



— CLIENT CHECKLIST • NORTH CAROLINA

Legal Separation *Midstream Checklist*

What to Obtain, Who to Call, and the Exact Order in
the First 14 Days

14 DAYS THAT DICTATE
YOUR NEXT STEPS

AUTHOR

Connor Green

JUNIOR ASSOCIATE ATTORNEY • CAPE FEAR FAMILY LAW

Charlotte & Mecklenburg County, NC

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START HERE

The First 14-Day Priority Rule

In North Carolina, physical separation occurs the exact day spouses live under separate roofs with at least one spouse intending the separation to be permanent.

If you physically separate while domestic claims — custody, support, or property division — are already pending in court, the first two weeks dictate your financial security, evidence preservation, and long-term litigation posture.

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14-DAY DOCUMENT CHECKLIST

What to Obtain

OUT-OF-HOME

Spouse Moving Out

- ☐ **Personal Identification:** Birth certificates, passports, social security cards.
- ☐ **Financial Statements:** Download PDF bank, credit card, investment, and retirement statements showing exact balances on the Date of Separation (DOS).
- ☐ **Income Records:** Last 3 years of tax returns, W-2s, 1099s, and 6 months of pay stubs.
- ☐ **Vehicle Documents:** Car titles, registrations, and individual auto insurance policies.
- ☐ **Essential Property:** Personal work equipment, clothing, and sentimental heirlooms.

IN THE HOME

Spouse Remaining in the Home

- ☐ **Household Expense Inventory:** Utility bills, real estate tax statements, mortgage records, HOA dues.
- ☐ **Home Video/Photo Inventory:** Date-stamped video/photographic inventory of all rooms, furniture, and personal property on DOS.
- ☐ **Post-Separation Payments:** Bank records showing post-separation mortgage and utility payments made from separate funds.
- ☐ **Custody & Parenting Journal:** Daily log documenting parenting time handoffs, child routines, and overnight schedules.

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IN THIS ORDER

Who to Call & the Exact Order

#	CONTACT	WHY – AND WHAT TO DO
1	Your Family Law Attorney	Call your lawyer first. If claims are pending, your counsel needs to issue spoliation/evidence preservation letters or schedule emergency temporary hearings.
2	Health & Auto Insurance Carriers	Update address records, but DO NOT unilaterally remove your spouse or children from health policies during pending domestic litigation.
3	Employer HR / Benefits Specialist	Update tax withholdings, emergency contact information, and review beneficiary designations where legally permitted.
4	CPA or Tax Accountant	Evaluate filing status options (Head of Household vs. Married Filing Separately) for the upcoming tax cycle.
5	Family Court Mediator	Schedule settlement sessions once initial disclosures are gathered to formalize a Separation Agreement or Consent Order.

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KNOW THE LAW

Essential North Carolina Legal Rules

N.C.G.S. § 50-20(c)(11)

Occupying the marital home with primary physical custody of the children is an explicit statutory factor supporting equitable division arguments.

N.C.G.S. § 50-6

Living in separate bedrooms under the same roof does **NOT** constitute legal separation under North Carolina law.

N.C.G.S. § 52-10.2

True reconciliation and resumption of marital relations **resets the 1-year separation clock** for absolute divorce back to zero.

05 • NEXT STEPS

Get tailored guidance in Mecklenburg County.

For tailored guidance in Mecklenburg County, contact attorney Connor Green at Cape Fear Family Law in Charlotte, NC.

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