



— CLIENT CHECKLIST • NORTH CAROLINA EDITION

Before You *Move Out*

Walk the House Before You Pack the Last Bag

A plan for your personal property and your children.

We take care.

IF YOU ARE NOT SAFE

Skip this list. Take the kids, your ID, your phone, and go.

Call **911** or the **National Domestic Violence Hotline, 1-800-799-7233**. A Chapter 50B protective order can address the home and the children on an emergency basis. Do the rest later, with help.

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WHY THIS MATTERS

Four North Carolina Facts That Make This Walk-Through Matter

1

Your date of separation fixes the value.

Marital property is identified and valued as of the date you begin living separate and apart

N.C.G.S. § 50-20. What is in the house that day is the snapshot a judge uses. **Photograph it.**

2

Walking out does not give up your share.

Leaving the home does not waive your interest in it or what is in it. **Leaving the evidence behind is what hurts you.**

3

The clock on claims is real.

Equitable distribution and alimony claims must be pending before the absolute divorce judgment

N.C.G.S. § 50-11(e); divorce requires one year of separation **§ 50-6**. **Miss the window, lose the claim.**

4

Where the children sleep this week becomes “the way it has been.”

Moving out has no automatic custody effect, but the arrangement you leave behind is the status quo a judge hears about. **Build it on purpose** — see the children’s section.

01

STEP 1

Walk Every Room With Your Phone

Video first, then photos.

One slow, narrated video of the whole house — **say the date out loud at the start**. Then stills of anything worth more than \$200, every closet and drawer open, the safe open, garage, attic, shed, vehicles. Back it up to the cloud the same day. **You are not deciding who gets what; you are proving what existed on the date of separation.**

ROOM BY ROOM — PHOTOGRAPH

- ☐ **Living areas:** electronics, furniture, art, rugs, instruments
- ☐ **Kitchen:** appliances, knives, cookware, china, silver
- ☐ **Primary bedroom:** jewelry (each piece, both sides), watches, furniture
- ☐ **Every closet:** clothing, handbags, shoes, coats — open and lit
- ☐ **Kids' rooms:** furniture, electronics, anything gifted by relatives
- ☐ **Office:** computers, drives, filing cabinet — photo each drawer
- ☐ **Garage / shed:** tools, equipment, bikes, boats, trailers, mowers
- ☐ **Attic / storage:** boxes opened, heirlooms, holiday items, collections
- ☐ **Safe or lockbox:** open, every item laid out, serial numbers readable
- ☐ **Firearms:** make, model, serial — photo of each, and where stored
- ☐ **Vehicles:** odometer, VIN plate, all four sides, interior, title location
- ☐ **Pets:** photo, vet records, microchip, who paid

FOR EACH ITEM THAT MATTERS — CATALOG

- ☐ What it is, and where in the house it was on the date you left
- ☐ Approximate value today (not what you paid)
- ☐ Who bought it, when, and with what money
- ☐ Was it owned before the marriage, inherited, or a gift to one of you? (That is separate property.)
- ☐ Was it bought during the marriage? (Marital, regardless of whose name.)
- ☐ Receipt, appraisal, or statement — photo it and note where the original lives
- ☐ Serial or model number for anything over \$500
- ☐ Condition: working, damaged, missing parts
- ☐ Is it something the kids use every day? (Flag it — see the children's section.)
- ☐ Then put it in the **NC Marital Property Inventory** — the court's own form, also the ED affidavit. Ask us for it; don't build your own.

02

STEP 2

Copy the Paper Before It Walks Out With Someone Else

MONEY & PROPERTY – PHOTOGRAPH OR SCAN

- ☐ Last 3 years of tax returns, with W-2s, 1099s, K-1s
- ☐ Last 12 months of pay stubs – yours and your spouse's if accessible
- ☐ Bank, credit card, loan, investment statements – most recent, plus the one nearest your separation date
- ☐ Retirement: 401(k), IRA, pension, TSP – most recent statement and plan name
- ☐ Mortgage statement, deed, HELOC, property tax bill, homeowner's policy
- ☐ Vehicle titles, loans, registrations, insurance declarations
- ☐ Life, health, disability, and umbrella policies – declaration pages
- ☐ Business records if either of you owns one: formation docs, last 2 years of returns
- ☐ Run your own credit report today – debts you don't know about

IDENTITY & THE KIDS – TAKE THE ORIGINALS IF THEY ARE YOURS

- ☐ Your birth certificate, Social Security card, passport, military ID / DD-214
- ☐ Marriage certificate; any prenup or postnup
- ☐ Children's birth certificates, SS cards, passports – photograph; note who keeps originals
- ☐ Children's immunization records, IEP/504 plans, medication list, pediatrician and specialist names
- ☐ School records, teacher names, portal logins for the school
- ☐ Immigration or naturalization papers for anyone in the household
- ☐ Your own medical records and prescriptions – refill before you leave
- ☐ Digital: back up your phone and photos; change passwords on accounts that are only yours
- ☐ **Do NOT log into your spouse's email, phone, or accounts.** It is illegal in NC and it will cost you in court.

