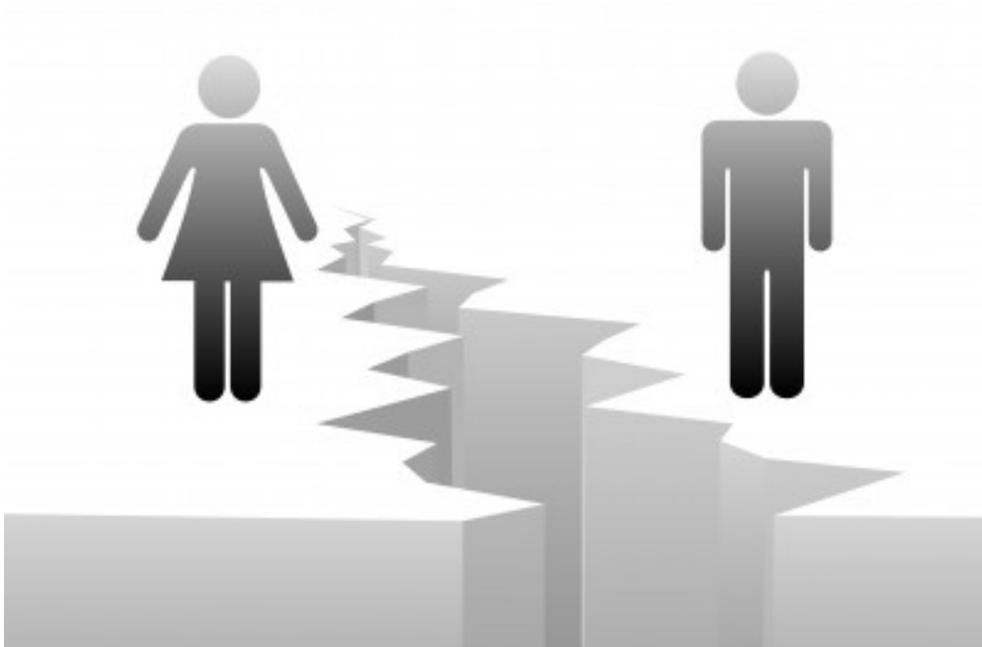


15 Tips for Navigating Your Divorce





Introduction

Divorce...there is no way to paint a pretty picture, even when it is amicable. However, there are ways to minimize conflict and heartache.

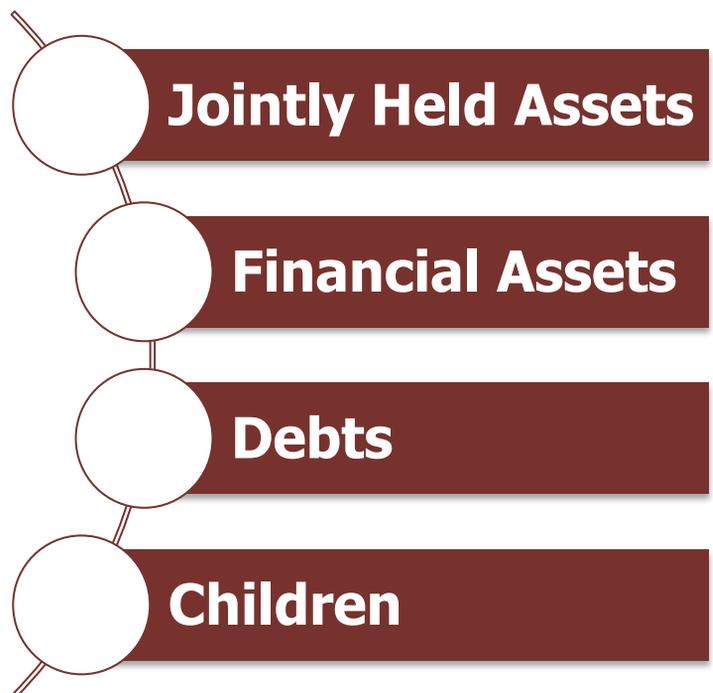
This eBook ***15 Tips for Navigating Your Divorce*** is meant to help you start establishing solid plans of action and to work around some of the biggest hurdles and problems that can arise as you steer your way from "married" to "divorced."

