

DIVORCE

MAGAZINE



BREAKING FREE FROM GUILT

Overcoming Victimhood

Saving on Legal Fees

25 Tips for Divorced Parents

Child Support Overview

Glossary of Divorce Terms

FREE!



contents...



Feature Stories

3 Breaking Free from Guilt

Allow your divorce negotiations to be driven by law and equity — not your feelings of guilt.

6 Child Support Overview

Married or not, all parents have a legal obligation to support their children; here's general overview of how child support works.



Advice & Insights for a Successful Divorce

10 Coming to Terms: Divorce Terminology in Court

A glossary of common divorce terms used in divorce litigation and court.

26 Saving on Legal Fees During Your Divorce

Here's the inside scoop on how to save on legal fees during a divorce.

34 Victimhood: The Curse of Divorce Recovery

Tips on overcoming feelings of victimhood associated with your divorce.

36 Tips for Divorced Parents

How to create special memories and strengthen your bonds with your children.

39 Divorce Magazine Facebook Fans Share

Our Facebook Fans answer questions and share their divorce experiences.



Local Divorce Guide

17 FAQs

Professionals answer frequently asked questions.

29 Your Best Online Resources

Find professionals who can help you through your divorce.





Breaking Free from Guilt

Do not mix your feelings of regret and culpability with the integrity of the legal process. Allow your divorce negotiations to be driven by law and equity — not your feelings of guilt.

By Rebecca Zung

Carla knew that her husband was a good man and a good provider who was a dependable and loving dad. But she simply didn't love him anymore. She wanted a divorce. The guilt was nearly unbearable.

Mitch was a sex addict and married to his high school sweetheart. Conducting a double life for years, he was seemingly a model husband and family man. But the guilt he harbored about his clandestine activities caused him to be hospitalized due to a nervous breakdown.

Marlene hadn't seen her children in nearly a year. Her daughter's high school graduation was her chance to reconnect and begin to rebuild their relationship. Feeling guilty for having left her daughter's father, and for having been absent for so long, she chickened out and didn't show up — yet again.

Closely intertwined with shame and regret, guilt shows up in many different ways in divorce. Nearly every divorce has at least one party who is feeling some sort of guilt, shame or regret. This guilt comes from a sense that you have done something wrong. It may be from feeling that you have committed an offense against your spouse or children (that they won't grow up in a home with two parents, etc.), your family, or your god (divorce often has religious ramifications). Guilt is

regret that has been fed hormones and steroids and has grown out of control.

Free from Story, Free from Guilt

Often times, at least one of the following three “deadly marriage sins” are present before divorce: abuse, addiction, and adultery. But what if none of these “sins” were a factor in your divorce? Then your reasons are much less overt. Perhaps you honestly no longer love each other, or you've grown apart. Perhaps you no longer have anything in common. You never fight and maybe you even consider the other person to be a good friend, but you no longer want to be married. Guilt will make its presence known in this situation because you'll question whether you are making the right decision. You'll wonder if you should stay in the marriage because things aren't dreadful.

Society has established the ideal that we get married and stay married until we are parted by death. This ideal was created thousands of years ago, when life expectancy hovered around 40 years of age. Today, living robustly into our 90s is common. Being able to choose a life mate that will be the absolute right one for potentially 70 years is a tall task. People evolve, change, and develop in different ways and at different paces. Sometimes, we get lucky and find that person who

will progress in the same way we do. Sometimes, that person serves a purpose in our lives for a period of time, but the relationship has a natural life cycle that comes to an end organically when it begins to outlive its usefulness. It doesn't make one of you wrong and the other one right. It just is. Free from story and free from guilt. But that may not stop you from feeling guilty about it.

As if the guilt you feel naturally isn't bad enough, there may be some who seemingly take delight in practically ensuring that you feel guilty. From your soon-to-be former spouse, to your children, friends, co-workers and sometimes, even your own parents or family – everybody has an opinion (or more likely a judgment) about how you should conduct your life, and they may do this by casting shadows of doubt on your decisions. Because we spend an inordinate amount of time trying to look good and avoiding looking bad to others, this is precisely the type of interaction that has a deleterious effect on you.

Feeling guilty serves no purpose whatsoever. Becoming a masochist and crawling into a hole does not change the past or the present. It does not take away what you did or did not do. It does not heal the other person's hurt or anger. What it *does* do, however, is affect your future.

The Effect of Guilt on Negotiations

The impact of guilt on negotiations in a divorce is huge – and usually not positive for at least one of the parties. Guilt can become the third entity in a negotiation and is definitely a foe. In the context of negotiation, usually the party who feels the most guilt will respond in one of two ways.

The first way goes something like this: “I am horrible. I don't deserve to have anything. Please just don't hate me forever. Please don't tell all of our friends and family what a bad person I am. Just take whatever you want. You deserve it and not me.” This person has become their own worst enemy, and without careful supervision, might give away the entire proverbial farm.

The second way that guilt shows up is more difficult to spot because it sends signals to attempt to throw the other party off the trail. This person projects his or her guilt onto the other person, usually in an angry, forceful, and vengeful way. This party is likely to highly litigate the case and take unreasonable positions in order to attempt to extort the other. While this kind of behavior seems counterintuitive for a person who is feeling guilty, it makes perfect sense. The attempt is to deflect wrongdoing away from themselves with a lot of “noise”.

Guilt Does not Serve You

Regardless of whether you are more like the first kind of guilty person or more like the second, one thing is clear: guilt

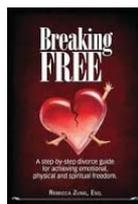
does not serve you, especially in negotiations. The end result is that the guilty party will end up with an unsatisfying result, one that will likely have a lot of regret attached to it.

You are good a person who may or may not have behaved badly. The first step to overcoming guilt is separating who you are from how you behaved. For example, parents can be angry at their child but still know that they are inherently good. Give yourself that same benefit of the doubt. You are not your behavior.

Do not mix your feelings of regret and culpability with the integrity of the legal process. Allow your divorce negotiations to be driven by law and equity – not your feelings of guilt. Separating these will be your first step in relieving yourself of these poisonous feelings.

The next step is to look forward and not back. In *The Power of Now*, Eckhart Tolle writes that the past no longer exists. You can't go back and touch it, interact with it, or be with it. It is gone. The future doesn't exist either. The only moment that exists is the present moment. I recall a saying that has stuck with me: “Don't be stressed over something in your past, because there is nothing you can do to change it. Focus on your present and create your future.” Seize your present moment and decide that this moment for yourself will be free from guilt and regret. ■

This article has been adapted with permission from *Breaking Free: A Step-by-Step Divorce Guide for Achieving Emotional, Physical and Spiritual Freedom* ©2013.



Rebecca Zung is the founding partner of the Law Office of Rebecca Zung-Clough, PLLC in southwest Florida. With many years of experience in family law, she strongly believes in divorce with dignity. www.zungfamilylaw.com

Related articles:

Fortifying Yourself and Your Manifesto

Maintain personal power regardless of the chaos that appears to surround you.

www.divorcemag.com/articles/Health_Well_Being/yourself_and_your_manifesto.html

Managing Negative Thoughts Through Positive Manipulation

Shift yourself away from a negative state of being and make choices that benefit you, your ex and your children.

www.divorcemag.com/articles/Health_Well_Being/managing-negative-thoughts.html

CEO/Publisher

Dan Couvrette, Ext. 124
danc@divorcemarketinggroup.com

Editorial

Diana Shepherd, Ext. 131
diana@divorcemarketinggroup.com
John Matias, Ext. 129
john@divorcemarketinggroup.com

Advertising Sales

Divorce Magazine & DivorceMagazine.com
Dan Couvrette, Ext. 124
Barbara Corrigan, Ext. 128
barbarac@divorcemarketinggroup.com
David Tregwin, Ext. 126
davidt@divorcemarketinggroup.com

Art Director/Production/Webmaster

Gina Tan, gina@divorcemarketinggroup.com

Marketing/Client Services

Martha Chan, Ext. 136
marthac@divorcemag.com
Manos Filippou, Ext. 141
manos@divorcemarketinggroup.com
David Bareno, Ext. 123
david@divorcemarketinggroup.com
Tanoya Greaves, Ext. 125
tanoya@divorcemarketinggroup.com
Emod Vafa, Ext. 132
emod@divorcemarketinggroup.com

Accounting

Bruce Cowen, bruce@divorcemag.com

Circulation Manager

Sophie Yussuf, Ext. 121
sophie@divorcemarketinggroup.com

The printed edition of *Divorce Magazine* is published once a year by Segue Esprit Inc. The digital version is published twice a year and is available for free download on www.divorcemag.com. All rights reserved. Contents may not be reproduced without written permission. The magazine is not responsible for unsolicited material.

Subscriptions are available for \$25.99 (2 issues/2 years) or \$35.99 (3 issues/3 years). To subscribe, send your name, address, and a check/money order to:

Divorce Magazine Canada
2255B Queen St. E., #1179, Toronto, ON M4E 1G3
Phone & Fax: (866) 803-6667

Warning/Disclaimer

The articles in this magazine are only guidelines and may not apply to your situation. They do not take the place of a lawyer, accountant, therapist, etc. For professional advice, you must seek counsel from the appropriate professional. The authors, editor, and publisher shall have neither liability nor responsibility to any person with respect to loss or damage caused directly or indirectly by information contained in this magazine.

California ISSN: 1492-2045
Canada ISSN: 1481-9054
Illinois ISSN: 1481-9163
NY/NJ ISSN: 1719-363X

Printed in U.S.A

Advisory Board

Divorce Magazine would like to thank the following members of our Advisory Board for their help in making *Divorce Magazine* and www.DivorceMagazine.com such valuable resources for our readers. Visit www.divorcemag.com/XX/advisoryboard.shtml.



Patricia M. Barbarito is a certified matrimonial lawyer. She is a partner in the NJ law firm of Einhorn, Harris, Ascher, Barbarito, & Frost and the former chair of the New Jersey State Bar Association (Family Law Section). She is a Fellow of the American Academy of Matrimonial Lawyers. (973) 627-7300
lgerber@einhornharris.com
www.EinhornHarris.com



Mark Chinn is the author of *How To Build and Manage a Family Law Practice* and *The Constructive Divorce* and has published the book *Forms, Checklists and Procedures for the Family Lawyer*. He is a frequent speaker and writer on topics of law firm management, marketing and client service. He is listed in The Best Lawyers in America and Outstanding Lawyers of America. (601) 366-4410
mark@chinnlaw.com
www.chinnlaw.com



Joy Feinberg is a partner at Boyle & Feinberg, a Chicago family law firm. She has contributed chapters to Illinois Family Law and Illinois Child Custody Litigation as well as authoring a tax chapter on divorce. She is a past-president of the Illinois chapter of the American Academy of Matrimonial Lawyers. Joy works extensively with business owners and high-paid executives going through divorces. (312) 376-8860
joy@boylefeinbergfamilylaw.com
www.boylefeinbergfamilylaw.com



Mari J. Frank is an attorney/mediator and privacy expert. She is an author, professor of conflict resolution, and she mediates privately as well as for the courts. Aside from hosting her weekly radio show "Prescriptions for Healing Conflict", she is been interviewed on Dateline, ABC, NBC; Investigative Reports and over 350 other radio and television shows. With 29 years of professional experience, Mari

harmonizes issues so her clients achieve create satisfying solutions. (949) 364-1511
mari@marifrank.com
www.MariFrank.com
www.ConflictHealing.com



Hon. Michele F. Lowrance (Ret.) was a domestic relations lawyer for 20 years prior to becoming a domestic relations judge in the circuit court of Cook County, Illinois for 19 years. She is currently a mediator for Domestic Relations cases at JAMS. Michele is the author of the book *The Good Karma Divorce* and co-author of *Parental Alienation 911 Workbook*. She has been a guest on Good Morning America, the CBS Morning Show, PBS, CNN, ABC and other networks. (312) 655-0555
mlowrance@jamsadr.com
www.jamsadr.com/lowrance



Bruce L. Richman, CPA/ABV, CVA, CDFATM, CFF, is a partner in the CohnReznick Advisory Group — Valuation Advisory Services. He has over 30 years of broad valuation experience and tax consulting matters. He is an expert witness with specific experience in divorce, including partner and shareholder disputes and corporate reorganizations/bankruptcy. (312) 508-5824, (847) 921-9992
bruce.richman@cohnreznick.com
www.cohnreznick.com



J. Lindsey Short Jr. has been Board Certified in family law since 1980, served as President of the American Academy of Matrimonial Lawyers in 2002 and is a past President of the Texas Chapter of the AAML and a founding member of the International Academy of Matrimonial Lawyers, U.S.A. chapter. (713) 626-3345
lshort@shortcartermorris.com
www.shortcartermorris.com

Child Support Overview

All parents have a legal obligation to support their children. The amount of child support payable/receivable post-divorce is based on a number of different factors; here's a general overview of how child support works.

