mark these records "PERSONAL AND CONFIDENTIAL," or remind your attorney to do so. Do not share the information in your diary with any person other than your attorney.



Schulz

Stephenson

Law

www.CarteretLaw.com