



— CLIENT WORKSHEET • THE MARITAL HOME

Why the House Should Stay *With the Children*

The Worksheet: Building the Short-Term Record and
the Long-Term Math

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THE FOUNDATION

Why This Worksheet Exists

North Carolina courts weigh a custodial parent's need to occupy or own the marital home as one factor among several — never a guarantee, and never a right.

*A judge can only credit **what you've documented.***

This worksheet builds two things at once: the short-term stability record a court can actually weigh, and the long-term math on whether the house is the asset you should want to keep at all.

It won't tell you the answer — no honest worksheet can. It will make sure that whichever way you decide, you decided it with your eyes open, on paper, instead of on instinct alone.



TWO GOALS, ONE WORKSHEET

Part One builds the short-term stability record. **Part Two** works through the long-term asset math.

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PART ONE

Building the Short-Term Stability Record

A court credits specifics, not general statements. “The kids need stability” is true of nearly every child in every separation — it isn’t, by itself, evidence.



WHAT MOVES THIS FACTOR

A documented, particular account of what would actually change for your child if the home changed. Start with these categories.

	CATEGORY	WHAT TO DOCUMENT	WHERE TO FIND THE PROOF
01	School Continuity	Current school, district, grade-level placement, and academic performance	Enrollment records, report cards, teacher or counselor notes
02	Distance & Commute Impact	How far a move would place the child from school, activities, and the other parent	Mapped distance, current commute records, school attendance zone documents
03	Healthcare & Therapy Continuity	Ongoing counseling, medical care, or specialists tied to the current home or area	Provider letters, appointment history, treatment plans
04	Special Needs / IEP Support	Any accommodation, IEP, or 504 plan tied to the current school or services	IEP/504 documentation, school correspondence
05	Sibling & Family Relationships	Siblings, extended family, or a support network anchored to the home or neighborhood	Calendar entries, caregiver records, written statements
06	Community & Extracurricular Ties	Sports teams, clubs, faith community, friendships built around the current home	Registration records, schedules, coach or leader correspondence
07	Impact of a Disruption	What specifically would change for the child if the home changed	A written, specific account — not a general assertion

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WORKSHEET

Your Stability Worksheet

Fill this out in your own words first, then go back and note where you have (or still need) something in writing to back it up.

CATEGORY	CURRENT DETAILS	IMPACT IF THIS CHANGED	DOCUMENTED? (Y/N)
School Continuity			☐ Y ☐ N
Distance & Commute Impact			☐ Y ☐ N
Healthcare & Therapy Continuity			☐ Y ☐ N
Special Needs / IEP Support			☐ Y ☐ N
Sibling & Family Relationships			☐ Y ☐ N
Community & Extracurricular Ties			☐ Y ☐ N
Impact of a Disruption			☐ Y ☐ N

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PART TWO

Building the Long-Term Asset Math

Before you decide to keep the house, be honest about whether it's the asset you actually want.

In many North Carolina marital estates, the house and the retirement accounts are the two assets that matter most — and taking the house usually means taking a smaller share of the other.

Use this side-by-side to think it through in your own numbers and your own words — not ours.

FACTOR	THE HOUSE (YOUR NOTES)	THE OTHER ASSET (YOUR NOTES)
Liquidity		
Ongoing Monthly Cost		
Diversification		
Growth Pattern		
Day-to-Day Demand on You		



WHAT THIS WORKSHEET DOESN'T DO

This worksheet does not calculate a buyout figure or estimate a mortgage rate for you. Those numbers come from an appraisal, your mortgage statements, and a conversation with a lender — not a worksheet.

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BEFORE YOU COMMIT

Buyout & Refinance Readiness Checklist

If keeping the house means buying out your spouse's share, this is the groundwork that needs to be in place before you commit to it — not after.