By Diana Shepherd

Regardless of whether or not they were ever legally married, all parents have an obligation to support their children. In situations where the marriage (or marriage-like relationship) has broken down, the non-custodial parent is usually ordered to pay child support to the custodial parent; the custodial parent is expected to use these funds to pay for the child's expenses. In this situation, "custodial parent" means the one that the children live with most or all of the time after divorce; the "non-custodial" parent would have visitation or access rights, which might or might not include a certain number of overnight stays per week or month.

The amount of child support is based on a number of different factors, including the annual income of each co-parent, the total number of children in the family, and the custody arrangements for the children.

Child Support Guidelines

If there is one custodial parent (in most jurisdictions, this means that the children reside with this parent more than 60% of the time; ask a family law lawyer about the definition of



sole physical custody in your area), then the state or provincial Child Support Guidelines set out the base level of child support payable for one or more children. The Guidelines are intended to cover necessities: food, shelter, clothing, health-care, public education, etc. (For more information about the US child-support guidelines, see: www.supportguidelines.com. For more information about the Canadian child support guidelines, see: www.canada.justice.gc.ca/eng/fl-df/child-enfant/look-rech.asp.)



First-Rate Legal Services at Competitive Rates

IN DIVORCE, you may feel like you're fighting a battle by yourself, overmatched by your spouse and intimidated by high fees and a confusing system. Even worse, you may feel paralyzed and unable to act. We can help. The law firm of Nathens, Siegel LLP is dedicated to family law and divorce issues. We know the process and can explain it to you in a simple, straightforward manner.

Following through and getting results

"We use the most practical and cost-efficient method of getting the best outcome for our clients," says Ken Nathens, founding partner. "We follow through and get results."

"Service means tailoring each case to fit that client's particular needs, and we do that well," Brahm Siegel says. "As a lawyer, you have to know that the same approach doesn't work for all situations. You have to know when to push and when to hold back."

"We pride ourselves on assisting clients with all types of family law cases, whether they need a skilled litigator, a strong negotiator or a lawyer who takes a collaborative approach," says Barbara Kristanic.

An excellent reputation for solid work

The firm, conveniently located in both North York and Mississauga, has an excellent reputation for solid work in family law. Both Ken Nathens and Brahm Siegel have over 17 years of experience in assisting clients through the divorce process. Partner Barbara Kristanic has been practicing exclusively family law since 2004. The firm also has excellent associates in Audrey Ngo-Lee and Glen Schwartz, and a team of experienced law clerks. Our lawyers are matched with clients based on the complexity of the case and the client's individual circumstances.

Qualified experts in family law

Certified as a Specialist in Family Law and appointed as a Dispute Resolution Officer by the Superior Court of Justice for York Region, Ken Nathens is an active member of both the Toronto and York Region Collaborative Family Law Associations. He has experience in negotiating complex separation agreements and litigating on behalf of clients in Ontario courts, and has argued a number of cases before the Ontario Court of Appeal on issues regarding mobility rights, custody,

and child welfare. Ken Nathens has written articles on various family law issues, both for Divorce Magazine and other publications. He regularly gives lectures on family law issues to community groups, such as to members of the Ontario Federation of Labour, and is a past panel member of the Legal Aid appeal committee.

Certified as a Specialist in Family Law and recently appointed Dispute Resolution Officer by the Superior Court of Justice for the Toronto Region, Brahm Siegel enjoys collaborative law but also relishes difficult and interesting litigation files. He is a consulting editor of the McCarthy Tetrault Guide to the Family Courts (formerly the Brahm Siegel's Guide to the Family Courts), co-author of McLeod's Annotated Family Law Rules and consulting editor of Consolidated Ontario Family Law Statutes and Regulations. He is a regular speaker at various continuing education seminars and one of four authors of the Law Society of Upper Canada's Licensing Process materials where he is responsible for the chapters on divorce, alternative dispute resolution, and procedure.

Highly credentialed

Nathens, Siegel LLP is a proud member of the International Network of Boutique Law Firms, an organization of highly credentialed law firms that focus on a particular area of law. The firm is honoured to have been specially chosen to represent Toronto in family law and divorce.



NORTH YORK OFFICE

Madison Centre, 4950 Yonge Street
Suite 2408, Toronto, Ontario M2N 6K1

MISSISSAUGA OFFICE

Mississauga Executive Centre, 2 Robert Speck Parkway Suite
240, Mississauga, Ontario L4Z 1H8

Phone: (416) 222-6980

Fax: (416) 222-4820

www.nathenssiegel.com • info@nathenssiegel.com

You and the other parent can agree to pay for special expenses that go above and beyond what the child support guideline amounts will cover. These additional expenses generally need to be considered both necessary and reasonable by *both* parents: necessary because they are in a child's best interests, and reasonable in relation to both parents' incomes. (See "Special Expenses" for more information about this.)

Child support is generally payable until the children finish school or are emancipated (reach the age of majority, leave home, get married, or drop out of school). If the children are going to attend college, child support will generally continue until they obtain their degree; in some cases, courts have ordered child support to continue through a second (Masters level) degree. Make sure your divorce agreement states when child support will end (child's age and/or of level of education).

In the case of a special-needs child who will be dependent and living with a parent for the rest of his/her life, child support may be permanent. This is a complicated situation, so make sure you get good legal and financial advice before finalizing your divorce agreement if you have a special-needs child.

Opting out of the Child Support Guidelines

You and the other parent can choose to opt-out of the Guidelines and set up your own child support agreement as long as it is considered fair. If you choose to go this route, put your agreement in writing and sign it; this will reduce the risk of a misunderstanding, and it is easier to enforce a signed agreement. If you and the other parent wish to opt-out of the Guidelines, you should ask your divorce lawyer how much child support a judge would likely order to be paid in your situation and use that number as a starting point.

Before finalizing an agreement – especially if it diverges from the Guideline amounts – you should talk to a family law attorney. He/she can help you understand your legal rights and obligations, which guidelines apply to you, how to use those guidelines to calculate a child support amount, and provide the right documents if you go to court. You should also obtain advice from a financial professional – particularly about your ability to pay child support above and beyond the Guideline amounts.

Special Expenses

In many cases, children may have additional expenses that go beyond what the Child Support Guideline amounts will cover. As stated above, these special expenses generally need to be considered both necessary and reasonable by *both* parents: necessary because they are in a child's best interests, and reasonable in relation to both parents' incomes.

Special expenses could include items such as:

- **Child-care expenses.** The custodial parent incurs as a result of his/her job, illness or disability, or educational requirements for employment (e.g., returning to college to finish a degree in order to qualify for a job).
- **Medical and/or dental insurance.** The portion of the custodial parent's medical and dental insurance premiums that provides coverage for the children.
- **Healthcare not covered by insurance.** Examples might include medication, orthodontics, counselling, elective surgeries, eye exams and glasses, etc.
- **Extracurricular activities.** For instance, extra fees for sports, music, arts, and school trips.
- **Private school or tutoring.**
- **Post-secondary education.** Usually, this is for a first degree; however, it could include a second (Master's level) degree.

If both parents agree that additional expenses are both reasonable and necessary, then they will usually each contribute to them in proportion to their incomes – but they may also agree to an alternate division in which one parent pays anywhere from zero to 100% of the expense in question. Both parents are free to decide if a special expense is reasonable and necessary and how much each of them will contribute to them.

All parents have an obligation to support their children – whether or not they were ever legally married.



For instance, Frank and Judy have agreed to split expenses for their two children's private school tuition proportionate to income. However, they disagree about ballet lessons for their daughter and rep hockey for their son, so Frank has agreed to fund 100% of the hockey and Judy will fund 100% of the ballet lessons.

In your divorce agreement, you can list special expenses that you expect to incur today, in the near future, or many years later. For example, you can specify who will pay for what proportion of uninsured orthodontic expenses, your children's daycare, and your children's college tuition.

What if you and your Ex Can't Agree?

Special expenses are often a hotly-contested area. If you can't agree on whether an expense is both necessary and reasonable, ask an objective financial professional to analyze your situation and let both of you know whether you can truly afford the additional expense. You should also speak to a family law attorney about how judges in your area are ruling on special expenses — and how the judge would likely rule if you took your case to court.

If you still can't reach agreement, you could hire a divorce mediator to help you resolve your differences, retain divorce lawyers to advise and assist in your negotiations, or go to court and ask a judge to decide. ■

Diana Shepherd, a Certified Divorce Financial Analyst® and Editorial Director of Divorce Magazine, has been writing about divorce-related issues since 1995.



Institute for Divorce
Financial Analysts

Salutes



Cathy Belmonte Newman, CDFA™, MBA
Lincolnshire, IL

Cathy is a financial analyst with over 25 years of knowledge and experience. Cathy left corporate finance and became the owner of F4 Financial, a niche financial firm that provides analytical and litigation support services. As a Certified Divorce Financial Analyst® (CDFA™), she specializes in lifestyle analysis, financial affidavits, expert testimony, forensic accounting, projection of future expenses and balance sheet preparation. Cathy has supported the IDFA community in numerous ways throughout her time as a CDFA™. More recently, she has assisted in planning the IDFA spring conference, as well as volunteered to sit on the IDFA Board of Advisors.

She can be reached using the following:
E-mail: cathy@f4financial.com Website: www.f4financial.com

Nancy Hetrick, CDFA™, AWMA®
Phoenix, AZ

With 15 years of finance experience, Nancy provides financial clarity and guidance to individuals and couples going through divorce to help ensure that the parties are completely informed and educated about their settlement options to help them make the best financial decisions possible at a time when emotions can often cloud best judgment. Since 2011 Nancy has been serving in the Phoenix Metropolitan area supporting clients in negotiation, litigation, and is also a trained mediator. Additionally, Nancy has assisted with the technical review of the new ADFA certification IDFA will offer in 2014, and she has volunteered to sit on the IDFA Board of Advisors.

She can be reached at 877-552-4017, via email at Nancy@SmarterDivorceSolutions.com.



IDFA has been successful due to a strong member base which contributes their time and expertise on a daily basis. IDFA wants to personally thank all of their members for their support and their efforts towards ensuring the future success of IDFA.

For more information about the programs IDFA offers please use the below contact information:

Head Office:
2224 Sedwick Road, Suite 102
Durham, NC 27713
United States of America

Email: info@institutedfa.com
Toll-Free: 800-875-1760
Fax: 888-527-7657
Website: www.InstituteDFA.com

Related articles:

Custody and Visitation Defined

Common questions regarding child custody and visitation.

www.divorcemag.com/articles/Child_Custody/custody-and-visitation-defined.html

Shared Physical Custody: A Growing Trend

A shared physical custody arrangement may be just the solution.

www.divorcemag.com/articles/Child_Custody/shared_physical_custody.html



Coming to Terms: Divorce Terminology in Court

Here's a glossary of some of the most common divorce terms used in divorce litigation and court.