03

STEP 3

What to Take, What to Leave, What Never to Do

Take

Your separate property, your personal documents, your medications, your work equipment, the kids' daily essentials for the nights they are with you, and half of nothing you can't replace — photos and heirlooms get copied, not fought over.

Leave

The furniture the children sleep on and eat at, anything a court would see as "emptying the house," and anything you are taking "just so it's safe." If it isn't yours alone, taking it starts a fight you will pay to finish.

Never

Drain or move joint accounts beyond ordinary living expenses, cancel the other spouse's insurance, destroy or hide property, change the locks without advice, or post any of this online. **Every one of these shows up in a courtroom, in writing, with a date.**

THE CHILDREN

Don't Leave Without a Written Plan for the Kids

The schedule you walk out with on day one is the one you will be asked to defend. Build it on purpose — in writing, before you go.

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STEP 4

The 14-Day Plan — Write It, Send It, Keep the Copy

AGREE IN WRITING BEFORE THE LAST BAG

- ☐ Where each child sleeps each night for the next 14 days — by date, not “we’ll figure it out”
- ☐ Who does school drop-off and pickup each day, and who the school may release to
- ☐ Who holds the originals: birth certificates, passports, insurance cards
- ☐ Medications: who has them, who refills, who tells the other about doses
- ☐ Activities and practices this month — who drives, who pays
- ☐ How you will communicate: text or a co-parenting app, in writing, kid-free
- ☐ What you will both tell the children, in the same words (see below)
- ☐ What happens if one of you is late, sick, or traveling — the backup person by name
- ☐ Who pays which child expense this month until something formal is in place
- ☐ **Send it. Get a reply. Save both.** A text that says “ok” is a plan; a conversation is not.

CATALOG THE FACTS ONLY YOU KNOW

- ☐ Pediatrician, dentist, every specialist and therapist — name, phone, last visit
- ☐ Allergies, diagnoses, medications, dosages, pharmacy
- ☐ School, grade, teacher, counselor, bus number, IEP/504 status
- ☐ Childcare provider, hours, cost, who signed the contract
- ☐ Bedtime, wake-up, homework routine, what calms them, what sets them off
- ☐ Friends’ parents and emergency contacts — names and numbers
- ☐ Which parent has historically done what: sick days, appointments, homework, practices
- ☐ Your work schedule and the other parent’s — actual hours, not job titles
- ☐ Any safety concern about the other home: write what you saw, with dates — not what you fear
- ☐ **Start a parenting journal today.** Date, what happened, who did it. Facts only. It is the most-read document in a custody case.

WHAT TO SAY TO THE KIDS – TOGETHER IF YOU CAN, THE SAME WORDS IF YOU CAN'T

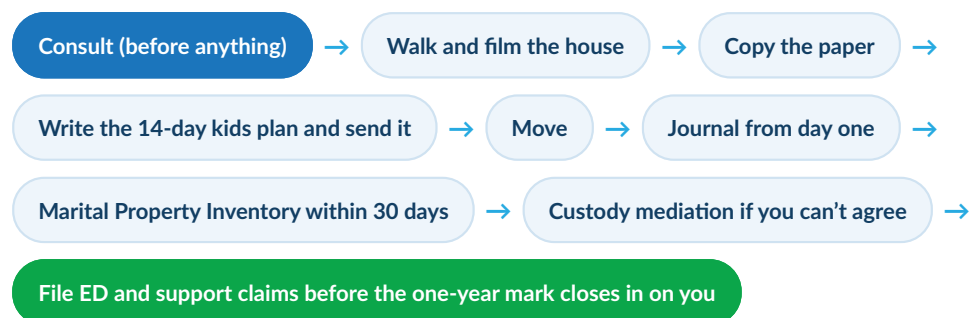
“We’ve decided to live in two houses. It’s not because of anything you did. You will still see both of us. Here’s where you’ll sleep this week: _____. You can ask us anything, and we’ll tell you the truth that’s yours to know.”

Then stop. No reasons. No blame. No “your mother wanted this.” Children remember the first sentence of this conversation for the rest of their lives — make it one you’d want read back to you in court.

FOUR MOVES THAT HURT YOUR CUSTODY CASE BEFORE IT STARTS

- ❌ **Leaving without the children and without a written schedule.** Weeks become months; months become the status quo.
- ❌ **Taking the children and cutting off contact.** Unless safety requires it, a judge reads this as a parent who won’t support the other relationship — a factor in every best-interest decision.
- ❌ **Changing the children’s school or moving them out of the county without agreement.** School choice is a legal-custody decision. Ask first.
- ❌ **Using the children as messengers, or discussing any of this in front of them.** It shows up in the child’s interview, in the GAL report, and in the other parent’s testimony.

THE ORDER OF OPERATIONS



CAPE FEAR FAMILY LAW

Thinking about leaving? Do the consultation before the walk-through.

Cape Fear Family Law — Wilmington • Raleigh • Durham • Jacksonville • Charlotte.

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