

University of Missouri Extension

GH3501, Reviewed October 1, 1993

# Getting on With Your life — What to do After the Divorce is Final

Roger P. Krumm Attorney at  
Law

---

## Business and personal records

- Make sure you have the originals of deeds, notes, car titles and other documents that should be in your possession.
- Record any deeds or titles transferred to you as a result of a property settlement.
- Update or make a will. Without a will, property that goes to your children will be controlled by your ex-spouse.
- Beneficiaries on insurance policies should be checked and changed where needed. If minor children receive your life insurance proceeds, the other parent will be the trustee or conservator for such funds unless special provisions are made.
- You may have liability for some charges made on joint credit cards, so retrieve and return them (for cancellation), if possible.
- Contract rights of third parties are not affected by a decree of dissolution, so if you were obligated to a bank, finance company, etc., before the dissolution, you are still obligated even though your ex-spouse has agreed or was ordered to pay those debts.

## Children

- Don't use the children as weapons. The non-custodial parent should see his or her children regularly and on time. The custodial parent should have the children dressed properly and have their overnight bags packed sufficiently. If anyone has a point to prove, it should not be at the expense of the children.
- Don't talk badly about your ex-spouse to your children. You will only hurt and confuse them.
- Let your children know that you haven't divorced them.
- In the event of the death of the custodial parent, the other parent generally gets custody, even if you have nominated someone else as guardian in the will.

- "Child snatching" is punishable by imprisonment in virtually every state, and rarely does the party taking the child ever obtain legal custody.
- A live-in boyfriend or girlfriend may be grounds for a change in custody or visitation.
- In Missouri, grandparents can get visitation rights with their grandchildren in addition to the visitation given the non-custodial parent.

## Support and maintenance

- In Missouri you must have a court order to deny the non-custodial parent his or her right to child visitation, even if support payments are not being made; conversely, support payments cannot be withheld because of a denial of visitation.
- Custody, support and permanent maintenance can generally be modified following a final decree.
- Maintenance for the support of an ex-spouse is generally tax deductible while child support is not.
- All maintenance and support payments should be made by check, or you should obtain a signed, dated receipt.
- Gifts and money provided to children directly do not count as child support.
- Child support payments generally continue during visitation periods even though such periods may be lengthy.
- Only the court may affect your legal obligation to pay support. If you and your ex-spouse agree to a different figure for support, then you need to have the court modify the decree for everyone's protection.
- The law does allow the court to require a custodial parent to account for the way he/she spends child support money.
- Keep good records of maintenance and child support payments for tax purposes.
- At your request, the court must order that support payments be made through the office of the Circuit Clerk.

## Enforcement of decree

- Dissolution decrees are generally enforceable by contempt proceedings, attachment of property, garnishment or assignment of wages.
- Contempt of court for failure to make court-ordered support payment or failure to permit court-ordered visitation may involve being jailed.
- Both of you should obey the dissolution decree. Going back to court is a waste of emotion, time and money.

# Self-help and growth

If you or your children are having a particularly difficult time adjusting to the dissolution, don't hesitate to seek help. Counseling is available not only through psychologists and psychiatrists, but also through churches and family counselors.

You can locate some of these in the yellow pages under the categories of "Marriage and Family Counselors," "Psychologists" and "Child Psychiatrists."

There are many helpful books for men, women and children who are going through or have gone through a dissolution. The public library has many books of this nature and the librarian can help you locate them.

---

University of Missouri. Published by University Extension, University of Missouri-Columbia. Issued in furtherance of Cooperative Extension Work Acts of May 8 and June 30, 1914, in cooperation with the United States Department of Agriculture. Ronald J. Turner, Director, Cooperative Extension Service, University of Missouri and Lincoln University, Columbia, Missouri 65211. • University Extension does not discriminate on the basis of race, color, national origin, sex, religion, age, disability or status as a Vietnam-era veteran in employment or programs. If you have special needs as addressed by the Americans with Disabilities Act and need this publication in an alternative format, write ADA Officer, Extension and Agricultural Information, 1-98 Agriculture Building, Columbia, MO 65211, or call (573) 882-7216. Reasonable efforts will be made to accommodate your special needs.