

Tax Filing For The Recently Divorced

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Divorce can be a stressful and disruptive process; it turns our lives upside down and changes our lives. ***In addition to the upheavals we expect, there are also important tax implications for divorcing or separating couples.***

These issues are easily overlooked in the chaos, but can make a substantial difference to one's end-of-year tax bill. Like many other divorce issues, it can also require careful negotiation with your former spouse to resolve such questions as custodial arrangements, filing methods, and the like. These negotiations can also be connected to other concerns, so expert advice is invaluable. If you're recently divorced and filing taxes, contact David Pedrazas, who has over fifteen years of experience in divorce and [family law](#), and who has handled over a thousand similar cases.

Filing Taxes While Separated

One of the most vexing issues regarding tax status can be determining what status you can or should claim. Generally speaking, the important date is December 31st – ***if your divorce has not been legally finalized by the end of the year, then you can either choose to file separately or jointly, but you must still file as married.*** Just as when you were married, a decision needs to be made either way. Depending on your relationship with your former spouse, it may or may not be a wise or a tenable decision to file jointly, but it is legally allowable. However, joint filing will render you responsible for misrepresentations, faulty information, or underpayments on the part of your former spouse. Additionally, if children are involved, remember that ***only one parent can claim a dependent if filing separately*** and some tax benefits available to married couples filing jointly will no longer be available. As with all general advice, make sure to consult with an attorney, as the IRS does follow whatever divorce laws are extant in your state of residence.

Filing Taxes After Divorce

Once a divorce has been finalized, then you are once more allowed to file as either single or as head of household. ***In order to file as head of your household, you must claim a dependent and pay half or more of your household expenses.*** This may be an issue depending on custodial arrangements, as only one parent may claim a child as a dependent. ***If you employed the services of a lawyer for the purposes of tax advice during the divorce process, you may claim these costs as deductions on your taxes.*** Similarly, if your divorce decree mandates alimony payments to your former spouse, you may deduct these costs from your taxes for as long as you continue to pay them. Child support payments are not tax deductible, however; these payments are legally considered to be payments made on behalf of the child rather than income for the custodial parent.

Things to Remember

- December 31st is the deadline for finalization of a divorce.
- Only one parent may claim each dependent.
- If filing jointly, remember that you are liable for your former spouse's payments.
- Alimony payments are tax-deductible; child support payments are not.
- Legal advice is invaluable in this process.

Let Our Legal Experts Help With Tax Filing

If your divorce or separation is taking place near or in Salt Lake City, the Law Office of David Pedrazas is dedicated to providing you the support, assistance, and counsel that you need to protect your rights and assure your best interests. With over fifteen years and a thousand cases worth of experience in divorce and family law cases in Utah, David has provided strategic plans, guidance, and compassion to innumerable divorcing clients. He has the knowledge and experience to establish what is most important to you and to fight for it in the most effective way possible. Contact the Law Office of David Pedrazas to schedule a free consultation by [clicking here](#) or calling 801-263-7078.