READINESS ITEM	DONE? (Y/N)	NOTES
☐ I have an appraisal or a comparable-market-analysis estimate of the home's current value	☐ Y ☐ N	
☐ I know the current mortgage payoff balance	☐ Y ☐ N	
☐ I have spoken with a mortgage lender about my ability to refinance into my name alone	☐ Y ☐ N	
☐ I understand that a deed transfer alone does not remove my spouse from the mortgage	☐ Y ☐ N	
☐ I have reviewed how post-separation mortgage payments will be credited in my case	☐ Y ☐ N	
☐ I have a target date for completing a refinance, if one is needed	☐ Y ☐ N	
☐ I have talked with a tax professional about any tax questions tied to this decision	☐ Y ☐ N	



KEY TAKEAWAY

A deed transfer alone does not remove your spouse from the mortgage. Talk with a lender about refinancing before you agree to keep the house.

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STAY ON TRACK

Your 12–18 Month Checkpoint Plan

A plan that looks solid on paper today can look very different in a year. Build in the habit of checking now, before you need to.

CHECKPOINT	TARGET MONTH	REVIEWED? (Y/N)	NOTES
Confirm mortgage and household budget are holding as planned	MONTH 3	☐ Y ☐ N	
Confirm refinance is complete (if one was required)	MONTH 6	☐ Y ☐ N	
Review whether the stability case still matches the child's current needs	MONTH 9	☐ Y ☐ N	
Revisit the long-term asset math against your original notes	MONTH 12	☐ Y ☐ N	
Decide whether the current plan still makes sense, or needs to change	MONTH 18	☐ Y ☐ N	

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BEYOND KEEP OR SELL

The Middle Options at a Glance

Keeping the house and selling the house are not the only two doors in the room.

	OPTION	HOW IT WORKS	WHAT IT REQUIRES
A	Deferred sale with exclusive possession	One spouse stays in the home for a defined period — often tied to the kids' ages — while both names may remain on the deed until the sale	A written agreement or consent order covering the mortgage, upkeep, and the eventual split of proceeds
B	Buyout structured over time	Instead of one lump payment, the buying spouse pays the other spouse's share on a set schedule	A properly drafted distributive award, which can be secured by a lien on the property
C	Offset against another asset	One spouse keeps the house; the other takes a larger share of retirement, investments, or cash to balance it	An accurate valuation of both the house and the offsetting asset
D	Sale at a trigger event	The house is sold when something specific happens — a child's graduation, emancipation, or a parent's remarriage	Clear, specific drafting of the trigger, interim costs, and how a timing dispute gets resolved



NOTHING HAPPENS BY DEFAULT

Each of these needs to be negotiated and properly drafted — none of them happen by default.

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AVOID THESE PITFALLS

Common Mistakes That Undercut This Decision

- ✗ Assuming custody automatically means keeping the house
- ✗ Agreeing to keep the house before talking to a mortgage lender about refinancing
- ✗ Ignoring the retirement or investment trade-off in the excitement of “keeping the kids in the house”
- ✗ Documenting the stability case with feelings instead of specifics
- ✗ Leaving a deferred-sale or trigger-event plan as a verbal understanding instead of a properly drafted agreement

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NEXT STEPS

What to Do With This Once It's Built



YOU DON'T NEED TO FINISH FIRST

You don't need to finish this before you call us. Bring whatever you've filled in so far — even if it's incomplete — and we'll help you build the rest.

This worksheet is a starting point for a conversation with your attorney, not a substitute for one. How this plays out in your specific case depends on your facts, your county, and the other issues in your matter.

CAPE FEAR FAMILY LAW

Ready to Put This to Work?

If you're ready to talk through what this worksheet means for your case, schedule a confidential consultation with Cape Fear Family Law.

[SCHEDULE A CONSULTATION](#)

DISCLAIMER

This guide is for general educational purposes only and does not constitute legal, mortgage, or tax advice. Every case is different — consult a licensed North Carolina family law attorney, a mortgage professional, and a tax professional about your specific situation.

