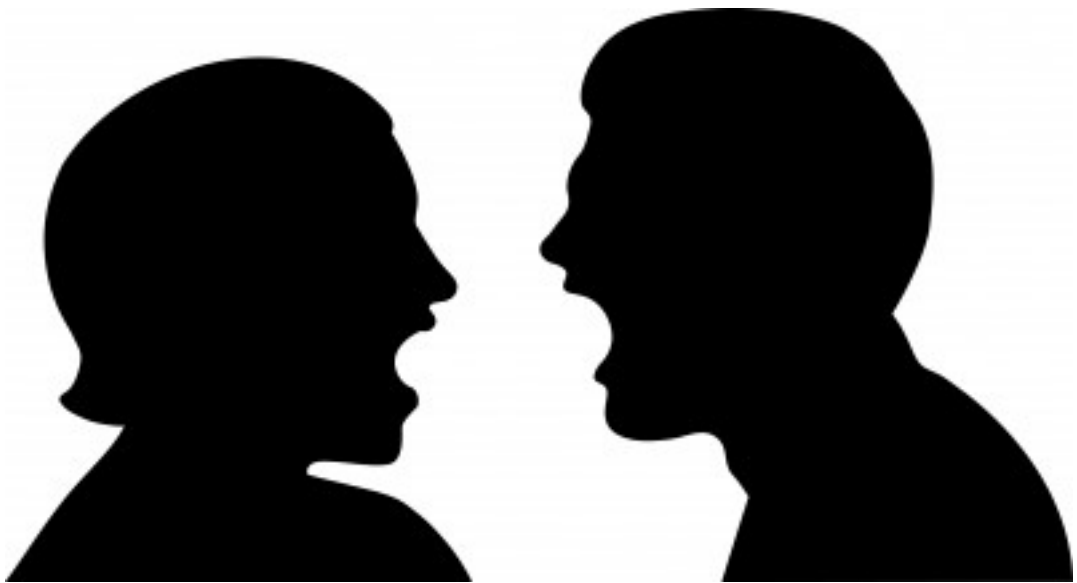


# Top 10 Mistakes Made During a Divorce





# Introduction

Divorce can be a very tumultuous experience for everyone involved. This eBook will go over the top ten mistakes that people make when going through divorce, some of which are easily avoided.

Educating yourself can help you steer clear of common blunders, but it is imperative to remember that nothing can substitute for the counsel of a knowledgeable divorce attorney. Don't make the biggest mistake of them all by not working with legal experts!

# Mistake #1:

## Not Having Plans

A lot of couples dedicate huge amounts of time and effort for their wedding, and yet if the marriage doesn't work out, they don't plan for the divorce.

Most divorces are not simple and there are going to be assets, debts, negotiation and more to discuss. This comes down to lots of paperwork.

**//** *Pull together information you might need before heading to the lawyer's office //*

**Tax Records**

**Retirement Information**

**Bank Statements**

# Mistake #2:

## A DIY Divorce

A lot of states encourage couples that are divorcing amicably to use a “do it yourself” approach, but it is not always a good idea.



Many lawyers can tell you about past clients that opted for a DIY approach, only to discover that their spouse indeed had a lawyer on the side.

To avoid this huge mistake, each spouse should hire a different attorney to ensure that everything is as fair as possible.

# Mistake #3:

## Accepting Flawed Legal Advice

Legal advice comes from a lawyer. A lot of people make choices during their divorce based on advice from family, friends, coworkers or even websites.



The worst thing you can do is to make decisions in anger and unfortunately, we can be advised by family and friends to do just that.

Avoid this regrettable and common blunder, and consult with your attorney.

# Mistake #4:

## Giving Up Control

It is usually women who file for divorce, putting them in a very strong position because most divorce courts consider who files first. Taking a proactive stance can ensure that your wishes, demands and statements are the first to be seen.

If you are beaten to the punch, it is still okay. You need to ensure that you can respond to any claims or present the clearest picture possible. If your divorce is going to trial, work with your attorney and be prepared to uphold any arguments you have with solid evidence.