If you've chosen to litigate your divorce, you're going to be hearing lots of unfamiliar terms as well as common words that have a very specific meaning in family law. Here's an explanation of some of the most common divorce terms.

Absolute Divorce: The absolute ending of a marriage, leaving both parties free to remarry.

Adversarial Divorce: When a couple cannot come to an agreement about the terms of their divorce.

Ab Initio: Latin phrase meaning "from the beginning."

Action: Lawsuit or proceeding in a court of law.

Affidavit: Written statement of facts made under oath and signed before a notary public or other officer who has authority to administer oaths.

Agreement: Verbal or written resolution of previously disputed issues.

Annulment: The legal end of an "Invalid Marriage". In the eyes of the law,

the parties were never married to each other, but all children of their relationship remain legitimate.

Answer: Written response to a complaint, petition, or motion.

Appeal: The process by which a higher court reviews the decision of a lower court to determine whether there was reversible error. If so, the appellate court amends the judgment or returns the case to the lower court for a new trial.

Change of Venue: A change of judges or geographical location.



Epstein & Associates' Family Law Lawyers understand that separation and divorce can be difficult processes in the life of a family.

Working with our lawyers in Newmarket, Richmond Hill, or Toronto, you can rest assured that your advocate is nearby and available for you. In fact, every lawyer at our firm practices Family Law.

Epstein & Associates' Family Law Lawyers and Divorce Lawyers have extensive experience dealing with:

- Contracts — including Cohabitation Agreements, Marriage Contracts and Separation Agreements
- Litigation — from varying Court Orders to fresh Court Applications, negotiations, and Collaborative Family Law
- Child and Spousal Support
- Custody and Access
- Property Division issues
- Child Protection Law (involving Children's Aid Society)

Our commitment to our clients during this transition is evidenced by the guidance and understanding applied to each specific situation. This tailored approach is what we believe sets Epstein & Associates apart from other family law firms in Toronto, Newmarket and Richmond Hill.

Besides employing dedicated Family Law Clerks to assist with client files, Epstein & Associates also offers block fees for drafting documents, as well as independent legal advice. In addition, our Flat Fee for an uncontested divorce is:

\$600.00

**plus HST and disbursements*

For more information on Family Law, Divorce and Separation contact one of our offices for a free half hour initial consultation:

EPSTEIN & ASSOCIATES
BARRISTERS AND SOLICITORS

www.epsteinlawyers.com

Newmarket Location (Main Office)

71 Main Street South
Newmarket, Ontario, L3Y 3Y5
T: (905) 898-2266
F: (905) 898-2216

Richmond Hill Location

95 Mural Street, Suite 600
Richmond Hill, Ontario, L4B 3G2
T: (416) 777-2210
F: (416) 777-2216

Toronto Location

1186 Eglinton West
Toronto, Ontario, M6C 2E3
T: (416) 777-2210
F: (416) 777-2216

Collusion: An agreement between two or more persons where one of the parties brings false charges against the other. Collusion is illegal.

Common-Law Marriage or Relationship: Based on cohabitation where no formal marriage ceremony has taken place, this is a judicially recognized marriage in some U.S. states. All Canadian provinces recognize common-law relationships, but the rights and privileges are not the same as for those couple who entered into a legal marriage.

Complainant: The one who files the suit, same as plaintiff.

Complaint: This is a legal document filed by the plaintiff to start the divorce process. It states that the marriage has ended and lists the grounds and claims for the divorce. In some states it is also known as a petition.

Condonation: The act of forgiving one's spouse who has committed an act of wrongdoing that would constitute grounds for divorce. Condonation generally is proven by cohabitating with the spouse after learning that the wrongdoing was committed.

Contempt of Court: The willful failure to comply with a court order, judgment, or decree by a party to the actions. Contempt of Court may be punishable by fine or imprisonment.

Contested Divorce: Any case where the judge must decide one or more issues that are not agreed to by the parties. All cases are considered contested until all issues have been agreed to.

Corroborative Witness: A person who testifies for one of the parties and backs up their story.

Court Order: A written instruction from the court carrying the weight of law. Orders must be in writing. Anyone who knowingly violates a court order

can be held in contempt of court.

Cross Examination: The questioning of a witness presented by the opposing party on trial or at a deposition. The purpose is to test the truth of that testimony.

Decree: The final ruling of the judge on an action for divorce, legal separation, or annulment. Decree has the same meaning as judgment.

Decree Nisi / Rule Nisi: An order by the court stating that a conditional divorce will become absolute by a certain date, unless a party contests the order.

Default: A party's failure to answer a complaint, motion or petition.

Defendant: The partner in a marriage against whom a divorce complaint is filed. Defendant has the same meaning as respondent.

Deposition: The testimony of a witness taken out of court under oath and reduced to writing. The deposition may be used to discredit a witness if he changes his testimony.

Direct Examination: The initial questioning of a witness by the attorney who called him or her to the stand.

Discovery: In the U.S., Discovery is a procedure followed by attorneys to determine the nature, scope, and credibility of the opposing party's claim. Discovery can include depositions, written interrogatories, and notices to produce documentation relating to issues relevant to the case.

Dismissal: Occurs when a party voluntarily drops the case (in some states) or when a judge finds that a case totally lacks merit.

Dissolution of Marriage: The legal process of ending a marriage. In most U.S. states, this is the legal term for divorce.

Divorce: The legal proceeding by which a marriage is legally terminated. It may be contested (where one party denies the allegation or wants to keep the marriage in place) or uncontested.

Equitable: Means fair; does not necessarily mean equal.

Evidence: Proof presented at a hearing, including testimony, documents or objects.

Exhibits: Tangible things presented at trial as evidence.

Ex Parte: An application for relief conducted for the benefit of one party only. These judicial proceedings are generally reserved for urgent matters in which requiring notice would subject one party (or his/her property) to irreparable harm. Examples include a Temporary Restraining Order (TRO) against an abusive spouse to stay away from the abused party, or a TRO stopping a spouse from removing or destroying family property.

Expert Witness: In court proceedings, the expert witness is the professional whose testimony helps a judge reach a decision.

File/Filing: To place a document in the official custody of some public official.

Financial Affidavit/Statement: Key document used to collect financial data; in some states and provinces, it may be known as a "Financial Statement" and may use a standard form. This document becomes part of the record of documents that are filed with the court.

Foundation: The evidence that must be presented before asking certain questions or offering documentary evidence in trial. If a piece of evidence lacks foundation (proof, facts to back it up) it will not be admitted or considered as evidence in the court case.

Grounds for Divorce: Reasons for

A One-Stop Marketing Agency for Family Lawyers and Financial Professionals

OUR PRODUCTS

Family Lawyer Magazine

Published twice a year and sent to 30,000+ family lawyers, Family Lawyer Magazine can help enhance your reputation as an expert and generate referrals for your practice.

Divorce Magazine

Published since 1996, it is the only magazine that targets people who need your expertise. Digital editions are available for every state and province, and the print editions are available for CA, IL, NY, NJ, and ON.

DivorceMagazine.com

With over 4,000 articles and FAQs, this is one of the most comprehensive divorce related websites and a great place to promote your practice. Rates start at \$195 a year for a listing in our Professional Directory.

Divorce eNewsletter

Our monthly eNewsletter for divorcing people will keep you top-of-mind with your clients and professional referral sources on a regular basis and make your website a better resource for visitors to revisit and recommend to others.

10 Unique Divorce Guides

Each Divorce Guide contains 26-33 pages of professionally written and designed articles. They can all be customized with your firm's branding and can be added to your website or given out to your clients and prospective clients.



OUR SERVICES

Our Clients Rave About Us

We are the only marketing agency that specializes in promoting family lawyers and divorce professionals. As a one-stop marketing firm, we offer a wide range of highly essential products and services designed for the successful growth of a family law practice.

Some of our clients have been with us for 17 years because they find us to be responsive, creative, and affordable marketing experts. We are big enough to offer the complete range of marketing options you need and small enough to always be there for you.

Website Design & Content

We know what divorcing people need and we can provide you with relevant content you cannot get anywhere else.

Mobile Website Design

Make your site smartphone friendly, or you could miss out on new business.

Website Traffic Generation

We'll drive visitors to your website through Search Engine Optimization and Pay Per Click advertising campaign.

Podcast and Video Promotion

Be found on Google.com, Youtube.com and iTunes with videos and podcasts.



**Focus on your practice
Trust the marketing to us**

866.803.6667 x 124

DanC@DivorceMarketingGroup.com www.DivorceMarketingGroup.com

seeking a divorce, such as incompatibility, mental cruelty, physical abuse, or adultery. While some states allow fault grounds for divorce, all states have some form of no-fault divorce. Marriage breakdown is the sole ground for legally ending a marriage under the terms of Canada's *Divorce Act*.

Guardian-ad-Litem: A person appointed by a judge to prosecute or defend a case for a person legally unable to do so, such as a minor child.

Hearing: Any proceeding before a judicial officer.

Hearsay: Hearsay is an out-of-court statement offered to prove the truth of the matter asserted. Generally speaking, hearsay cannot be used at trial, but there are exceptions that permit it to be admitted to court.

Incompatibility: The inability of persons to get along; a ground for divorce.

Interrogatories: A series of written questions served upon the opposing party in order to discover certain facts regarding the disputed issues in a matrimonial proceeding.

Judgment: The order of the court on a disputed issue; same as decree.

Jurisdiction: The power of the court to rule upon issues relating to the parties, their children or their property.

Legal Separation: Court ruling on division of property, spousal support, and responsibility to children when a couple wishes to separate but not divorce. A legal separation is most often desired for religious or medical reasons. A decree of legal separation does not dissolve the marriage and does not allow the parties to remarry. Some states (e.g., Texas) do not recognize legal separation.

Lis Pendens: A piece of property cannot be transferred during a pending lawsuit that may change the disposition



of it, once a notice has been filed in the public record.

Litigation: The process by which a civil case settles parties' rights.

Modification: A change in the judgment, based on a change in circumstances.

Motion: An application or request to the court for an order. May be written or verbal.

No-Fault Divorce: A marriage dissolution system whereby divorce is granted without the necessity of proving one of the parties guilty of marital misconduct.

Nuptial: Pertaining to marriage.

Order: A ruling by the court.

Pendente Lite Orders: A temporary order of the Court that provides support until the divorce is finalized. Pendente Lite or Temporary orders are automatic in some areas.

Perjury: The act of lying while under oath.

Petition: A written application for particular relief from the court. In some jurisdictions complaint for divorce is entitled "petition for dissolution."

Petitioner: The person who filed the

Petition or Complaint. Also referred to as the Plaintiff.

Plaintiff: The spouse who initiates the legal divorce process by filing a complaint or petition stating that the marriage is over and listing the grounds and claims against the other spouse. Plaintiff is the same as Petitioner.

Precedent: Decisions found in other pre-existing cases that factor into the case at hand.

Prenuptial Agreement/Marriage Contract: Prior to a marriage, partners contractually agree how assets and liabilities will be divided in the event of a divorce. In Canada, this is known as a "Marriage Contract".

Privilege: The right of a spouse to make admissions to an attorney, clergyman, psychiatrist or others as designated by state law that are not later admissible as evidence.

Pro Se Divorce: A divorce wherein the divorcing partners represent themselves in court (with or without a mutually agreeable separation agreement) without the assistance of attorneys.