TIP #1:

Divorce or Separate?

Though this one may seem like a painfully obvious question, a lot of couples don't consider the "big picture" of divorce. Sure, they know that the marriage has degraded and that they would like to get out....

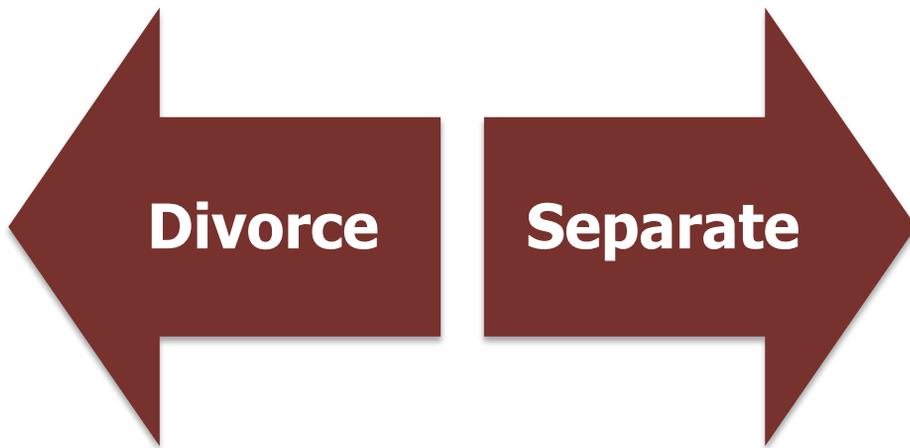
....but some people do not stop to consider all this may mean.



TIP #1 ctd:

Divorce or Separate?

It does pay for **both** of you to take a few steps back and really ask yourselves some serious questions.



It is imperative that your spouse is actively participating in this "divorce versus separate" dialogue because it opens the door to honest sharing on a step as serious as divorce and the formal ending of your relationship.



TIP #2:

Consider a Postnuptial Agreement

Just like the prenuptial documents, the Postnuptial Agreement is meant to establish very fixed terms and expectations after marriage. It can be created before a wedding, but is also something your attorney can draft as you determine whether you are going to separate or actually divorce.

It is often a way to ensure that negotiation is as quick and streamlined as possible.



TIP #3:

Get Legal Counsel and Understand Your Options

Divorce is not a project. It is a process, and in the end, your entire life is altered from the way it used to be.

If you both agree that divorce is the route you want to go, it is wise to seek legal advice and have your attorney help you understand your options.

Most states have at least two ways of handling divorce:



TIP #3 ctd:

Get Legal Counsel and Understand Your Options

Some, like the state of Florida, have a "simplified" option, or what many states also call a DIY plan. In general, these methods require that the couple have no dependent children, that the wife is not pregnant and that both parties agree to simply split the jointly held assets, or file a plan intending how they will handle this matter.

Even though this sounds simple, it is not often an advisable way of handling divorce.



TIP #3 ctd:

Get Legal Counsel and Understand Your Options

Instead, there is the "regular" option that has a lot of protection for both parties, and yet can be very flexible.

In a state like Florida, a couple can file the necessary documents (with the help of their attorneys) and submit a fully drafted petition to the court for approval. This allows them to appear for a hearing with a settlement in place and to use an uncontested divorce.

Find out what options your state has.

TIP #4:

Get Organized

You can feasibly take out a calendar and begin marking off the dates when things will happen. For example, you may be able to note the date when your formal separation begins. This is often required in all divorce cases and is the true "first day" of the divorce process.



Work with your attorney to ensure important dates, such as when you need to be in court, are on your calendar.

TIP #4 ctd:

Get Organized

Additionally, whether you are separated and living apart or separated and still co-habiting with your family, you need to formally assess the household needs and create rigid budgets.

This will help you both to realize what financial demands must be met when the budget is all your own, and

prepare you for the transition from joint to individual incomes.





