

THE ULTIMATE GUIDE

TO SURVIVING A DIVORCE

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Whether your divorce comes as a result of an act that renders the marriage irretrievably broken, or you and your spouse have been considering this option for quite some time, the decision to divorce comes with a lot of ramifications, both personally and legally.

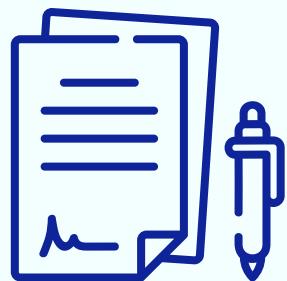
It's easy to get bogged down in the details, the emotions, and in some cases, the drama that comes with separating two lives that have been intricately woven together. But surviving your divorce and living your best future is not only possible, it's the most important next step you'll take in your life.

There are as many divorce experiences as there are people who get divorced, so surviving your divorce will be a very personal experience, unique to you and to the type of divorce you want to have. That said, there are really three primary types of divorces:



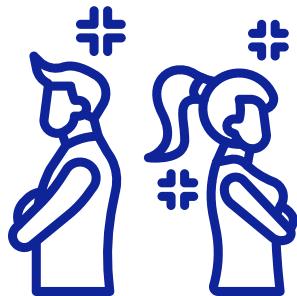
The Amicable Divorce

Hey, when it's over it's over. If it's your and your partner's intention to end the relationship in the most positive way possible, you both want to move on with your life, and divorce is the next step to achieve that. An amicable divorce is one where both parties agree to the divorce, making the process easy on everyone.



The Acrimonious Divorce

The word acrimonious means bitter and that pretty much sums up how things ended, badly. There's no amount of counseling that is going to salvage this relationship. An acrimonious divorce can be downright nasty, but it can still be handled well with the right professional. This is especially true if you have children and you must work out a co-parenting arrangement with your partner post divorce. The right professional is critical during this process.



In the end, you need a plan and the right professional can help whether children are involved or not.

The Agonizing Divorce

You're ready to move on, however your partner is hanging on for dear life. It happens. Sometimes one partner just isn't ready to call it quits, and when that happens, things can be very slow moving. Of all the divorce processes, this one can be the most agonizing and expensive for all parties concerned.



Going through a divorce, regardless of which type, is one of the most difficult and emotional life altering things you can do. Just like any other important decision in life, having a well thought out plan for getting the life you want post divorce is crucial during this journey.

The one unfortunate reality of divorce is that you cannot force the end except through trial, and that could mean heavy, unnecessary legal expense. If you fail to have the proper strategy to address this situation, you may find more loss than you could have ever anticipated, not only emotionally but financially.

Get a Plan

One of the first and most important steps you can take in surviving the process of divorce is to get organized. As with any major undertaking in life, you need a plan. Making a plan is also a great way to help distance yourself from the overwhelming emotion you may feel. A good plan, filled with checklists and to-dos, helps keep your mind occupied, and keeps you moving forward through the steps of divorce and toward your best future.



Step one is to collect your documents. Much like any legal process you will experience in life, from buying a house, to paying your taxes, to obtaining a passport, or registering your kids for school, there is a lot of documentation that must be gathered. Your quick list includes:

Basic Personal Information

This can range from birth records and wedding licenses, to addresses and employment history. In as much as you are able to gather it, you need the basic personal information for both parties.

The types of records that are crucial for you to acquire and secure are some of the following:

- ④ Tax returns going back at least two years;
- ④ Credit card and bank statements going back two years;