Qualified Domestic Relations Order (QDRO): In the U.S., this is a court ruling earmarking a portion of a person's retirement or pension fund payments to be paid to his/her ex-

spouse as part of a division of marital assets.

Quid Pro Quo: The giving of one valuable thing for another.

Rebuttal: The introduction of evidence at a trial that is in response to new material raised by the defendant at an earlier stage of the trial.

Reconciliation: When parties decide to get back together. They may sign a reconciliation agreement, which is enforceable by the court.

Respondent (Defendant): The party defending against a divorce petition (complaint).

Restraining Order: A court order prohibiting a party from certain activities. Restraining orders are often issued to protect against domestic violence or to protect marital assets. In some jurisdictions, violating a “domestic restraining order” is a criminal offense.

Retainer: Money paid by the client to the lawyer or expert witness to obtain a commitment to handle

the client’s case. A retainer can be a deposit against which the lawyer or expert witness charges fees as they are earned.

Rules of Evidence: The rules that govern the method of presentation and admissibility of oral and documentary evidence at court hearings or depositions.

Separation or Settlement Agreement: A written contract dividing property, spelling out rights and obligations, as well as settling issues such as spousal and child support and custody.

Service: Providing a copy of the papers being filed to the opposing party.

Standard of Living: A factor when determining spousal support, allowing the recipient an adequate amount to maintain their current lifestyle.

Stipulation: An agreement between the parties or their counsel, usually related to matters of procedure.

Subpoena: A court order requiring a person’s appearance in court or at a deposition as a witness or to present documents or other evidence for a case.

Summons: A Summons is a written notification to the defendant or respondent that an action has been filed against him or her. It notifies a spouse of his/her rights and obligations in responding to the Complaint for Divorce.

Testimony: Statements under oath by a witness in a court hearing or deposition.

Transcripts: The written record of the divorce proceedings, testimony or depositions.

Trial: The time when a judge hears the contested permanent or temporary issues, with supporting evidence and witnesses, in a couple’s divorce decisions. The judge may take a few hours or a few weeks to review the



information presented and issue a court opinion.

Uncontested Divorce: When the defendant is not going to try to stop the divorce and there are no issues for the court to decide about the children, money or property.

Venue: The County in which the case is heard.

Voir Dire: Where the opposing counsel has the opportunity to disqualify an expert witness.

Writ of Summons: A form issued by the court directing a party to respond to a complaint, motion or petition. ■

Related articles:

Divorce Glossary

Here are some more legal terms you should know during the divorce process.

www.divorcemag.com/articles/Divorce_Law/divorce_glossary.html

Observe Courtroom Etiquette

Learning a bit of etiquette in advance will help ease your worries about making a gaffe in court.

www.divorcemag.com/articles/Divorce_Law/courtroom-etiquette-family-law.html

Uncommon Advice from the Bench

Tips from a divorce judge on how to get past your divorce – and on with your life.

www.divorcemag.com/articles/divorce-tips-from-professionals/judge-duncan.html



RISK
Private Investigations

(647) 478-8376
pkopelis@riskprotectiongroup.com

CHEATING SPOUSES

Our Experience Speaks For Itself

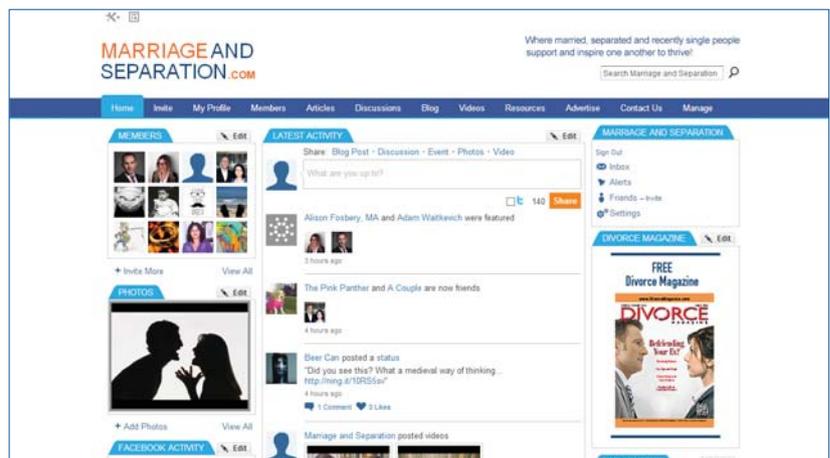
At Risk Private Investigations we utilize trained, elite private investigators to meet our clients' needs. Our services are both cost and time-effective, and our investigators are located throughout the province of Ontario to serve you better.

Surveillance • Litigation Support • Witness Location • Subrogation
Statement Gathering • Financial Background Checks • Bug Sweeps
GPS Tracking of Spouse's Vehicle • Hidden Cameras

www.RiskProtectionGroup.com

MARRIAGE AND SEPARATION.COM

A new social network where married, divorced and recently single people support one another to thrive!



Blog | Post | Comment | Join today for free

Common Divorce

Questions



Answers to some of the more frequently asked questions about the divorce process in Ontario

Legal Issues

“Can I prevent my spouse from obtaining a divorce?”

Ken Nathens, a family lawyer in Toronto, answers:

The short answer is no. A divorce may be delayed, but ultimately not stopped as a matter of public policy.

In Canada, divorce is governed by the federal *Divorce Act*. Section 8 of the *Divorce Act* provides that a court may grant a divorce on the grounds that there has been a breakdown of the marriage. By far the most common way to prove the breakdown of a marriage is that the

parties have lived separate and apart for at least one year immediately preceding the determination of the divorce proceeding, and were living separate and apart at the commencement of the proceeding. (Adultery and intolerable physical or mental cruelty can also be used to establish marriage breakdown, but they are far less common than living separate and apart.)

Nonetheless, Section 11 of the *Divorce Act* requires the court to satisfy itself that reasonable arrangements have been made for the support of any children of the marriage. If such reasonable arrangements have not been made, the granting of the divorce may be stayed until proper child support arrangements are made.

Section 11 prevents “quickie” divorces in situations where there are dependent children who require support. The applicant to the divorce proceeding is required to swear an affidavit attesting to the amount of child support that he or she is required to pay – or is entitled to receive – under the Child Support Guidelines. If he or she is paying or receiving less than the amount required under the Guidelines, then a detailed and sufficient explanation for the discrepancy must be provided to the court prior to the divorce being granted.

Further, in a contested divorce proceeding involving many issues in dispute – such as parenting, support, or property issues – courts will usually not grant the final divorce until all of



Epstein & Associates' Family Law Lawyers understand that separation and divorce can be difficult processes in the life of a family.

Working with our lawyers in Newmarket, Richmond Hill, or Toronto, you can rest assured that your advocate is nearby and available for you. In fact, every lawyer at our firm practices Family Law.

Epstein & Associates' Family Law Lawyers and Divorce Lawyers have extensive experience dealing with:

- Contracts — including Cohabitation Agreements, Marriage Contracts and Separation Agreements
- Litigation — from varying Court Orders to fresh Court Applications, negotiations, and Collaborative Family Law
- Child and Spousal Support
- Custody and Access
- Property Division issues
- Child Protection Law (involving Children's Aid Society)

Our commitment to our clients during this transition is evidenced by the guidance and understanding applied to each specific situation. This tailored approach is what we believe sets Epstein & Associates apart from other family law firms in Toronto, Newmarket and Richmond Hill.

Besides employing dedicated Family Law Clerks to assist with client files, Epstein & Associates also offers block fees for drafting documents, as well as independent legal advice. In addition, our Flat Fee for an uncontested divorce is:

\$600.00

**plus HST and disbursements*

For more information on Family Law, Divorce and Separation contact one of our offices for a free half hour initial consultation:

EPSTEIN & ASSOCIATES
BARRISTERS AND SOLICITORS

www.epsteinlawyers.com

Newmarket Location (Main Office)

71 Main Street South
Newmarket, Ontario, L3Y 3Y5
T: (905) 898-2266
F: (905) 898-2216

Richmond Hill Location

95 Mural Street, Suite 600
Richmond Hill, Ontario, L4B 3G2
T: (416) 777-2210
F: (416) 777-2216

Toronto Location

1186 Eglinton West
Toronto, Ontario, M6C 2E3
T: (416) 777-2210
F: (416) 777-2216

the “corollary” or other issues aside from the actual divorce have been dealt with, either by agreement or final court order.

The Ontario Family Law Rules provide the court with the discretion to split the divorce from the other issues and grant a divorce prior to the resolution of the corollary issues. The court will not permit a party to proceed with the divorce prior to the corollary issues being resolved if proper child support is not being paid, as discussed above, or in situations where the other spouse may be disadvantaged by the issuance of the divorce order prior to the resolution of the corollary relief issues.

A common situation where a spouse may be disadvantaged by a divorce order is where one spouse is covered by the other spouse’s health and dental benefits, but once the divorce goes through, he or she will be cut off the benefit plan and no longer considered as a “spouse” under the benefit plan. If alternate arrangements are made, such as the extension of health or dental benefits, or additional support being paid to cover the lost benefits, the divorce may be split from the corollary issues and an early divorce order granted.

Ultimately, it is public policy in Canada that parties should not be forced to remain married if there has been a breakdown in the relationship. Provided that proper child support is being paid pursuant to the Child Support Guidelines, that the corollary issues have been dealt with by way or court order or agreement, or if there is no disadvantage to either spouse to the granting of the divorce prior to the resolution of the corollary relief issues, the court will not stand in the way of a divorce.

“I inherited money from my parents during our marriage; do I need to share that with my soon-to-be ex?”

Mark Epstein, a family lawyer in Newmarket, answers:

In general, money inherited during the marriage by one spouse does not need to be shared with the other.

Ontario’s *Family Law Act (FLA)* sets out a formula for the division of property when a marriage breaks down. Typically, when a married couple separates, the growth in the net worth of each spouse is calculated from the date of the marriage to the date of separation. The increase in each spouse’s net worth is known as that spouse’s net family property. The difference between the spouses’ net family properties is then equalized between them. At that point, one spouse may have to make an equalization payment to the other – a payment of half the difference of the parties’ respective net family property amounts.

Generally, an inheritance does not count toward a party’s net family property as it is excluded property under the *FLA*. However, there are important exceptions. If inherited money can be traced into the matrimonial home – that is, the property ordinarily occupied by the spouses as their family residence at the time of separation – then that inheritance will not be excluded from net family property. Also, if the inheritance was deposited into the spouses’ joint accounts, case law has dealt with such monies by attributing 50% to each spouse – subject to argument if the funds are traceable. Therefore, inherited monies should be kept separate and distinguishable from any joint accounts or matrimonial property to exclude them from the equalization formula.

Another important distinction is the timing of the gift or inheritance. If the money is received *during* the marriage, it will be eligible for exclusion from the equalization formula; an inheritance received *before* the marriage will be included in the beneficiary spouse’s calculation of net family property. In the latter case, the spouse can claim a deduction for the value of the inheritance as of the date of marriage – provided of course, that the gifted or

inherited asset was not invested in the matrimonial home or a joint account.

For example, a spouse receives \$200,000 as a gift *before* the marriage and immediately invests that gift in securities. If the investment has increased in value to \$400,000 by the date of separation, then the value of the \$200,000 increase must be equalized between the spouses. By contrast, suppose the spouse receives \$200,000 as a gift *during* the marriage and again immediately invests that gift in securities. If the investment has increased in value to \$400,000 by the date of separation, the spouse can exclude the value of the entire investment from equalization and s/he need not share any of it.

Lastly, inheritance and gifts are not the only types of property to be excluded if received during the course of the marriage. Exclusions also apply to proceeds of insurance claims and monies received in satisfaction of personal injury claims.

“I think I have made a bad choice for my divorce lawyer. Should I switch? What are the pros and cons of doing so?”

