A GUIDE FOR NORTH CAROLINA CLIENTS

Financial Mediation Preparation Worksheet

The document list, the valuation checklist, and the walk-away worksheet you complete with your attorney before mediation day.

 Wilmington · Durham · Jacksonville, NC

BEFORE YOU START

Mediation Day Is Where Your Preparation Gets Spent

It is not where preparation happens.

The people who walk out of financial mediation with a deal they can still live with three years later are almost never the ones who were most aggressive in the room. They are the ones who arrived knowing what everything was worth, what they were willing to trade, and exactly where their floor was — because they worked it out in advance, on paper, with their attorney.

This worksheet is built to be completed with your attorney, not alone. Fill in what you can, bring it to your prep meeting, and finish it together.

> **This Is the Money Worksheet**
>
> If your mediation also involves custody, or if you just want the practical mediation-day logistics — what to bring, what to wear, what to do about the kids that day — download our Mediation Day Checklist instead. It is a different document and the two do not overlap.

The Three-Week Backward Schedule

Most people start four days out. It costs them, every time, because appraisals and account records do not move on your timeline.

THREE WEEKS BEFORE MEDIATION

- [ ] Request statements for every account, including the ones nobody has looked at in years
- [ ] Order any appraisal you will need — real property, business, personal property of real value
- [ ] Identify every asset you know exists but cannot currently document
- [ ] Ask your attorney what they still need from you, in writing, and put a date on each item

TWO WEEKS BEFORE

- [ ] Complete the asset and debt inventory
- [ ] Flag every valuation gap on the worksheet in this packet
- [ ] List your tax questions and get them to your CPA
- [ ] Confirm which retirement accounts are in play and how each one actually gets divided

ONE WEEK BEFORE

- [ ] Prep meeting with your attorney — set the range, set the trades, set the walk-away
- [ ] Review anything your attorney has received from the other side
- [ ] Decide who you are calling mid-session if something unexpected lands, and confirm they will be reachable

THE DAY BEFORE

- [ ] Assemble the binder — paper, not just a laptop
- [ ] Confirm time, location, parking, and whether it is in person or remote
- [ ] Confirm childcare and a backup
- [ ] Stop working the file. Nothing you learn the night before will help you and it will cost you sleep you need

BRING PAPER

The Document Checklist

Bring paper. Conference room wifi fails, laptops die, and the document you cannot produce is the document that does not exist as far as the negotiation is concerned.

Income

- [ ] Pay statements for the last three months, both parties if available
- [ ] Tax returns for the last three years, with all schedules and attachments
- [ ] W-2s and 1099s
- [ ] K-1s for any partnership, S-corp, or LLC interest
- [ ] Bonus, commission, and overtime history — at least two years, so a pattern is visible
- [ ] Restricted stock, options, and equity grant documents, including vesting schedules
- [ ] Business financials: profit and loss, balance sheet, and tax returns for the entity
- [ ] Any income not on a pay stub — rental, royalty, side work, cash

Accounts

- [ ] Checking and savings — every institution, including accounts you no longer use
- [ ] Brokerage and investment accounts
- [ ] Cryptocurrency holdings and the exchange or wallet records
- [ ] Custodial accounts for children
- [ ] Health savings accounts and flexible spending balances
- [ ] 529 plans and education savings
- [ ] Statements as of your date of separation, not just current statements

Retirement

- [ ] Employer plan statements — 401(k), 403(b), 457
- [ ] IRAs, traditional and Roth

- [ ] Pension statements showing the current accrued benefit, not just a projection
- [ ] Military retirement documentation
- [ ] Federal Thrift Savings Plan statements
- [ ] Plan documents for anything unusual, including deferred compensation

READ THIS ONE TWICE

The Retirement Trap Nobody Warns You About

Not every retirement account is divided by the same kind of order, and using the wrong one costs months and real money.

Most private employer plans are divided by a qualified domestic relations order — a QDRO. But the federal Thrift Savings Plan is not. TSP is divided by a Retirement Benefits Court Order, an RBCO. It is a different document, prepared to a different specification, and a QDRO submitted to the TSP will be rejected.

If you are a federal employee, a service member, or married to one — and in the Jacksonville and Camp Lejeune corridor a great many of our clients are — confirm with your attorney which mechanism applies to each account before you agree to how it gets split. Agreeing to a division without knowing how it will be executed is how people end up back in court a year later.

IRAs are different again: they are typically divided by transfer incident to divorce rather than by either kind of order. Ask about each account individually.

BRING PAPER, CONTINUED

The Document Checklist

Real Property

- [ ] Deeds for every parcel
- [ ] Mortgage statements and payoff figures
- [ ] HELOC and second mortgage balances
- [ ] County tax cards
- [ ] Recent appraisal or comparative market analysis
- [ ] Deferred maintenance estimates — the roof, the HVAC, the crawlspace. A house is not worth its Zillow number minus nothing
- [ ] Rental agreements and rent rolls for any investment property
- [ ] Documentation for beach property, second homes, and timeshares

Debt

- [ ] Credit card statements, all cards, both names
- [ ] Auto loans and leases
- [ ] Student loans, with origination dates
- [ ] Medical debt
- [ ] Tax liabilities, including any payment plan
- [ ] Personal guarantees on business debt
- [ ] Loans from family — with whatever documentation exists, even if it is a text message

Insurance and Estate

- [ ] Life insurance policies, with cash value if any
- [ ] Disability policies
- [ ] Health insurance costs and what coverage will cost each of you separately after this is over
- [ ] Wills and trusts
- [ ] Current beneficiary designations on every account and policy

Classification Documents

North Carolina divides marital and divisible property. What you owned before the marriage, and what came to you by gift or inheritance, is generally treated differently — but only if you can trace it.

