

# The Top 10

## Do's and Don'ts **OF DIVORCE**



## 1 **DO be prepared.**

Put together a list of your financial documents. Make sure you have originals or copies of anything that has bearing on your financial situation, including a list of bank and investment accounts, real estate, retirement accounts, credit card statements, loan applications, the last three years of tax returns and W-2s, property tax bills, mortgage statements and any other existing assets and debts. Getting these documents through an attorney at a later date can be costly and stressful.

## 2 **DON'T make hasty decisions.**

Realizing that anger, sadness, and other emotions are likely to run high in the beginning stages of divorce, don't make any hasty decisions about how you will proceed. Divorce is sad, but it doesn't have to be financially and emotionally devastating if before making any decisions you take the time to talk with a trusted friend or mental health professional that can be impartial.

## 3 **DO gather the information about the differences in using adversarial lawyers versus impartial mediators.**

A small amount of restraint and patience will serve you well in the long run. Take the time to consult with an experienced lawyer and an experienced mediator, comparing and contrasting how they operate and how much they cost. Ask questions to ensure that the mediator has backgrounds in both law and psychology. Pay heed to the following quote from a former U.S. Supreme Court Chief Justice:

*The entire legal profession – lawyers, judges, law teachers – has become so mesmerized with the stimulation of the courtroom contest that we tend to forget that we ought to be healers of conflict. For many claims, trial by adversarial contest must in time go the way of the ancient trial by battle and blood. Our system is too painful, too destructive, and too ineffective for a truly civilized people.” – Chief Justice of the Supreme Court Warren Burger, 1984.*

## 4 **DON'T put your children in the middle of your divorce.**

Whether you have minor or adult children, try your best to keep them out of the details of your divorce. They will be going through their own grief process as a result of your divorce, and giving them a he-said, she-said blow by blow description is unfair to them, especially if they are minor children with far fewer psychological coping mechanisms than adults.

## 5 **DO put together a monthly budget:**

Understand your finances when getting divorced. Each partner in a marriage should be aware of overall household finances and have access to financial information. If you have not been the one responsible for finances in the marriage, become fully informed. Start figuring out your short-term and long-term financial needs. Comprise a comprehensive list of expenses, based on your projected living situation for the next year or so. Make sure to include non-discretionary expenses such as mortgage, utilities, car costs, groceries, and insurance, as well as reasonable discretionary (personal) expenses such as entertainment, restaurants, donations, etc.

## 6 **DON'T transfer or move around assets**

It may be hard to resist moving around or transferring money in your joint bank and other accounts. Indeed, some adversarial lawyers still advise their clients to do that – despite the fact that doing so is sure to increase hostility, tension, and costs. You may feel angry or mistrustful of your spouse, but speak with an experienced attorney or professional mediator before moving, hiding, or transferring any assets.

## **7 DO understand your income(s).**

Understanding what both you and your spouse earn is very important when divorcing. You need to know all sources of income, including salary, bonuses, cash 'under the table,' exercised stock options, what is being deferred into retirement accounts, etc. Previous tax returns and W-2s will provide this information.

## **8 DON'T ignore the grief process involved in divorce**

Similar to losing someone by death, you will experience a rollercoaster of anger, sadness, and other emotions during your divorce. Rest assured that these emotions are common and normal; indeed, healthy in moving forward to complete acceptance of it, and perhaps later on even seeing the blessings in it that were initially very much in disguise.

## **9 DO put your children's best interests first and foremost.**

Stay focused on your children. Acknowledge their feelings. Let your children know that there are no "wrong" or "bad" feelings; encourage them to be honest and let them know whatever they say is okay. Listen and reassure your children that you and your spouse will always love them. Help your children understand that they had nothing to do with the divorce. Provide your children with routine, stability and structure. Consider professional therapy for your children if they seem to be struggling to adjust.

## **10 DO take care of yourself.**

Going through a divorce is a very stressful life event, even in the most amicable situation. Divorce impacts every aspect of one's life: emotionally, financially, socially, to name a few, and this can be overwhelming. Make sure to take care of yourself during this time. Listen to your mind and body. Find time in the day to relax, nurture yourself, read, exercise, eat well, and sleep enough. Establish a good support system and surround yourself with positive people. Consider obtaining professional divorce help through attending support groups and seeking individual therapy.