Larry Silverberg, a family lawyer in Toronto, answers:

In choosing a lawyer, you would probably have already considered major factors such as:

1. The lawyer’s knowledge and expertise;
2. The lawyer’s preparedness for your case and his availability;
3. The issue of trust and comfort and whether or not the lawyer has the personality for you and your case, so that the two of you operate effectively as a team.

Although one’s original choice is often motivated by the first factor of knowledge and expertise, satisfaction or dissatisfaction with your lawyer may turn on the latter two factors, especially the third (trust and comfort).

Particularly in litigation situations, it is difficult to continue with a case if you begin to question your own decision-making capabilities because you are not on the same wavelength as your lawyer. In simple negotiations as well, if you don't have the confidence in your legal representative in advising you, reaching a final agreement with your spouse will be arduous and stressful.

The question then becomes: are you better off to change jockeys in the middle of the race, or do you continue what may be an uncomfortable ride to the conclusion?

Generally, it's not unusual either in litigation or negotiation – or even in collaborative negotiation – to change lawyers during the process. What is unusual and dangerous is to change lawyers more than once. Clients that change lawyers more than once inevitably raise

concern for the other lawyer and the other spouse and certainly for judges as to why it is that the client continues to be dissatisfied with their legal representation. Others might perceive you as a problem client, unreasonable litigant, or difficult personality, and that perception might prevent you from obtaining a speedy and effective result.

Nevertheless, if you are legitimately disappointed with your first choice of lawyer, you likely owe it to yourself, your family, and to the legal process you're in to change.

In collaborative law particularly, the clients and their lawyers all sign a participation agreement at the beginning of the process wherein among other things you agree to negotiate and fairly and honestly and agree not to go to court. One of the essential provisions in all of these participation agreements is the

right to continue in the collaborative process by making a change of lawyer without ending the collaborative negotiation process and having to go to court.

In summary, there are more pros than cons for you in withdrawing from a lawyer-client relationship that is not right for you.

Financial Issues

“My husband’s business is worth at least \$60-million. How can I make sure he’s not cheating me out of my fair share?”

Gord Krofchick, a Toronto-based accountant and business valuator, answers:

A business owned by your husband is considered property, which is included



THERE ARE MANY REASONS WHY YOU NEED A FAMILY LAWYER

The most important one is to protect your children and yourself, and to plan for your future.

Experts in children's issues and financial matters in Family Law

JOHN P. SCHUMAN 416-446-5080 john.schuman@devrylaw.ca

F. TIMOTHY DEETH 416-446-4035 timothy.deeth@devrylaw.ca

KERRI A. PARSLow 416-446-5834 kerri.parslow@devrylaw.ca

RACHEL G.C. HEALEY 416-446-5866 rachel.healey@devrylaw.ca

JULIE A. TYAS 416-446-5053 julie.tyas@devrylaw.ca

TODD E. SLONIM 416-446-3316 todd.slonim@devrylaw.ca

Speak to a family lawyer at
Devry Smith Frank LLP
and get the results you deserve.

Devry Smith Frank LLP
95 Barber Greene Road, Suite 100
Toronto, ON M3C 3E9
416-449-1400



www.devrylaw.ca

in his personal net worth at both the date of your marriage (if applicable) and date you separated. You may ensure that you are getting your share by ensuring that the value assigned to his business interests has been calculated by an independent, professional business valuator with the proper credentials and expertise. In Canada, this means seeking out members of The Canadian Institute of Chartered Business Valuators, the governing body for business valuers.

Valuing a business is a complex matter and many aspects of the valuation need to be considered carefully to ensure a fair division of property on divorce. Gone are the days when the value of a business could be determined simply by looking at a balance sheet. The value of a business is dependent on many factors, including what that business will earn in the future, whether the business is a small start-up, a developing business, a mid-sized business, or an established player, the risks it faces, and the opportunities it may take advantage of to name only a few. The valuator's role is to assess the company's internal strengths and weaknesses while understanding its role in the industry in relation to other economic factors. And in matrimonial situations, we must also consider the various tax implications that may arise. In short, valuing a business is a complicated assignment.

Another important issue is whether you will be able to claim support for yourself or your children. Support will be based on your husband's income. Determining the income that will be available for support is not a straightforward exercise and can be influenced by a number of factors, including the amount and timing of his withdrawals of income from the business, the extent to which he is able to expense personal items through his business (items like travel, meals and other entertainment, automobiles, and personal insurance, to name just a few).

Considerations like these and many others will require investigation and

adjustment by a Chartered Business Valuator (CBV) with experience in the complicated issues surrounding support calculations in marital breakdowns. There are any number of ways that unscrupulous, self-employed spouses can try and hide their income and assets, or make it appear as though their earnings are substantially lower than they really are, thereby reducing the child and spousal support payments that they are obliged to provide. Seeking out experienced professionals to assist with these issues early on is key to ensuring you receive the fair settlement you deserve.

Children's Issues

“Should we involve our children as we work out a parenting plan? What type of contribution do children typically make?”

John Schuman, a family lawyer in Toronto, answers:

The long-term impact of divorce on children is not related to the fact of the divorce as much as the degree to which children are exposed to conflict. Children who are exposed to parental conflict after separation adjust more poorly to their new situation and suffer more negative long-term effects than children of cooperative, low-conflict co-parents. However, it is also important for separating parents to listen to what their children have to say – and even more important for those parents to hear the emotions and meaning behind the children's words. The key to this balance is to listen to the children's opinions without involving them in the conflict or using them as foot soldiers in the war on the other spouse.

A child's wishes do not determine any matter before a family court. No child should think that he or she gets to make the important decisions after his or her parents separate. It is important to note that when a court or arbitrator has to decide custody and access

issues, the opinion of the children is only one of at least eight factors that the court must consider. The opinion of young children has little influence on the court. The opinion of teenagers, who have the physical ability to decide where they are going to live, has much greater influence on a court, but is still not determinative. Judges give no weight to a child's expressed views where the child is only a mouthpiece for one parent, or possibly brain-washed.

Dragging a child to court to speak to a judge is still a bad idea. Few things anger judges more than a parent deliberately involving a child in the conflict. Judges will only consider interviewing a child when it is clear that child wants to be heard in the process. If that interview makes it clear to the judge that the child has been put up to it by a parent, that parent should not expect a favourable outcome in the court case. On the other hand, the independent and carefully considered opinions of a child can be quite influential on a judge in a custody-access case.

“Who will pay for our kids' private school after we divorce? With the child and spousal support I expect to be paying, I don't know how I'll afford the tuition.”

Brahm Siegel, a family lawyer in Toronto, answers:

The answer depends on a few items. First, it depends on whether the proposed expense is necessary, in relation to the child's best interests. Secondly, it depends on whether the expense is reasonable, in relation to the means of the parties. When we talk about means, we mean how much money the proposed payer – but also any person that the proposed payer is living with – has.

The third item it depends on is the spending pattern of the parties prior to separation. For example, if the parties were paying for private school before they separated – and they could easily afford it, and they determined that



First-Rate Legal Services at Competitive Rates

IN DIVORCE, you may feel like you're fighting a battle by yourself, overmatched by your spouse and intimidated by high fees and a confusing system. Even worse, you may feel paralyzed and unable to act. We can help. The law firm of Nathens, Siegel LLP is dedicated to family law and divorce issues. We know the process and can explain it to you in a simple, straightforward manner.

Following through and getting results

"We use the most practical and cost-efficient method of getting the best outcome for our clients," says Ken Nathens, founding partner. "We follow through and get results."

"Service means tailoring each case to fit that client's particular needs, and we do that well," Brahm Siegel says. "As a lawyer, you have to know that the same approach doesn't work for all situations. You have to know when to push and when to hold back."

"We pride ourselves on assisting clients with all types of family law cases, whether they need a skilled litigator, a strong negotiator or a lawyer who takes a collaborative approach," says Barbara Kristanic.

An excellent reputation for solid work

The firm, conveniently located in both North York and Mississauga, has an excellent reputation for solid work in family law. Both Ken Nathens and Brahm Siegel have over 17 years of experience in assisting clients through the divorce process. Partner Barbara Kristanic has been practicing exclusively family law since 2004. The firm also has excellent associates in Audrey Ngo-Lee and Glen Schwartz, and a team of experienced law clerks. Our lawyers are matched with clients based on the complexity of the case and the client's individual circumstances.

Qualified experts in family law

Certified as a Specialist in Family Law and appointed as a Dispute Resolution Officer by the Superior Court of Justice for York Region, Ken Nathens is an active member of both the Toronto and York Region Collaborative Family Law Associations. He has experience in negotiating complex separation agreements and litigating on behalf of clients in Ontario courts, and has argued a number of cases before the Ontario Court of Appeal on issues regarding mobility rights, custody,

and child welfare. Ken Nathens has written articles on various family law issues, both for Divorce Magazine and other publications. He regularly gives lectures on family law issues to community groups, such as to members of the Ontario Federation of Labour, and is a past panel member of the Legal Aid appeal committee.

Certified as a Specialist in Family Law and recently appointed Dispute Resolution Officer by the Superior Court of Justice for the Toronto Region, Brahm Siegel enjoys collaborative law but also relishes difficult and interesting litigation files. He is a consulting editor of the McCarthy Tetrault Guide to the Family Courts (formerly the Brahm Siegel's Guide to the Family Courts), co-author of McLeod's Annotated Family Law Rules and consulting editor of Consolidated Ontario Family Law Statutes and Regulations. He is a regular speaker at various continuing education seminars and one of four authors of the Law Society of Upper Canada's Licensing Process materials where he is responsible for the chapters on divorce, alternative dispute resolution, and procedure.

Highly credentialed

Nathens, Siegel LLP is a proud member of the International Network of Boutique Law Firms, an organization of highly credentialed law firms that focus on a particular area of law. The firm is honoured to have been specially chosen to represent Toronto in family law and divorce.



NORTH YORK OFFICE

Madison Centre, 4950 Yonge Street
Suite 2408, Toronto, Ontario M2N 6K1

MISSISSAUGA OFFICE

Mississauga Executive Centre, 2 Robert Speck Parkway Suite
240, Mississauga, Ontario L4Z 1H8

Phone: (416) 222-6980

Fax: (416) 222-4820

www.nathenssiegel.com • info@nathenssiegel.com

it was somehow necessary for the child because, for example, the child was doing better there than he or she would have in a public school – a judge would likely deem that to be a special or extraordinary expense that the parties would have to contribute to in proportion to income after separation.

On the other hand, if the parties never had the child in private school during the marriage and now one person wants to enrol the child in such a school, and the parties clearly cannot afford it as two households with their separate incomes, and there's no clear evidence that the private school would benefit the child much more than a public school, chances are that a judge would not call it a special or extraordinary expense – which might mean that the parent who wants the child in private school may have to give up the idea or find a way to pay for it him or herself.

Collaborative Law Issues

“What is Collaborative Family Law – and how does it differ from divorce mediation?”

John Schuman, a family lawyer in Toronto, answers:

Collaborative practice is an alternative for resolving issues arising from a marriage breakdown. The clients, lawyers, and sometimes other professionals (such as child experts or financial advisors) work as a team in a fair and respectful process. An essential part of collaborative negotiations is that the parties agree, in writing, that they will not go to court. If one party decides to take the dispute to court, both parties have to start over from Square One with new lawyers and other professionals. In Collaborative practice, each party focuses on what he or she really wants rather than focusing on legal positions like they would in court. It is often possible for both sides to get what they really want. Collaborative practice process does not work where both parties

will not work together, are abusive, or are hiding information. Collaborative practice process is often better for the children because the parties commit to work together, rather than fighting. They come to an agreement that is tailored for the kids.

