

You Want to Get A Divorce? Here's What You Need to Know

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Does anyone go into a marriage thinking about getting a divorce? Doubtful. According to the *Centers for Disease Control and Prevention's National Marriage and Divorce Rate Trends*, the rate of divorce in the United States in 2018 was 2.9 divorces per 1,000 people.

As with anything, doing your due diligence and finding a great lawyer is going to be step one. What are some ways to find a "great" lawyer? When interviewing your lawyer, don't be afraid to ask as many questions as necessary to ensure you are comfortable. It is important for you to make sure your lawyer practices family law regularly. Your lawyer should take a reasonable amount of time to listen to your issues and thoroughly discuss your options and the process with you.

After going through your options, and you've decided to proceed with a divorce, the next step is for you to retain that attorney. Then, your attorney will begin gathering additional information and documentation from you. You should expect your attorney to request that you provide documents reflecting your and your spouse's income, assets, expenses related to your family, tax returns, pay stubs, appraisals, business records, and more. Don't worry if you do not have all of this information. Your attorney will help you obtain the information and documents needed.

Following the information and documentation gathering stage, your lawyer may discuss the options of settlement, mediation or filing with the court. Should you decide to file with the court, your lawyer will create a Complaint outlining the issues to be determined by the court (ex. custody, access, child support, alimony, division of marital property and attorneys' fees) and your request as to what you'd like the court to award you. Your Complaint will likely have to be filed with a Financial Statement. The Financial Statement is a detailed document required by the Court, which your attorney should assist you with completing.

Even after filing with the court, settlement is always possible and strongly encouraged through discussions between counsel or mediation. With thorough preparation, mediation can be successful, even if not with just one session.

Should you be able to settle your matter through counsel or mediation, you will have a brief, uncontested divorce hearing. Should you be unable to settle before trial, you will proceed with a trial, wherein your attorney will present your case to the court for a judge to make a ruling. It should be noted that most cases settle. For instance, we settle over 90% of our cases.

The lawyer you choose will help drive the direction of your case, and it's important to find a lawyer who doesn't just tell you what you want to hear. You need a lawyer who will explain your options and make a recommendation so you can make an informed decision.

