CA Community Property Map

Separate Prop (SP) v. Comm Prop (CP)

SP

CP

Quasi-CP

Timing of Characterization

Rebutting the CP Presumption

Categories and CP or SP?

Wages

Acquisitions on Credit

Tort recovery

Disability pay

Severance pay

Retirement benefits

Stock options

Education and Professional Degrees

What's Required for a Valid Marriage

Date of Separation

Divorce

Death of a Spouse

Title and Ownership

Bank Account

CP Funds Used for Installment Purchases

Life Insurance

Term Life Insurance

Whole Life Insurance

Property Insurance Proceeds

CP Funds to Improve SP

Community Funds Used to Improve OWN SP

Community Funds Used to Improve Other Spouse's SP

Spouse's SP Used to Acquire or Improve Other Spouse's SP

Out of State Prop

Pre-Marital Agreements

Circumstances that render a pre-marital agreement unenforceable

Characterization of Business Assets

Pereira Accouting

Van Camp Accouting

Business and Professional Goodwill

Effect of Parties' Actions and Characterization of Prop

Transmutation

Commingling

Tracing Presumptions

Tracing Methods

Right to Reimbursement

Distributing Prop at Death

Presumption of Undue Influence When

Setting Aside Prop Post-Distribution

473(b)

After 6 months

Family code time limits

Voidable transfers

Management of CP

Personal Prop Caveat

Breached when

Managing spouse

Breach of duty by managing spouse

Management rules

Business exception

What's Needed for a Transmutation Agreement

Procedural Transfer Matters

Debts

Tort liability

Order of Satisfaction

Creditor's Rights

When is debt incurred?

Pre-marital debts

Creditor's rights at divorce

Distributing Prop at Divorce

SP

CP

Jointly titled prop

No pro-rata division

Misappropriation

Valuation

Disclosure

Putative Spouse

Unmarried Cohabitants