



THRIVE ANEW ENTERPRISES

HOW TO PREPARE FOR YOUR DIVORCE

1. Be on your best behavior with everyone.

This is always important. Your soon-to-be ex will always be the parent of your children even if they aren't good people. Your children are counting on you to be there for them emotionally and take good care of them in every way. Do not complain about your "ex" to his/her family, maintain good relations with all family members if possible and do not say anything bad about the "ex" if there is the remotest possibility your children can hear it, first or second-hand. There is nothing to be gained by arguing either. Set your boundaries, do not violate your own boundaries, and defend your boundaries with vigilance and dignity. When you need to vent or dish, do it privately with your friends and/or your therapist. Be good, be clean, be attentive to the needs of your children, organize your home and get as much sleep as you can.

2. Gather the documents together that your lawyer will want to see.

This is not fun to do, but you will be so glad you got this done in the beginning. As your lawyer, I will want to see the following documents: 1. Tax returns for the last 3 years: your joint returns if you filed together, the separate returns for you and your spouse if you filed separately, and corporate or partnership returns if you or your spouse own a corporation or a partnership. 2. Bank statements for the last year for all accounts. 3. Credit card statements for all accounts close to your date of separation. 4. The last 3 pay stubs for yourself and your spouse. 5. A list of all your monthly expenses. 6. A list of all the assets and debts (yours and the other party's) and the documents that verify the list entries. 7. A brief description of all the parenting duties you fulfill and that the other party fulfills.

3. Put these documents in a safe place that the other party cannot touch.

The other party does not need to know that you are gathering documents. Copy them. Place the originals back where you found them and place the copies in a banker's box or portfolio and store it at a friend's house or place that your soon-to-be ex will never be able to touch. Do NOT keep these documents in your car. Update the information as necessary and place these new documents in that box which is in a secure place.

4. Hire a good lawyer who is a good fit with your personality and your checkbook.

There are many good lawyers with different strengths and weaknesses. There are lawyers who will be a good working fit with you but also strongly advocate for you and protect your interests. You need a lawyer with whom you feel comfortable and who respects you enough to tell you even those things you don't want to hear. There are also good lawyers who will represent for different prices. Beware of hiring the lawyer with the lowest retainer or the lowest hourly rate. If you pay a low retainer, you're might have to begin making payments to your lawyer the next month. If you hire someone who charges a lower hourly rate, they might be inexperienced and end of up spending more time to achieve the same result that an attorney who bills at a higher rate achieves in less time. If you want to get what you pay for, you need to be realistic about what you can afford, and choose an attorney you like and respect who will help you assess what issues are worth litigating.

5. Develop a cooperative working relationship with your attorney.

You want to work with your attorney and be able to communicate with them when necessary. Talk to your attorney about the attorney's expectations and yours. The more realistic you and your attorney are about your expectations of each other, the easier your interactions will be and the more trust will build. Talk about how soon you would like to be divorced. Ask about the process of divorce. Tell your attorney what you envision in terms of your relationship with him or her. For instance, if you want your attorney to be on call for you 24 hours per day, you need to say so and then your attorney can tell you under what circumstances that would be reasonable. Or, if you use text or email communication often, ask your attorney how that will be billed against your account or retainer.

6. Tell your attorney everything he or she will want to know even if you find it embarrassing.

Answer your attorney's questions fully even if it makes you feel uncomfortable. If it's too much information, your attorney will tell you. Definitely tell your attorney if there has ever been any domestic violence or allegations of that. Men and women are often reluctant to talk about this issue. If there has ever been such an event or an accusation made, your attorney will want to be prepared to deal with that and can only prepare if you disclose this. Domestic violence is taken seriously, can affect a parenting arrangement and can be difficult to defend against if you don't enable your attorney to help you.

7. Follow your attorney's advice.

When your attorney advises you, follow that advice. You've hired an attorney you respect, and who respects you. Your attorney is experienced with the legal process, and court procedures and is being paid by you for this advice. Follow it. If you think your attorney is wrong, ask your attorney why they are suggesting this so you can analyze the value of the advice. If you are resistant to following that advice, tell your attorney why you don't want to do what she is asking of you. If you and your attorney communicate you might reach an understanding and an appreciation for each other. That is always a good result. And you can always get a second opinion, but hopefully that won't be necessary.