TIP #5:

Start Separating Finances

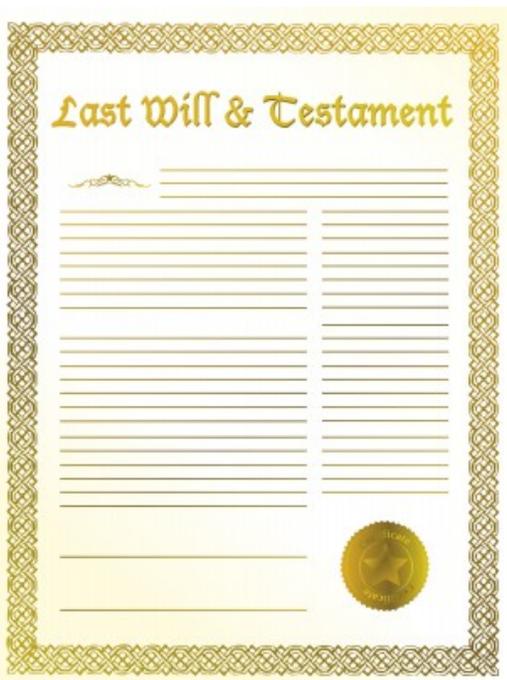
As the divorce process begins you will need to start closing out jointly held accounts and credit cards in order for things to become truly separated. Work through this step with your spouse and attorneys, as you don't want to do anything that seems questionable.

Notifying creditors of a formal separation is another important step that people often neglect. You are literally starting your life over, which means you need to ensure that your credit report is an accurate reflection of you and not the both of you.

TIP #6:

Look at Your Will and Other Important Documents

Since the names of the beneficiaries in your will are quite likely to change when you are divorced, it is wise to do this right away.



If you have no children from the marriage, remove your spouse or rename the beneficiary and update your will to reflect your wishes.



TIP #6 ctd:

Look at Your Will and Other Important Documents

If you have a retirement account, this is also a good time to review the Qualified Domestic Relations Order (QDRO), which explains how your benefits are to be distributed, and how a spouse is to receive any part of the benefits.

Retirement plans, life insurance, IRAs and taxes...all of these matters will need changes and updates as well. Make a list of important documents and consult with your attorney on appropriate times to make such changes.



TIP #7:

Consider Division of Assets

Every divorce is unique. Yours may have very few assets to handle, no children and no demand for alimony or support, or it may be more complicated. It is wise to begin documenting each asset at stake to keep you safe from any inequality.

If you start to look at the distribution of assets and see that a pattern is emerging that leaves you with few net assets; it can mean that you are facing inordinate tax liability.

TIP #7 ctd:

Consider Division of Assets

Inventory anything that falls under property division. The list of things that will qualify include:



Houses	Vehicles
Cash	Retirement Packages
Business Ownership	Stocks & Bonds
Bank Accounts	Personal Property



TIP #7 ctd:

Consider Division of Assets

Many states believe that all things of value must be itemized and presented to the court for equitable distribution. This does not translate to "equally" divided, but simply "fairly" divided.

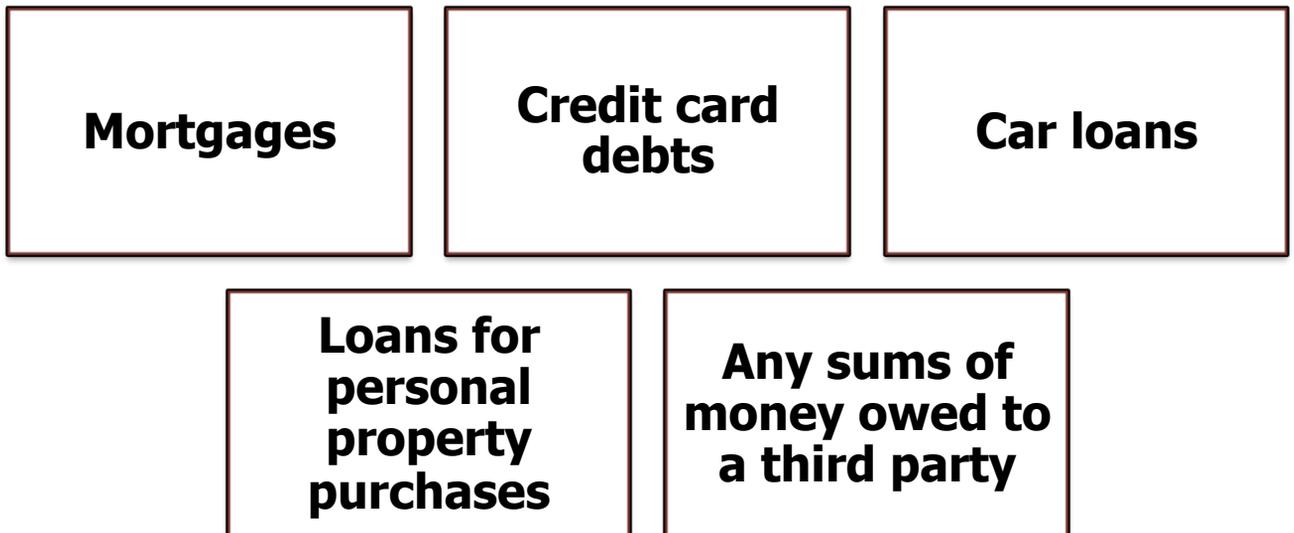
It rarely matters who holds the formal ownership or title of an asset; instead the court considers many different factors that lead to approval of a property division arrangement. When a couple will not agree on division of property, the court divides everything during the trial period.



