



## Divorce & Your Taxes

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It's no surprise that divorce changes a lot: your relationship status, living situation, lifestyle, and parenting routine if you share children. And while many spouses know their financial situation will change, they don't realize that their divorce will affect their taxes.

With tax season just around the corner, learn how your family law case could affect your tax filing this year.

### Changing Your Filing Status

The first change in terms of your taxes after a divorce will be your filing status. Instead of filing jointly, you and your ex will file as either "single" or "head of household." [Head of household](#) dictates that you have a qualifying child or relative living with you, and you pay more than half the costs of your home.

It's also important to know that if your divorce wasn't finalized prior to December 31st of the tax year you're filing for, then you will still file as married. The following year, you will use either of the options mentioned unless you are remarried.

### Divorce Tax Deductions

You may be wondering if divorce-related costs may be tax-deductible. Unfortunately, you are unable to deduct costs for:

- Legal fees
- Counseling
- [Spousal support](#)
- [Child support](#)

## When Children are Involved

Though you share children, **you and your ex cannot both claim your children on your taxes.** This tends to cause issues between ex-spouses; only one parent is able to claim the children as dependents. Usually, this will be the custodial parent who lives with and primarily cares for the child. This parent can claim tax deductions and other benefits.

The noncustodial parent may be able to claim the children if the custodial parent agrees not to claim them as dependents and signs a release. If both parents attempt to claim the children, one party will be rejected — typically the second person to file.

Additionally, child support payments are tax-free and do not need to be reported and claimed. Alimony finalized prior to 2019 will need to be claimed.

## The Family Home

Property values and expenses is another big question for clients during tax season. If you and your spouse [sold your family home](#) after your divorce, you may be able to avoid a hefty capital gains tax bill depending on the status of your divorce.

## Questions? Ask Our Newport Beach Divorce Attorneys

We understand that tax season can be confusing on top of a divorce or family law case. To ensure your taxes are being properly filed after divorce, we recommend contacting tax professionals.

For all of your [divorce and family law needs](#), our team is here for you. To get started, use our convenient online form located [here](#). For more resources, [click here](#).