

Divorce Terms Explained

Community Debts

Community debts are debts incurred during your marriage by you or your spouse that are not separate debts. Generally, separate debts are debts you had before you got married, bills you owe for improving or maintaining your separate property, or debts you acquire solely in your own name. (Most debts acquired during marriage are community debts.)

Community Personal Property

Community Personal Property is all property that is not real-estate acquired by both you **and** your spouse during the marriage that is not separate property. Personal community property can include:

- | | |
|--------------------|-----------------------|
| -furniture | -clothing |
| -vehicles | -cash |
| -bank accounts | -securities |
| -debts owed to you | -retirement accounts* |

*If either of you have retirement accounts you should definitely talk to an attorney before proceeding.

Community Real Property

Community Real Property is real-estate/land (with or without permanently attached buildings) acquired by one or both of you during the marriage unless it is separate property that was given to either of you separately as a gift; inheritance; or in exchange for other separate property.

Legal Description of Real Estate

The legal description of your property can be found in the property deed. If you do not have a copy of your deed, for a fee, you can get a copy of the property deed from your local County Recorder's office.

Example of a property legal description: Morningside Subdivision, Lot 12, East 68.10', of South 103', Block 3.

Separate Property

Separate property is real estate or personal property either:

- owned before the marriage.
- received during the marriage by gift or inheritance separate from your spouse.
- got in exchange for other separate property.

Real estate is a house or land, with or without buildings.

Personal property includes:

- | | |
|--------------------|-----------------------|
| -furniture | -clothing |
| -vehicles | -cash |
| -bank accounts | -securities |
| -debts owed to you | -retirement accounts* |

*If either of you have retirement accounts you should definitely talk to an attorney before proceeding.

Last updated on December 12, 2011.

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