



Solutions
 Susan Regan, MFT
 999 Sutter Street
 San Francisco, CA 94109
 1400 Shattuck #7
 Berkeley, CA 94709
 Tel: (415) 563-4342
 (510) 883-9312
 susanmreganmft@gmail.com
 www.solutionsmediationsandtherapy.com
 www.susanregan.org

Petitioner: _____
Respondent: _____
Date: _____

MARITAL SETTLEMENT AGREEMENT CHECK LIST WITH CHILDREN

Parenting Plan: (See attached for Custody Definitions)

Check one

☐ Joint custody – Husband and Wife shall jointly share the legal and physical custody and care of our minor children. Our parenting relationship shall be guided by the following terms and conditions: (put down your parenting plan in as much detail as possible).

☐ Joint legal custody with primary physical custody – Husband and Wife shall jointly share the legal custody of the minor children of the parties, and (Husband/Wife) shall have the primary physical custody of said children. Our parenting relationship shall be guided by the following plan: (put down your parenting plan in as much detail as possible).

☐ Sole custody and visitation – (Husband/Wife) shall have the sold legal and physical custody of the minor children of the parties, subject to the right of (Wife/Husband/other) to visit said children as follows: (put down parenting plan in as much detail as possible.)

Parenting Plan:



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Agreement not to serve wage assignment order if payments not more than _____ days in arrears.

Child Support:

Fill in blanks:

As and for child support _____ shall pay to _____ a total of \$ _____ per month, payable in advance on the _____ day of each month, beginning on the _____ day of _____, 20____. Support shall be apportioned for each child as follows: (Use guideline apportionment shown in the child support order or substitute your own. This is necessary if you have different time share with different kids.) Support shall continue for each child until said child(ren) dies, marries, becomes self-supporting, reaches 19, or reaches 18 and is not a full-time high school student, whichever occurs first.

Child Care:

Fill in blanks:

As additional child support, _____ shall pay to _____ for child care a total of \$ _____ per month, payable in advance on the _____ day of each month, commencing on _____, 20____, and continuing as long as child care is necessary and actually being paid.

Health Insurance:

Fill in blanks and check one:

Husband Wife shall obtain and maintain in force a policy of insurance providing major medical, dental and vision coverage for each child for the duration of the support obligation. The child's reasonable health costs that are not covered by any policy of health insurance shall be paid by Husband Wife shared equally paid _____% by Husband and _____% by Wife.



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Support Payments to Spouse:

The parties agree that the following amount of spousal support does does not completely meet the current needs of the recipient for support. Check one of the following:

- Waiver of right to support
- No order at this time but court to retain jurisdiction

In consideration of the other terms of this marital settlement agreement, _____ agrees to pay to _____ the sum of \$ _____ per month, payable on the _____ day of each month, beginning _____, 20____, and continuing until (any or all of the following)

Some certain date the death of the payer death of the recipient remarriage of the recipient some precise condition (explain) whichever occurs first.

Separate Property:

List separate property of Husband:

List separate property of Wife:

Separate Debt:

List separate debt to be paid by Husband:



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List separate debt to be paid by Wife:

Community Property:

List community property to be awarded to Husband:

List community property to be awarded to Wife:

Community Debt:

List community debt to be paid by Husband:

List community debt to be paid by Wife:



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Pension Plan:

- ☐ None
- ☐ Waiver of Pension
- ☐ Reservation of Pension
- ☐ Yes – Explain how to be distributed



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Family residence:

Spouses may agree to:

- ☐ sell and divide the home now; or
- ☐ a buy-out with a promissory note from one spouse to the other (payments may be deferred to some future time or event); or
- ☐ joint ownership of family residence, as follows:

Title to the family residence located at _____, assessor's parcel # _____, shall be placed in the names of Husband and Wife as tenants in common with the effective date of this Agreement, each holding a 50% undivided interest therein (or some other %). _____ (Wife or Husband) and the minor children may continue to occupy the property until:

- ☐ the support obligation for all children has terminated, or
- ☐ _____ dies or remarries, or
- ☐ _____ no longer has custody of any child of the marriage, or
- ☐ _____ and children cease to reside in the home, or
- ☐ _____ becomes 60 days delinquent in any payment set forth in this paragraph;
- ☐some other date or condition.....

On the termination of _____'s right to occupy the house, it shall be sold and proceeds, after deducting costs of the sale, shall be distributed according to their percentage of ownership. _____ shall make all payments on existing encumbrances, together with taxes, insurance and other assessments, without right to reimbursement, such payments being considered fair value of occupancy. Capital expenditures for improvements may be made when agreed by both parties, and the cost divided equally between them. Individual outlays of \$_____ or less shall be deemed maintenance.

Taxes:

- ☐ Any tax refunds for the current fiscal year shall be distributed as follows:
- ☐ Any tax deficiencies for the current year shall be paid as follows:
- ☐ Not applicable



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NOTE from DealMaker: The Marital Settlement Agreement (MSA) may be started at any time but cannot be signed until a Petition has been filed and the financial disclosures have been completed.