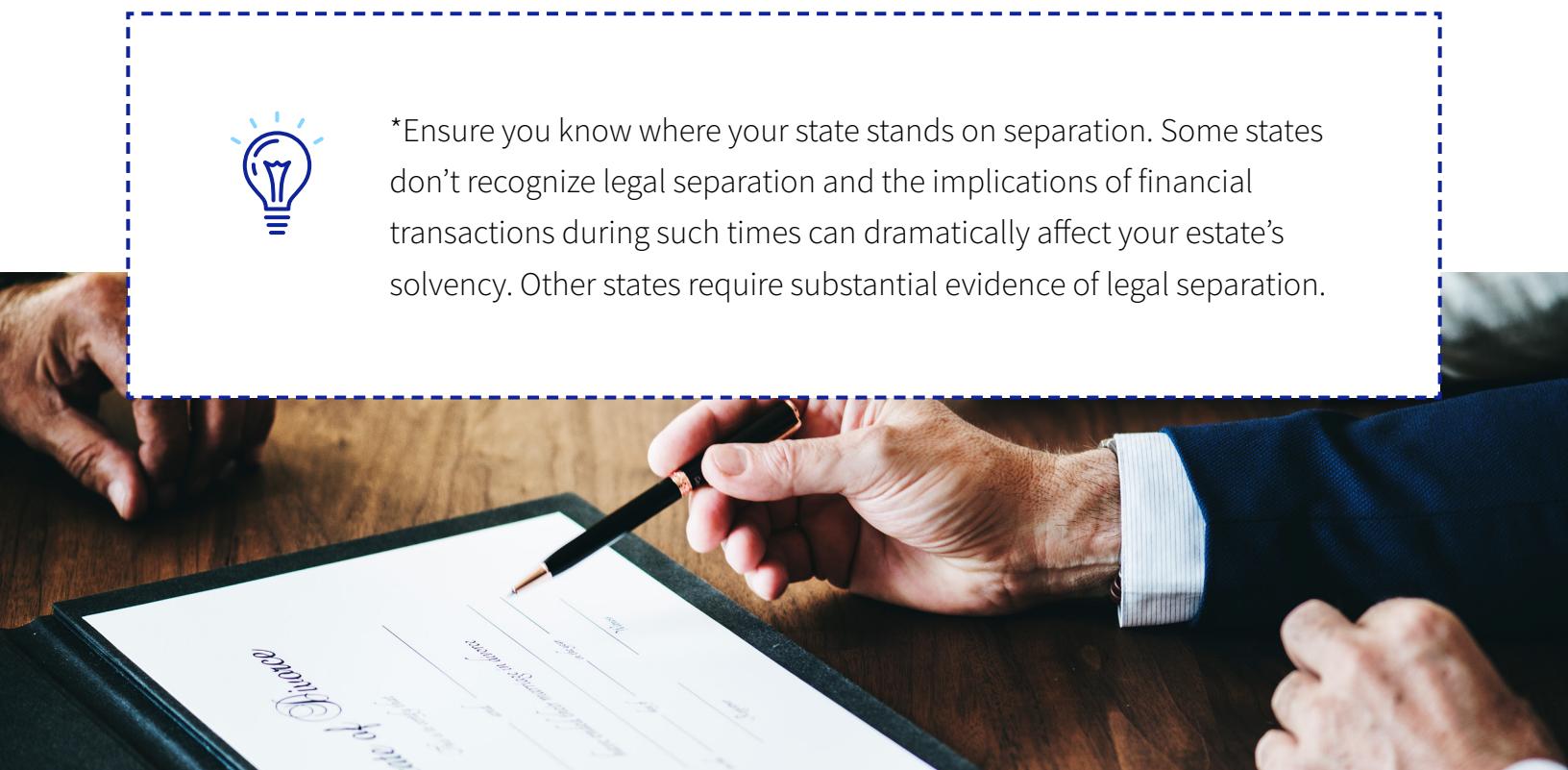
- ➊ Social media histories;
- ➋ Retirement statements;
- ➌ Lists of personal property;
- ➍ Title documents for real estate;
- ➎ Title documents for vehicles;
- ➏ Title documents for mineral interests;
- ➐ Documents on items owned before marriage;
- ➑ Documents for items inherited;
- ➒ Frequent flyer or award accounts;
- ➓ Phone records;
- ➔ Photos;
- ➕ Electronic media, such as emails, texts etc..
- ➖ Business documents;

Legal Separation Documents

If you have already filed for legal separation*, and/or children are involved, collect all legal documents pertaining to the separation including temporary orders, custody agreements and child support payments, as well as any other legally pertinent documents.



*Ensure you know where your state stands on separation. Some states don't recognize legal separation and the implications of financial transactions during such times can dramatically affect your estate's solvency. Other states require substantial evidence of legal separation.