# Mistake #5:

## Failing to Understand What You Are Asking For



**Picture This:**

A woman had worked hard to restore her marital home. The couple decided to divorce, and when she fought to keep "her" house because of the work she had done, the fight became ugly. The husband insisted that it be sold and the proceeds divided in a way that satisfied the wife. She rejected the offer.

Within a year of winning the house, she was forced to sell because she could not keep up with taxes and maintenance....

# Mistake #5 ctd:

## Failing to Understand What You Are Asking For

This shows that people too often fight for something without realizing the consequences and costs.

Yes, the woman should have felt angry about losing the home she had put so much work into, but she lost out on a huge financial opportunity by

demanding something simply for the sake of demanding it.





# Mistake #6:

## Fighting for Things

Just like the house issue, a lot of people fight over everything. One wants the photo albums, one wants the dining room set, and they both want just about everything else. The fighting begins.

The result is that the cost of the divorce goes up exponentially with every irrational demand for something.

A good negotiator can help the couple to review all of the shared assets and belongings outside of court. This saves time, money and a lot of heartache.

# Mistake #7:

## Arguing About the Kids

It is so often said that kids are the real victims of divorce. This is especially true when their parents are going through a contentious divorce in which they use those kids as objects or pawns.

It is understandable to fight to obtain fair custodial rights, but it is never wise to do so through threats, bullying or other contentious behaviors.

**//** *Be patient, even in the face of accusations or lies because your attorney will always make certain that the truth comes out.* **//**

# Mistake #8:

## Making Oral Agreements

While there are truly such things as amicable divorces, the reality is that no one should ever be trusted "for their word".



You will be far better off to work on any arrangements or agreements through your attorneys.

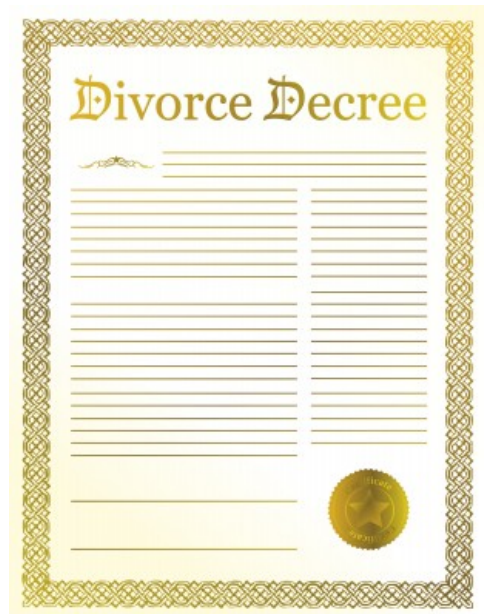
They will be the ones responsible for drafting your official settlement, and it is only here that everything should be itemized and detailed.

# Mistake #8 ctd:

## Making Oral Agreements

Keep in mind that any divorce agreement tends to declare itself as a "full agreement", insisting that no terms can be considered apart from those itemized in that particular document.

Thus, that promise your spouse made about the boat or snow mobile is not valid if it is not formalized in the divorce decree.



# Mistake #9:

## Not Building Post-Divorce Plans

If your divorce has any sort of ongoing points of contact or communication - which is always the case of marriages that produced kids or divorces that demand spousal support - you must have post-divorce contingency plans.

Where kids are concerned, that is a "parenting plan".



Itemize the times you each have the kids, including vacations, holidays, summer breaks, etc.

# Mistake #9 ctd:

## Not Building Post-Divorce Plans

There is also the need for parents to understand and itemize precisely how child support payments will be made.

Some divorce settlements may establish the terms, but others do not.

Be sure that there is a plan to put into action when payments are late or not made.



# Mistake #10:

## Not Considering Taxes

Considering taxes should occur as you begin making plans and as the negotiations ensue.

For instance, if one person insists on ownership of specific investments or stocks as part of the divorce settlement, it can leave them with a tax liability that they did not intend. There may also be the issues involved with capital gains, who claims children as dependents, etc.

Work directly with a financial expert and your attorney when making these plans.



# About Kenny Leigh & Associates

Kenny Leigh & Associates practices men only, family only law in all of North Florida and South Florida. We have five offices:

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