“My wife is interested in using collaborative practice to settle our divorce. We don't have a history of collaborating terribly well in our marriage; is there any chance this method would work for us?”

Sheila Kirsh, a Toronto-based Collaborative Family Law lawyer, answers:

According to the International Academy of Collaborative Professionals, collaborative practice is a more constructive way of divorcing that “promotes respect, places the needs of children first and keeps control of the process with the spouses.” The word “collaboration,” however, does not mean that you and your spouse are left to your own devices to settle your divorce. In fact, in collaborative practice, an interdisciplinary team of divorce professionals guides you through the process, supporting you and your spouse along the way. Each of you starts by retaining a lawyer trained in collaborative law.

From the outset, all of the parties agree in writing not to go to court. You and your spouse will meet privately with your lawyers as well as together in face-to-face discussions. Additional experts, such as divorce coaches and child and financial specialists, may join the process as part of your collaborative team. During your sessions together, information can be exchanged and both of you will have a safe place to express your needs and expectations from the process; your lawyer will remain your ally and advisor.

Collaborative practice is especially sensitive to the needs of children. Together, you and your wife would work respectfully together to create a

final divorce agreement. Can this be done when you haven't had a great track record in terms of communicating with one another in the past? Most experts say, “Yes, definitely!” In many cases, couples report that they actually learn important communication skills through the collaborative process that help them better deal with one another as they co-parent their children. I firmly believe in collaborative practice and, over the past six years, my clients and I have had successful results. Communication skills are very important, and can be learned through written information, modelling by the lawyers trained in collaborative law, experience, and practice within the group meetings. These improved communication skills can last a lifetime.

Practical Issues

“What is a divorce organizer? How can a divorce organizer help me?”

Debbie Shawn, a divorce organizer in Toronto, answers:

If you are like many people, divorce is your first experience with the legal system. Separation and divorce can impact every area of your life, often leaving you feeling overwhelmed. A divorce organizer is a specialist who can help you save time and money during the divorce process by assisting you to get organized and stay organized. The tools your divorce organizer provides you with will not only help you feel more in control of this difficult process, they will also help to make things easier for you and your legal team – ultimately saving you time and money.

Getting a divorce involves a lot of paperwork. A divorce organizer can help you organize your paperwork, which can save you time and money. A divorce organizer can help you set up a filing system so that you can easily keep track of all the information that you and your lawyer will need as part of your divorce process. This includes identifying

COLLABORATIVE DIVORCE

A new approach to separation and divorce which protects the dignity, integrity, and long term best interests of your family!

The collaborative approach appeals to couples who want to retain some control over their separation and wish to resolve their differences creatively, with dignity and respect. Above all, this approach requires a commitment from both spouses, their respective lawyers, and any other professionals who may be engaged by the couple to assist in the process to reach solutions without going to court. Collaborative practitioners — lawyers, mediators, financial specialists, child specialists, and coaches — have been specially trained to work as a team, to provide the expertise needed for a particular case. The collaborative process is tailored to the individual family and recognizes their needs, values, and financial resources. Collaborative Divorce is especially suited to situations where shared responsibility for raising children means parents will remain in touch for years after they separate.

For many couples, the collaborative approach offers couples an alternative that is less stressful, more cost-effective, and more empowering, often resulting in solutions that better reflect the needs of the family.



SHEILA KIRSH, a Past Chair and a Founding Member of Collaborative Practice Toronto, has practised family law since 1980. She has expertise in resolving parenting problems, division of family assets, and support disputes. Sheila is a strong advocate of Collaborative Practice and welcomes the opportunity to assist you through the difficulties of separation and divorce in a private and respectful way, while helping you to maintain a healthy relationship with your children and preserve your financial assets.

(416) 367-1765 • sheila@kirsh-LAW.com • www.kirsh-LAW.com



DOUGLAS MILLSTONE has practised family law since 1976; advocating in court, negotiating principle-based settlements, mediating, and arbitrating. He has represented hundreds of children in custody and child-welfare cases for the Office of the Children's Lawyer. Nothing has energized him more than empowering people to resolve their issues through Collaborative Family Law. He is a founding member of Collaborative Practice Toronto and has served on its executive.

(416) 289-7996 • dmillstone@bellnet.ca • www.DMillstonelaw.com



LARRY A. SILVERBERG is a graduate of Osgoode Hall Law School and was called to the Ontario Bar in 1975. He practises Family Law in Toronto and York Region and surrounding areas. Larry has been participating in Collaborative Law negotiations since 2000 and believes that this process is truly an ideal alternative in settling family issues. He is a founding member of Collaborative Practice Toronto and serves on the Executive of the York Region Collaborative Practice Group.

(416) 494-4899 ext. 222 • larrysilverberg@tpg.to

Visit www.divorcemag.com to find out the benefits of collaborative divorce.
Please contact one of the collaborative practitioners listed here to discuss your divorce.

and locating many of the financial documents that you will need to fill out your financial statements, so that you will be prepared when you reach that stage of the divorce process.

You will learn the importance of keeping a current “divorce calendar” to not only remember appointments and important deadlines, but also to help you keep track of contacts and discussions with your spouse around any contentious issues. The more organized you are, the faster you can locate the necessary information, the more completely you can track timelines of events, the easier you will make it for your legal team.

And the added benefit is that you and your legal team will not be wasting time searching through drawers and shoeboxes to find the paperwork you need. Remember, not wasting your lawyer’s time means more money stays in your pocket! ■

For more FAQs and answers by divorce professionals, please visit www.divorcemag.com.

The answers provided above are for general education only and may not apply to your unique situation. They should *not* be considered to be legal, accounting, tax, or other professional advice nor construed as a form of lawyer-client relationship. This information does not take the place of a lawyer, accountant, financial planner, therapist, etc.; for professional advice, you *must* seek counsel from the appropriate professional.

Divorce Mediators:

If you want to reach your own decisions about the issues involved in your divorce, consider working with one of the following neutral, third-party mediators who specialize in divorce mediation.

**RISA ENNIS, B.A., PPE (CERT),
ACCFM (OAFM), M.A.
RISA ENNIS FAMILY MEDIATION &
COUNSELLING SERVICES**
(416) 636-2946
www.tamingyourego.com
risasmediation@rogers.com

As a Certified Parent Educator, Accredited Family Mediator, Parent Coordinator, Collaborative Professional, Grief Counsellor and Certified Bereavement Educator, Risa Ennis provides developmentally appropriate parenting plans and helps families acclimatize to new family dynamics. She also provides grief counselling.

**BRAHM SIEGEL
NATHENS SIEGEL LLP**
(416) 222-6980
www.NathensSiegel.com
bsiegel@nathenssiegel.com

Brahm Siegel is a partner with Nathens, Siegel and is certified by the Law Society as a Specialist in Family Law. He maintains an active mediation/arbitration practice and speaks at family law conferences. The coauthor of McLeod Family Law Rules, he’s also the consulting editor of Consolidated Ontario Family Law Statutes and Regulation and has been published in *Canadian Family Law Quarterly*.

Receive your FREE Divorce eNewsletter

**Helpful divorce related information
e-mailed to you once a month.**

Topics include:

- Legal issues
- How to have a peaceful divorce
- Should you keep your house
- Visitation rights of a parent
- How to manage your anger

Subscribe online at www.DivorceMagazine.com

**FOLLOW DIVORCE MAGAZINE
on Facebook, Twitter and read our Blog**

Get the latest news, articles, and commentary on divorce.



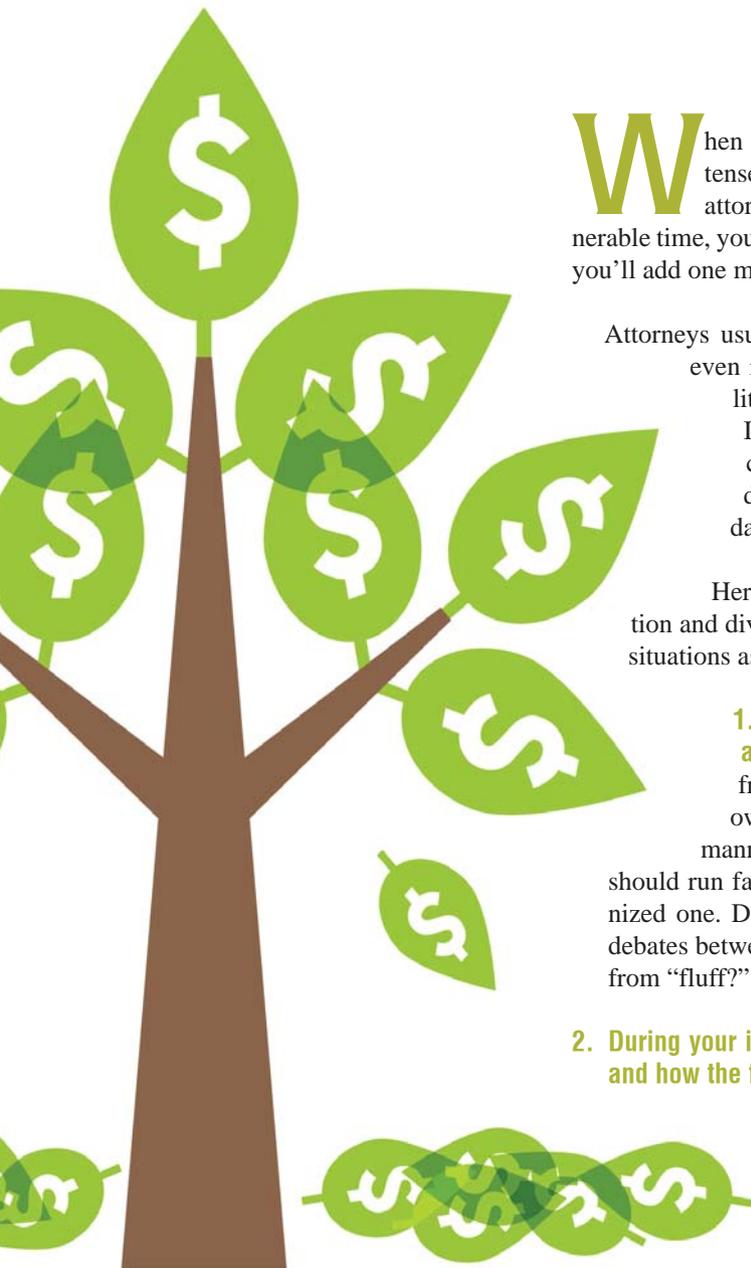
www.facebook.com/divorcemagazine
www.twitter.com/divorcemagazine
www.BlogsOnDivorce.com
www.MarriageAndSeparation.com

Read, research, share and interact.

Top Ten Tips

Here's the inside scoop on how to save on legal fees in a divorce.

By Linda C. Senn



When it becomes clear that your marriage is over, and no amount of pre-tense or counseling can fix what is broken, you'll need to line up an attorney to represent you in the divorce process. At this extremely vulnerable time, you'll be placing your life and your future in your attorney's hands, and you'll add one more worry to your ample list of stresses – the high cost of divorce!

Attorneys usually charge an hourly rate calculated in 15-minute increments – even if the service takes only a minute or two of his time. That “quick little call” you make to your lawyer could cost you from \$50 and up. If you succumb to the temptation to call every day, your monthly charge just for phone calls can run well over \$1,000. If the process drags on for a year, you'll pay \$12,000 and up just for those brief daily calls!

Here are ten simple steps for saving big bucks over the course of separation and divorce; some of the tips are general and can be applied to other legal situations as well.