Financial Documents



This is one of the most precarious areas of the divorce arena with often the most long-term implications. Whether it's bank statements, tax returns, payroll documentation, retirement funds, life insurance, stock purchases, real estate holdings, business holdings; the list is long, you must collect any and all documentation related to your and your spouse's personal and joint finances.

In many households, there is often one primary person who is the "keeper of records." If that person is you, this process may be easy. But if that person is your spouse, he/she may be reticent to give up control of such documentation or even access to the information. This can affect your ability to properly negotiate and/or come to any type of agreement. These documents are the foundation of any final agreement or divorce order and as such you should do all you can to obtain copies in preparation of moving forward.

While we are on the topic of finances, it's also important to note that you will want to protect your credit. Here's what Experian has to say on the subject:



Close or separate joint accounts.

Talk to your ex-spouse, if possible. Analyze all your debts and decide who should be responsible for each. Call your creditors and ask them how to transfer your joint accounts to the person who is solely responsible for payments. However, you still might have legal responsibility to pay existing balances unless the creditor agrees to release you from the debt.



Take stock of your properties.

You may have to refinance your home to get one name off the mortgage, or you might need to sell your home and divide the proceeds.



Keep paying all bills.

Until you can separate your accounts, neither of you can afford to miss a turn paying bills. Beware of well-meaning friends and relatives who may tell you to ignore making payments or to run up debts. Always make all payments with at least the minimum due.

Always keep in mind that if you are not able to collect this information from the other side, you may need to get your attorney to issue formal discovery, conduct depositions or issue subpoenas in order to ensure that you have all you need to make wise decisions regarding the pending financial matters.

Hire an Expert

When you make the decision to move forward with a divorce, one of the most critically important steps you can take is to hire an attorney who specializes in Family Law. Of course it seems self-serving that a divorce survival guide coming from an attorney would tell you to hire one, but there are reasons this is important.



Emotions are high, and when emotions are high, it's difficult to make a sound decision, especially because in the very nature of divorce itself, there are two "sides." Well-meaning friends and family will automatically give you advice based on which side they have chosen, and often times that advice is laden with their own emotions related to your divorce.

Regardless of the trusted advice of friends and family, everyone's divorce is different. People are different, personalities are different, and marriages are different. No two people will have the same facts and circumstances involved in their divorce. This includes property issues and child issues. While friends and family are important for emotional support during a difficult time, you want and need a clear-headed professional on your side.

It's important for the attorney you choose to be a great fit for you, so take some time, and hire the right professional.



Research family law attorneys in your area. This is a great time to seek the advice of your friends who have been through a divorce.



While doing your attorney search, research the attorney you may be working with and be leery of the marketing pitches of firms claiming to be for father or mother's rights. Good divorce attorneys can represent either side of a divorce effectively. Getting an attorney who is Board Certified in Family Law can be a definite plus during this process as those individuals or firms have specialized experience in these types of cases and are experts in the field.



Schedule a consultation. You're going to spend a lot of time with this person, and you're involving them in one of the biggest legal decisions of your life. You want to be sure you are a fit for each other.



Write down your story and your questions in advance. Be prepared to give a clear explanation of your story and what your expectations are, and request insight and strategy from your prospective attorney to ensure that you understand where they may take your case. The choice you make should be based upon a combination of your impression, their insights into your situation, and the attorney's history and their litigation/law expertise.



Find out exactly what the fee structure looks like and what that fee includes, how you will be billed, who all will be working on your case, how will you be communicated with throughout the process. Thinking through these things ahead of time will help your consultation go smoothly.

Be Good to Yourself

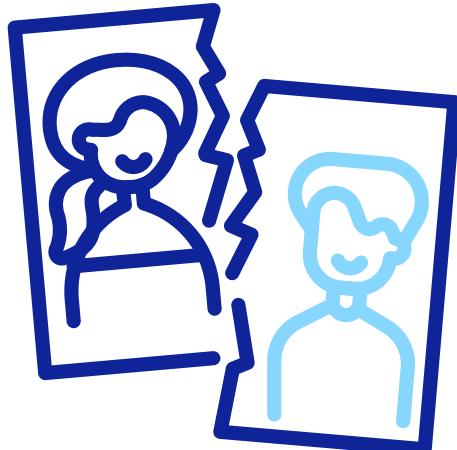
Divorce is more than a legal circumstance. It's deeply personal. To survive your divorce and move forward toward your best life, you can't allow the legal care to overshadow your personal care. You have to practice the four B's.