- [ ] Documentation tracing separate property into and through the marriage
- [ ] Records of gifts and inheritances, including dates and amounts
- [ ] Premarital or postnuptial agreement
- [ ] Any prior court order in this case
- [ ] Documentation of anything that changed in value after your date of separation

> **A Note on Date of Separation**
>
> Your date of separation is the hinge that a great deal of this turns on. Values are generally determined as of that date, and property acquired afterward is treated differently. If there is any disagreement about what that date is, raise it with your attorney before mediation — not in the room. Read more on how North Carolina divides property.

WORKSHEET 1

The Valuation Gap

Deals do not usually die over what things are worth. They die over the things nobody knew the value of until the morning of. Fill this in with your attorney and identify every gap while there is still time to close it.

ASSET OR DEBT	TITLED TO	EST. VALUE	SOURCE OF ESTIMATE	DISPUTED?	EXPERT NEEDED? COST? DEADLINE TO RETAIN?

Where Values Actually Get Fought Over

A closely held business or professional practice. A pension, where a statement balance and an actuarial present value are two very different numbers. Restricted stock and options that have not vested. Real property with deferred maintenance. Anything with a basis question, because a dollar in a Roth and a dollar in a traditional account are not the same dollar. Personal property that carries more emotional value than market value — and be honest with yourself about which one you are fighting for.

Tax Questions to Answer Before Mediation, Not After

A deal does not stop having tax consequences because it felt fair in the room. Take this list to your CPA.

- [ ] What is the tax basis of each asset we are dividing?
- [ ] What are the consequences of selling versus keeping the house?
- [ ] What happens if a retirement account is cashed out rather than rolled over?
- [ ] Who claims the children, and in which years?
- [ ] How is any support arrangement treated for tax purposes?
- [ ] Are there capital gains implications on anything we are trading?
- [ ] Is there an existing tax liability, and who carries it?

Other questions for my CPA

WORKSHEET 2

Settlement Authority

Decide the range before you walk in. Write it down. In the room, tired and adrenalized and across from someone who knows exactly which button to push, you will not think as clearly as you are thinking right now. This page exists to protect you from your worst ten minutes of the day.

ISSUE	BEST REALISTIC OUTCOME	TARGET	MINIMUM I WILL ACCEPT

Trades

Every settlement is a trade. Naming yours in advance is what keeps you from making one by accident at four in the afternoon.

What I am willing to give up to get what matters most

What I will not trade under any circumstances

What I am asking for that is actually about my spouse and not about my future

WORKSHEET 3

The Walk-Away Page

Complete this with your attorney at your prep meeting and put it on top of the binder. It is the last page you should read before you walk in and the first page you should look at if the room starts moving faster than you are.

My walk-away number or terms

____

____

If we go below this, I stop and call

____

That person's number and availability that day

____

What happens if we do not settle — realistic next step and timeline

____

____

What that path is likely to cost, in money and in months

____

____

Know What "No Deal" Actually Costs

The most common reason people accept a bad agreement is that they never priced the alternative. The second most common reason people reject a fair one is exactly the same. Before mediation, ask your attorney plainly: if we do not settle today, what happens next, how long does it take, and what does it cost? Then decide with a real number in front of you instead of a feeling.

Before You Sign Anything

- ☐ Ask what becomes binding, and when. Ask the mediator and ask your own attorney — do not assume the answer
- ☐ Read every term. If you do not understand one, say so out loud. Every time
- ☐ Confirm who prepares which document afterward, and by when
- ☐ Confirm how each retirement account will actually be divided and who drafts that order
- ☐ Confirm what happens to beneficiary designations, titles, and refinancing, and put dates on each
- ☐ Do not sign anything you have not read because the room is tired and everyone wants to go home. That is precisely when it matters most

BEFORE YOU GO

If You Are Afraid, or If Money Has Been Used to Control You

If you or your child are in immediate danger, call 911.

National Domestic Violence Hotline: 1-800-799-7233, available 24 hours a day.

Financial control is a recognized form of abuse. If you have been kept from account information, given an allowance, made to account for every dollar, or threatened with financial ruin, that is relevant — and it can make sitting in a room negotiating money genuinely unsafe.

Tell your attorney before mediation day, not during it. There are protections available, including separate rooms, remote participation, staggered arrival and departure, and in some circumstances a request that mediation not go forward. Those work best when arranged in advance. If you do not have an attorney, say so when you confirm the date.

One Last Thing

Nobody feels ready for this. Preparation is not the same thing as feeling ready — it is having the number in front of you when your stomach is telling you something else. That is all this packet is for.

Fill it in. Bring it with you. Put the walk-away page on top.

How Cape Fear Family Law Can Help

There are two different ways we work in mediation, and they are not the same thing.

Bring Us With You

If someone else is the mediator, we are in the room on your side — preparing the file, running the valuations, setting your walk-away line, and reading every term before you sign it.

Learn About Representation →

Book Us as Your Mediator

We serve as the neutral. We do not represent either side and we do not take a position on the outcome. Both parties book together.

Book a Mediation Date →

Not sure which one you need? Schedule a confidential consultation and we will tell you straight.

LEGAL DISCLAIMER

No Attorney–Client Relationship. Downloading or completing this worksheet does not create an attorney-client relationship with Cape Fear Family Law. That relationship is formed only when both parties sign a written engagement agreement.

Information, Not Advice. This worksheet is provided for general informational purposes only and is not legal, tax, or financial advice. It is designed to be completed with your own attorney. Mediation procedure in North Carolina varies by case type and by county, and the right preparation depends on the specific facts of your matter.

Not Tax Advice. Nothing here is a substitute for advice from a qualified tax professional about your own circumstances.

No Guarantee of Results. Past results do not guarantee future outcomes.

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