- 1. Saving money on legal fees starts before you have your first attorney interview.** Round up all the personal referrals you can from friends, family, colleagues, and neighbors who were happy with their own divorce lawyers. Ask if the client's calls were returned in a timely manner, or if sustained nagging was required to get a call-back. The bill should run far less for a focused, efficient attorney than it would for a disorganized one. Did that attorney stall or delay the process? Did she favor lengthy debates between opposing attorneys? Was her billing accurate, detailed, and free from “fluff?” These factors can have a major effect on the final cost.
- 2. During your initial telephone interview with the attorney, ask what he charges and how the fee is calculated.** Is it a flat hourly fee charged in 15-minute increments, or is it figured by some other method? Ask if he requires an initial retainer, and if so, how much for your situation. Complex divorces often call for a more substantial amount. Tell the lawyer that you want to keep the costs to a reasonable minimum and ask if he'll help you to do so.

Ready to cut the cake?



Let a Certified Divorce Financial Analyst® help.

- Make smart financial decisions about how to divide your marital property
- See what your financial future will look like if you choose "Settlement A" over "Settlement B"
- Understand spousal and child support
- Avoid tax and insurance pitfalls



Divorce is hard enough. Let us help you understand the scale.



Institute for Divorce
Financial Analysts™
We take your future into account.®

www.InstituteDFA.com

3. **Don't discuss the weather, the baseball playoffs, or your mother's petunias: chit chat is expensive.** Even though she's holding your future in her hands, and there's a natural inclination to talk to your attorney as a friend, socializing can become expensive. Allow a brief time to reconnect either in person or over the phone, then get on with business. By the same token, if you have a gabby attorney, learn how to gently but firmly bring her back to the business at hand.
4. **Although you may find a genuinely sympathetic attorney, don't use him as a counselor.** Go to a licensed therapist. An experienced mental-health professional will be more effective, will cost less per hour, and will help you deal with the emotional peaks and pits that continually throw you off balance. In addition to that, you'll have developed a relationship with a therapist who can guide you through the rocky recovery period after the divorce is granted.
5. **Don't ask for special paperwork.** Whenever possible, run your own copies, take notes when you talk to your attorney on the phone (so you don't have to call him later to double-check on the conversation), and look up any phone numbers and addresses he may need in working up your case.
6. **Don't complain about your soon-to-be-ex unless it directly applies to the current procedure.** This is so very tempting during divorce (and subsequent custody and/or maintenance hearings)! You feel compelled to point out how moronic and venal your soon-to-be-ex is, and by implication, how much better a human being you are. Resist the urge. It's both pointless and expensive.
7. **If you invite your attorney to lunch (or vice-versa), find out first if it will be "on the clock."** There may be times when a luncheon meeting is most convenient for both of you – just be sure you know the ground rules going in. If you'll be discussing business, have a pen and paper with you so the lunchtime information doesn't disappear with the last cup of coffee. Be especially vigilant about idle chatter if you're paying attorney's fees for the privilege.
8. **Ask for specific ways you can save on lawyer hours, such as doing your own research, filling out forms, or mailing notices.** You just might be able to shave a few hundred dollars off the final tab by doing some of the routine clerical work yourself. In a long, drawn-out divorce, ask the lawyer periodically if there are any other aspects you can take care of yourself to save money.
9. **Consider hiring a skilled mediator to help you and your spouse arrive at mutually agreeable solutions to your financial and custody disagreements.** Mediators are specifically trained to help you resolve your problems together, and the cost will probably be less that you'd pay for the opposing attorneys to argue with each other. (You'll still need to retain your own lawyer to check any agreement before you sign it, however.) Mediators also allow you to employ cooperation and compromise in arriving at a settlement agreement, which leaves far less emotional scarring than the adversarial attorney-to-attorney method.
10. **Do your own Discovery.** Discovery is basically pre-trial disclosure of pertinent facts and documents, including financial figures, by one or both parties in a divorce or other legal process. It can involve a fair amount of sleuthing time, so you'll be money ahead if you ferret out the hard-to-find information (like hidden assets), rather than relying on your attorney to do it all.

One last word about maintaining control of your legal expenses: request itemized monthly bills from your attorney. Knowing just how your legal dollars are being spent can be the most effective aid in helping you keep them to a reasonable minimum! ■

Linda C. Senn is author of Your Pocket Divorce Guide and co-author with Mary Stuart, M.A. of The Divorce Recovery Journal.

Related articles:

Dealing with Legal Fees

Understand fee arrangements and be aware of how to keep your legal costs reasonable.

www.divorcemag.com/articles/Divorce_Lawyers/financial-matters-legal-fees.html

Can't afford to hire an attorney for your entire case?

Divorce coaching might be the right option for you.

www.divorcemag.com/articles/Separation_Divorce_Process/cant-afford-to-hire-an-attorney.html

Your best online resources before, during, and after divorce.



FAMILY LAWYERS

ALBERTA - CANADA

Westbrook Law & Mediation Centre
(780) 424-1212
adorczak@telus.net
www.divorcemag.com/AB/pro/alberta-divorce-lawyer-mediator-1.shtml
Divorce Lawyer and Mediator.

BRITISH COLUMBIA – CANADA

Kahn Zack Ehrlich Lithwick LLP
(604) 270-9571
amulder@kzellaw.com
www.kzellaw.com
Innovative solutions for your family law matters.

CALIFORNIA

Brandmeyer Gilligan & Dockstader, LLP
(562) 431-2000
info@bgdlawyers.com
www.bgdlawyers.com
The largest family law firm in the greater Long Beach/South Bay area.

Feinberg, Mindel, Brandt, & Klein

(310) 447-8675
smindel@fmbklaw.com
www.fmbklaw.com
L.A. firm that demands quality work from its versatile team of family law attorneys.

Feinberg & Waller A.P.C.

(800) 655-4766
www.feinbergwaller.com
Experienced lawyers practicing exclusively in family law with integrity.

Freid & Goldsman A.P.L.C.

(310) 552-2700
mfreid@fglegal.com
www.fglegal.com

Experience and skill enable them to obtain favorable results.

Fuller Jenkins

(858) 450-4050
efuller@fullerjenkins.com
www.fullerjenkins.com
Their lawyers work with you to create a strategy that best fits the needs of your family.

Harding & Associates

(925) 417-2202
jharding@hardinglaw.com
www.hardinglaw.com
Helping clients get the results they are entitled to.

The Law Office of Ilona Antoyan

(619) 696-1100
ilona@antonyanlaw.com
www.expertdivorcelaw.com
Aggressive, professional and reliable representation.

CONNECTICUT

Rutkin Oldham & Griffin, LLC

(203) 227-7301
soldham@rutkinoldham.com
www.rutkinoldham.com
In-depth knowledge and dedication to handle the most challenging family law cases.

FLORIDA

Stephen T. Holman P.A.

(850) 435-6909
sth@stephenholman.com
www.stephenholman.com
Experienced family lawyers who have nearly five decades of experience.

GEORGIA

Cauthorn, Nohr & Owen

(770) 528-0150

te@cauthornnohr.com
www.cauthornnohr.com

Dedicated to the highest standard of ethics and effective client representation.

Daniels & Taylor, P.C.

(770) 962-4070
contactus@danielstaylor.com
www.danielstaylor.com
Focusing on your rights while maintaining high standards of professionalism and integrity.

ILLINOIS

Badesch Abramovitch

(312) 372-1639
tina@bafamilylaw.com
www.bafamilylaw.com
Helping men, women and children resolve family law issues in Chicago and the Collar Counties.

Boyle & Feinberg, P.C.

(312) 376-8860
joy@boylefeinbergfamilylaw.com
www.boylefeinbergfamilylaw.com
Mediation, collaborative divorce and litigation services in Chicago & Arlington Heights.

Jeffrey W. Brend

(312) 726-4440
j.brend@levinbrend.com
www.levinbrend.com
Forensic divorce attorney “We find money.”

Karen Covy

(312) 236-1670
karen@karencovy.com
www.karencovy.com
Lawyer, mediator, speaker, and author.

Jay A. Frank

(312) 828-9600

jfrank@agdgllaw.com
www.agdgllaw.com

Experienced family law attorneys who handle each case in a cost-effective way.

LeVine, Wittenberg, Shugan & Schatz
(708) 444-4333
attorney@lwslaw.com
www.lwslaw.com
Protecting Illinois families since 1968.

INDIANA

Broyles, Kight & Ricafort P.C.
(317) 571-3601
nricafort@bkrlaw.com
www.bkrfamilylaw.com
Integrity (Skill+Trust+Reason)=BKR Family Law.
Finding solutions together.

LOUISIANA

Remy Law Firm
(985) 893-0610
mremy1@cox.net
Professionals dedicated to the practice of family law.

MARYLAND

Brown Goldstein & Levy LLP
(410) 962-1030
dwm@browngold.com
www.browngoldfamilylaw.com
Experienced family lawyers who provide guidance to a new path in your life.

MICHIGAN

The Gucciardo Law Firm, PLLC
(248) 723-5190
renee@gucciardofamilylaw.com
www.gucciardofamilylaw.com
Quick and efficient resolutions that preserve your financial and emotional resources.

NEW JERSEY

Ceconi & Cheifetz, LLC
(908) 273-6300
firm@ccfamllaw.com
www.ccfamllaw.com
Summit family law firm.

Charny, Charny & Karpousis P.A.
(856) 505-1700
jcharny@charnylaw.com
www.charnylaw.com
South Jersey divorce and family law firm

with aggressive advocacy and a practical mindset when it counts.

Pamela M. Copeland
(908) 561-6800
pcopeland@copelandlawnj.com
www.copelandlawnj.com
The highest quality divorce legal services at a reasonable cost.

Einhorn, Harris, Ascher, Barbarito & Frost, P.C.
(973) 627-7300
lgerber@einhornharris.com
www.einhornharris.com
Divorce, separation, child custody, domestic violence, and appeals.

Finnerty, Canda & Drisgula, P.C.
(201) 845-4000
jfinnerty@familylaw-nj.com
www.familylaw-nj.com
Legal representation in all aspects of family law.

Janet Porro
(866) 787-2982
janetporro@porrolaw.com
www.porrolaw.com
Experienced New Jersey and New York family lawyer.

Laufer, Dalena, Cadicina, Jensen & Boyd, LLC
(973) 285-1444
jcadicina@lauferfamilylaw.com
www.lauferfamilylaw.com
Accomplished family lawyers who will give you peace of mind.

Leslie Law Firm L.L.C.
(973) 631-8002
aleslie@leslielawfirm.com
www.leslielawfirm.com
Known for experience and a compassionate approach to family law.

Obermayer Rebmann Maxwell & Hippel LLP
(856) 795-3300
info@obermayer.com
www.obermayerfamilylaw.com
Responsive attorneys. Respected work. Effective results.

Paras, Apy & Reiss, P.C.
(732) 219-9000
pparas@parasapyreiss.com
www.par-law.com
Red Bank family law firm that takes a unique approach to each case.

Salvaggio Law Group LLC
(973) 415-5340
dfs@salvaggiolaw.com
www.nj-divorce.net
Divorce litigation and mediation services throughout New Jersey.

Stolfe & Zeigler, Counselors At Law
(732) 240-9555
szeigler@szllawfirm.com
Provide skilled, experienced and individually suited legal representation.

Weinberger Law Group LLC
(888) 998-8859
contactus@weinbergerlawgroup.com
www.wlg.com
Trusted authorities on New Jersey divorce and family law.

NEW MEXICO
Atkinson & Kelsey, P.A.
(505) 796-6238
www.atkinsonkelsey.com
Pioneers in New Mexico family law and divorce representation.

NEW YORK
Law Offices of Stephen I. Silberfein, P.C.
(212) 755-3200
stephen@newyorkdivorce.com
www.newyorkdivorce.com
Manhattan matrimonial firm handling all family law matters.

OKLAHOMA
Echols & Associates
(405) 691-2648
dweatlaw@aol.com
www.echolslawfirm.com
More than 100 years of combined legal experience in family law.

