

How Much Will My Divorce Cost?

October 5, 2023

By Sandra A. Brooks



One of the first questions a client asks is, “how much will this cost me?” While there is no way to really know how much the process will cost, there are some significant factors that can impact your fees.

Opposing Party/Opposing Counsel. Unfortunately, there are some attorneys who are unable or unwilling to provide their clients with reasonable options and steer the case in a direction that will result in a fair and equitable resolution.

If the opposing party and/or their counsel is not reasonable or minded in resolutions and problem-solving, the cost will be higher than if reasonable expectations can be set early on. It is helpful if the roadmap to get to a win/win resolution can be the focus of the case. There are several processes that can be utilized to reach an amicable resolution without the need for litigation, which can be emotionally and financially expensive.

As a result of anger or vindictiveness, some parties are unwilling to focus on the best interest of the family, especially when children are involved. And unfortunately, there are attorneys who encourage detrimental behavior. The combination of the two can be very expensive. We recommend that clients review their invoices each month. If there are questions regarding any charges, they should be brought to the attorney’s attention before the next billing period. If the attorney does not provide a satisfactory response for the charge, the client should interpret that as a red flag.

Certainly, choosing the right attorney to represent you impacts your fees. It is worth spending money on the front end to consult with several attorneys until you find the right fit. Your instinct should never be ignored if you feel that the attorney with whom you are consulting is not responsive to your concerns and needs. Litigation is expensive for clients and profitable for attorneys, so you might question an attorney who pushes litigation from the onset without discussing other options that you might try to utilize to resolve your issues before filing for divorce.

Complexity of the issues. If your case involves every issue before the court (e.g., custody, access, child support, division of marital assets, alimony, attorney’s fees), your matter will be more expensive. There are times when one cannot resolve all issues without the court’s intervention. However, the more issues you resolve on your own, the less expensive the process will be. Along with complex issues may come the cost of experts (forensic business valuations, forensic tracing of assets, forensic analysis of income, child custody evaluator, vocational rehabilitation, appraisers, and the list goes on). You can alleviate some expenses by being organized and gathering as much information/documentation as you can for your attorney/experts. Some clients simply do not know or have access to their/their spouse’s asset information, and the process of uncovering any undisclosed, hidden, or unknown assets can be time-consuming and costly.

Before you engage an attorney, be sure to have resources available from which to pay your legal fees. This may include credit cards, a home equity line of credit, borrowing from friends/family, or liquidating assets. Your attorney should assist you with a

plan as to what option may work best for you.