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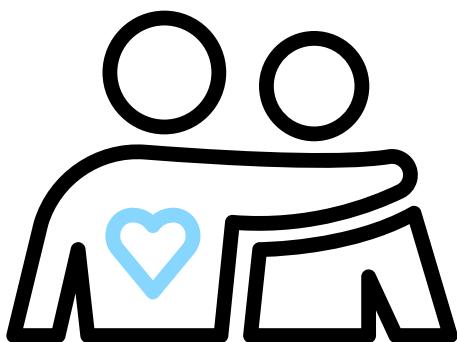
Be Okay to Grieve.

Divorce involves a grieving process. It's the death of a marriage, and no matter how you feel right now, at some point in your life, you loved your soon-to-be ex-spouse enough to marry them. You planned a life together. You had dreams and expectations. And now those are ending. It's not only okay to grieve, it's necessary.



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Build a tribe of people you love.

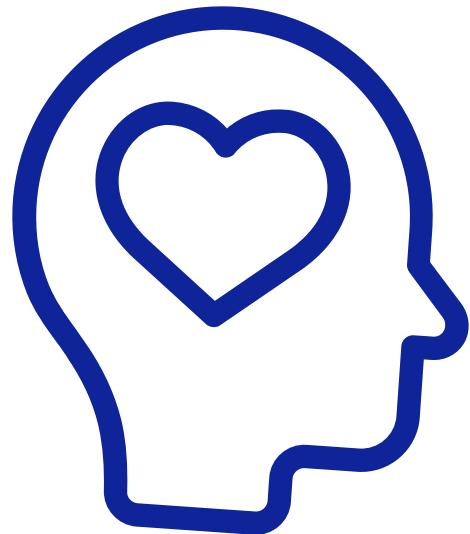


Surround yourself with positive people who are going to be there with you through the entire process, the highs, the lows, the grieving, and the celebrating. You may discover that the mutual friends you once shared are no longer friends, and that's okay. Building your tribe may include new friends for the new life you are building as well.

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Be your best advocate.

Tell people what you need. If you need space, ask for it. If you need a shoulder, ask for that. If you want to throw a party (within reason) plan one. The more you can advocate for your own needs, the more empowered you'll feel throughout the process. And don't be afraid to seek professional help to get you through this time. There are incredible mental health professionals who specialize in navigating divorce, if needed for you or for your children.



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Be good to yourself.



Get some exercise. Do things you enjoy. Spend time with people who make you feel good about yourself. And as much as you are able, when you are able, forgive. Forgiveness is the best way to rid yourself of any of the negativity of this experience, and one of the most freeing things you can do for yourself as you move forward.

A final cautionary tale.

Sometimes being good to yourself means counting the cost. Some victories are not worth the cost of achieving them. Always remember that you will need to live with the decisions that are made during the divorce process. You should take the high road, if at all possible. This is extremely difficult to do at times, however rest assured that if you are able to do it, it will be beneficial to you both in and out of court. Court's often times reward those parties that take the high road and avoid making matters worse or more difficult. This can include taking questionable actions with financial matters or placing children in the litigation process unnecessarily.



You downloaded this guide because you are ready to move forward with your life. You want to survive divorce, and you will. The ultimate goal is to get through the process of divorce and onto the rest of your life. It's time to take those steps and step into the future that awaits you.



We are Abcrombie & Sanchez Law and we are here to help guide you through this process. We have board certified attorneys in Family Law and who are certified in mediation. Our firm has over three decades of experience helping individuals just like you get through divorce. Our goal is to ensure you have the best representation so as to best manage the process, regardless of the type of divorce you find yourself in, and to ensure we get you the best result possible.

We are here for you.

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