TIP #8:

Think About the Liabilities

As the property is being considered and divided, the liabilities have to be considered too. These include:



All courts view liabilities acquired during the marriage as an issue that also needs to be divided equitably.



TIP #9:

Consider Alimony

Either spouse can request alimony. This might be to help them get along until they are prepared to work for their financial stability, which is known as rehabilitative. It can also include "bridge the gap" alimony that is paid to one spouse as they re-establish themselves outside of their marital home.

Most alimony is durational, meaning paid over a set period of time. However permanent alimony is often paid indefinitely and on a monthly or twice monthly period.

TIP #10:

Make Plans for the Children

If there is one issue that becomes heartbreaking and heated during a divorce, it is the custody and responsibility for the children.

The court's guidelines for parental rights are never arbitrary or random, so it is best to work with a family law expert to ensure the best possible outcome for all parties.





TIP #11:

Child Support Basics

Regardless of how angry one might be at their spouse, it is essential to remember that both parents must be responsible for children that resulted from their marriage.

This means that one may have to pay a substantial amount of money to the other for the care of the children. This is not an indefinite payment but usually lasts until a child is 18, or is otherwise independent and emancipated.

TIP #11 ctd:

Child Support Basics

Know the issues you need to work through with your spouse and attorney.

How much will be paid?

How and when is it to be paid?

A method for obtaining payment when there are problems

Who can claim the children as dependents on their taxes?

Details about decreasing or increasing the payments

Other details – health insurance, vision/dental expenses, etc.



TIP #12:

Speak With the Kids About Divorce

It is impossible to know just when in the divorce process is the right time to tell your kids about it. You may do a trial separation or you might just decide to call it quits. Either way, you do need to make plans to speak with your children - regardless of their age - and reassure them about any of their fears.

If you are a bit unclear about how to handle these conversations, contact or even plan to visit a counselor to tell your children that you are divorcing.

TIP #13:

Going to Court

This is probably going to be one of the unhappiest periods in the entire process. Regardless of the method of divorce chosen, it is likely that at least one day will be spent in court. You need to mentally and emotionally prepare yourself. This is a highly charged moment and you will want to avoid any confrontations with your spouse.

Consider asking a friend to accompany you and above all, this is not the place for your kids, regardless of age.





TIP #14:

Seeking Enforcement of the Decree

Your attorney is not only involved with you during your divorce, but may also be of use to you afterward if the terms of the divorce are not being upheld and none of the contingency plans are working.

If you find that parental agreements, financial terms or other components of the divorce arrangements are being ignored, your former spouse can be held in contempt of court and penalized accordingly.

TIP #15:

Starting Again

Divorce is an emotional roller coaster, and sometimes we rush to get our lives back to "normal". Allow yourself a bit of time to grieve the loss of the marriage and the relationship.



Take time for yourself (and your children) and just accept that you can build a whole new life on the best terms possible.



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