# Contents

*Acknowledgments,* v

*Preface,* vii

Introduction, 1

1. First Steps, 3

2. Consulting an Attorney, 17

3. Preparation, 31

4. Discovery, 43

5. Getting a Friendly Divorce, 51

6. Regarding Children, 67

7. Money Matters, 87

8. Negotiation, Settlement, and Trial, 113

9. Abuse, Addiction, and Mental Illness, 131

10. Life after Divorce, 145

Conclusion, 161

*Glossary,* 163

*Resources,* 169

*About the Author,* 173

*Index,* 175

# Introduction

Divorce is an overwhelming prospect for most. There are so many questions and uncertainties involved. Yet thousands of people file for divorce each day. Where do they start? Most people begin by getting information about the process of filing for divorce. Becoming informed is beneficial and usually reduces anxiety in the long run. We humans tend to be frightened of unknowns—the times when we have to face the monster under the bed. Most people find the undertaking of divorce to be one of these times.

When people are contemplating divorce, some will go straight to an attorney, but most will first try to conduct their own research on the subject through friends, family, the internet, or other outside sources. It's important to point out that there is a lot of bad information on divorce out there. I know this fact only too well. As a family law attorney, I've been representing men and women going through divorce for close to three decades. I also mediate divorces for spouses going through the mediation process.

This book was written with you in mind. It provides high-quality practical information without bias in an easy and approachable format. I have seen so many instances in which access to a little bit of correct information could have gone a long way in saving someone from a lot of hardship. Perhaps a better decision would have been made or an action would not have been taken had only this information been received. It is almost always harder and more expensive to "walk back" a divorce-related decision than it is to get it right the first time. I've heard divorced spouses say, "I wish I'd known that," or, "I should have talked to you before," one too many times.

Although there seems to be a lot of books about post-divorce life available, I have not seen much good information out there for people who are going through—or who are about to go through—the process

of divorce. A small survey I conducted with some of my past clients revealed that they would have welcomed this type of information to both prepare them for the process prior to hiring me and to assist them in working with me.

While the laws and procedures regarding divorce can vary from state to state, the information found in this book can help any American who is facing divorce. Each chapter provides you with an overview of a divorce-related subject as well as guidance based on my years of experience. Chapter 1 discusses the practical issues to think about when beginning the process of divorce, while Chapter 2 explains what type of attorney you might need and how to find the right professional to hire. Chapters 3 and 4 then describe how to prepare for your case and detail all the elements you may be required to provide.

Chapter 5 strikes a hopeful note by showing how couples can have a "friendly divorce" by bypassing traditional litigation and getting divorced through mediation. Chapter 6 talks about all the crucial considerations associated with divorces that involve children, while Chapter 7 goes over a common source of contention in divorce: money matters. Chapter 8 then outlines the process of negotiation, settlement, and trial. Chapter 9 is dedicated to offering guidance on how to manage your response when you are divorcing a spouse who may be abusive, an addict, or struggling with mental illness. Finally, Chapter 10 teaches you how to pave the way for your post-divorce life.

This book is sure to validate or allow you to dismiss some of your concerns regarding divorce. Ultimately, it is meant to prevent you from making common mistakes and point you in the right direction. Having this information at hand is likely to save you some heartache, time, and money.

I am not a proponent of divorce. In fact, I think all efforts should be made to save a marriage. I do realize, however, that despite people's best efforts, some marriages cannot, or should not, remain intact. I understand that some marriages are unhealthy or even dangerous. The decision to end your marriage is yours (or your spouse's) to make, not mine or any other attorney's. Once you arrive at the point of beginning a divorce, whether voluntarily or not, it's my job to give you the information you need to see it through successfully. Knowledge is power, and with this power comes the confidence to move forward and make the best out of a bad situation. Divorce is a heavy burden, but knowing what you can expect to face during the process will make it seem lighter.