ONTARIO - CANADA
Devry Smith Frank LLP
(416) 449-1400
john.schuman@devrylaw.ca
www.devrylaw.ca

We build better websites. Period.

Attract clients and search engines with a better website

Not all websites are equal in their ability to attract the right kind of clients and referrals. Nor are they all search engine friendly.

We only build websites for family lawyers and divorce professionals

We create effective and resourceful websites that enhance your credibility and image. To ensure visitors will return to your site, we will enrich it with our top-notch divorce articles, nine Divorce Guides and a monthly divorce eNewsletter.

Fixed fee pricing — with no surprises

If you are paying hundreds of dollars a month for your website, it's time to give us a call. We've saved our clients thousands of dollars a year, every year.

Read how our clients rave about us

"I recently switched to Divorce Marketing Group to host and revise my website from a well-known legal website designer and host, and the difference is dazzling. Not only is it costing me much less for my website than before, in a very short time the cost of paying for the new and better design and set up will end and I will be left with a great website and a lower overhead. Great folks at Divorce Marketing Group. Great job."

[Sandra Rosenbloom, Collaborative Attorney and Mediator, RosenbloomLaw.com](#)

"Thank you for all of your help with regard to the design of our logo and website. Almost every day a potential new client, or opposing counsel comment on the professional look and the clear message delivered by our website, and our new logo. I like how you provide us with all the content of our firm's divorce newsletter... Working with you and your staff has been a dream..."

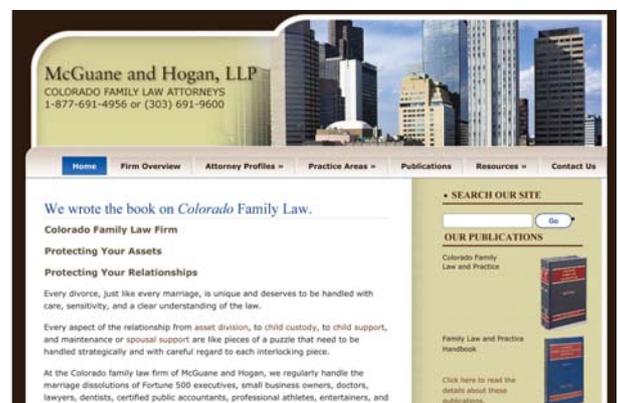
[Steven Mindel, Managing Partner, FMBK, FMBKLaw.com](#)



Family Law Firm in California



Family Law Firm in New Jersey



Family Law Firm in Colorado



Focus on your practice
Trust the marketing to us

866.803.6667 x 124

DanC@DivorceMarketingGroup.com www.DivorceMarketingGroup.com

Focusing on children's issues and financial matters in family law.

Epstein & Associates

(905) 898-2266
mark@epsteinlaw.ca
www.epsteinlawyers.com

Our commitment is to provide guidance and understanding to each client's situation.

Nathens Siegel LLP

(416) 222-6980
info@nathenssiegel.com
www.nathenssiegel.com

Family law specialists who are results driven.

PENNSYLVANIA

Obermayer Rebmann Maxwell & Hippel LLP

(215) 665-3000
info@obermayer.com
www.obermayerfamilylaw.com

Responsive attorneys. Respected work. Effective results.

QUEBEC - CANADA

Azran & Associés Avocats Inc.

(514) 499-2010
gazran@azranassociates.com
www.azranassociates.com

Montreal lawyers with expertise in a wide range of practice areas.

SOUTH CAROLINA

The Law Offices of Lester & Hendrix

(803) 252-4700
ken@kenhlester.com &
catherine@kenhlester.com
www.lesterandhendrix.com

A team approach to family law cases.

TEXAS

John K. Grubb & Associates

(713) 877-8800
jgrubb@grubblegal.com
www.johnkgrubb.com

Aggressive representation in family law matters in the Houston area.

Loughmiller Higgins

(972) 529-5554
eric@loughmillerhiggins.com
www.loughmillerhiggins.com

Experienced divorce attorneys dedicated to helping you navigate your legal roadmap.

Short•Carter•Morris, LLP

(713) 626-3345
pcarter@shortcartermorris.com
www.shortcartermorris.com

Experienced in high net worth and complex divorces.

FINANCIAL ADVISORS

NORTH AMERICA

Institute for Certified Divorce Financial Analysts™

(239) 280-2308
bradc@institutedfa.com
www.institutedfa.com

National organization dedicated to the certification, education, and promotion of financial professionals in the divorce arena.

ALBERTA - CANADA

Alberta Divorce Finances

(403) 703-7176
Sharon@AlbertaDivorceFinances.com
www.albertadivorcefinances.com

Certified Divorce Financial Analyst® and tax consultant.

CALIFORNIA

Cathleen Collinsworth

(949) 262-3692
info@cccdfa.com
www.cccdfa.com

CDFATM, business valuation, taxation, collaborative divorce, mediation and litigation support.

CONNECTICUT

CohnReznick

(413) 233-2313
Steven.Dane@Cohnreznick.com
www.cohnreznick.com

One-stop source for business valuations, litigation support and financial advisory services.

FLORIDA

Roderick C. Moe CPA, PA

(561) 649-5109
rod@rodmoecpa.com
www.rodmoecpa.com

CPA® who will help you get your fair share.

Valuation & Forensic Partners, LLC

(847) 805-1910
bruffalo@forensic-valuation.com

www.forensic-valuation.com

Experienced, nationally-recognized valuation and forensic experts.

ILLINOIS

Balasa Dinverno Foltz, LLC Private Wealth Management

(630) 875-4904
HLocus@BDFLLC.com
www.bdfllc.com

They manage more than \$2 billion in assets for high net worth individuals.

CJBS, LLC

(847) 945-2888
larry@cjbs.com
www.cjbs.com

We will help you get to the bottom of your spouse's finances.

CohnReznick

(312) 508-5824
Bruce.Richman@Cohnreznick.com
www.cohnreznick.com

One-stop source for business valuations, litigation support and financial advisory services.

Linda Forman, CPA, P.C.

(847) 316-1040
lforman@cpa@aol.com
www.divorcecpachicago.com

They will do everything it takes to get you the best financial settlement.

Valuation & Forensic Partners, LLC

(847) 805-1910
bruffalo@forensic-valuation.com
www.forensic-valuation.com

Experienced, nationally recognized valuation and forensic experts.

PENNSYLVANIA

Loretta Hutchinson

(267) 202-5158
loretta@financialdivorceplan.com
www.financialdivorceplan.com

Certified Divorce Financial Analyst® who makes intelligent divorce possible. (PA, NJ, FL)

INSURANCE

U.S.A

Family ValueGuard

(800) 696-1791
ken@familyvalueguard.com

www.familyvalueguard.com

Insurance that protects support payments against unexpected disabilities.

MEDIATION

ILLINOIS

C.E.L. & Associates

(866) 922-4733

bjames@celandassociates.com

www.yourdivorce.org

Bridging the gap between conflict and resolution.

PENSION VALUATION & QDRO SERVICES

PAC/Pension Analysis Consultants, Inc.

(800) 288-3675

pac1@pensionanalysis.com

www.pensionanalysis.com

Pension valuations and QDROs in divorce since 1988.

Voit Econometrics Group, Inc.

(239) 596-7711

vecon@comcast.net

www.vecon.com

Specializing in QDROs and valuation of pensions for divorce.

PRIVATE INVESTIGATORS

NEW YORK

T&M Protection Resources, LLC

(212) 422-0000

investigations@tmprotection.com

www.tmprotection.com

A global provider of premium security and investigative services.

ONTARIO - CANADA

RISK Private Investigations

(647) 478-8376

pkopelis@riskprotectiongroup.com

www.riskprotectiongroup.com

Toronto based investigations.

SOCIAL MEDIA

blogsondivorce.com

facebook.com/divorcemagazine

twitter.com/divorcemagazine

marriageandseparation.com

Got Questions?

How much will my divorce cost?

Who gets what?

What will happen in court?

Do I have to pay alimony forever?

Shouldn't I get more child support?

Will I have sole custody?

What if I don't want to sell my home?

50/50 isn't fair?

How do I find a good lawyer?

We Have Answers!

Divorce Blog Discussion Forum

Free Divorce TeleSeminars

Divorce FAQs Videos

Books Divorce eNewsletter

Subscription to Divorce Magazine

Podcasts Articles Websites



Read & Connect With Others On
www.DivorceMag.com

Victimhood

The Curse of Divorce Recovery

By Shelley Stile

Feeling like or labelling yourself a victim of your divorce is one of the most disastrous moves you can make; it will prevent you from moving forward into a new life. Victimhood renders you powerless. To create a new life after your divorce, you need to be fully responsible for your past, present, and future. Being responsible means having control over your life, and that is what it takes to both recover from the emotional wounds of a divorce as well as plan for your new life.

If you consider yourself a victim, then you believe that you had little to do with what happened to you. You take no responsibility. The responsibility is someone else's, and that leaves you with no power. Victims blame someone else. Blame absolves them of their part in the dissolution of their marriage, and it keeps them stuck in the pain of the past and their divorce.

It is so much easier to place blame on someone else than accept personal responsibility. The fact is that two people inhabit *all* marriages. Those two people are co-creators of their marriage and their divorce. Even if one of the partners was unfaithful or a liar, there are always signs along the way that we either refused to see or to acknowledge. If we are in denial about all the warning signs along the way, we can only look to ourselves for lack of some responsible action.

“If you consider yourself a victim, then you believe that you had little to do with what happened to you.”

Blame leads to resentment. Resentment consumes our mind chatter. We spend far too many hours ruminating about all the things that our ex has done or continues to do to us. We resent their new life and our lack of one. Consider the amount of time wasted being in resentment. Exactly who suffers? The answer of course is clear: you. *You* are the one who is angry, sad, bitter, and unhappy — *not* your ex. Your blame and resentment, along with your regrets, are like poison in your system. It completely immobilizes you.

Ten tips to help you overcome these feelings of victimhood:

1. What is the truth of your marriage? If you are completely honest and courageous, you will have begun to recognize that indeed, you played an integral part in your marriage and divorce. All too often, we interpret events and situations in our marriage and believe our interpretation to be the truth. For instance, “My husband was cheating and lied to me about it. I interpret that to mean that I am no longer desirable, that I failed as a wife. I live in my marriage as if that is a cold, hard fact.” It is not. The fact is that he cheated. Period. That fact could

mean a hundred different things. Stick to the facts.

2. Where are you responsible? What were the warning signs along the way that you refused to acknowledge? Where were you in denial? Where were you an enabler? For example, I know a woman who was completely surprised when her husband left her. She went on to tell me that she always gave him total freedom to do whatever he wanted: trips that lasted a month at a time, and little or no responsibility in rearing their children are just a couple of items on the list. She handled it all. Translation: she was an enabler and gave him the rope that was needed to strangle the marriage. Acknowledge where you didn't do what you needed to do. Accept responsibility. Responsibility is empowerment.



3. Exactly what are you resisting? Why can't you see the truth and accept responsibility? Why do you suppose you cannot accept the reality of your life as it is now? These are questions you must address. What do you gain by remaining a victim? Are you afraid of facing the truth? Are you living in what you think should be versus what is? Do you enjoy being a victim? Do you like the fact that being a victim absolves you of any responsibility and therefore any positive action?

"It is so much easier to place blame on someone else than accept personal responsibility."

4. If you are resisting the reality of your life, consider doing a turn-around and simply go with the flow of your life's direction. Fighting reality is a useless business. The more you resist something, the more it will persist. Consider the flow of a river. What does it feel like to swim against the current? That is what you do when you cannot accept what is.

5. Don't allow your fear of the unknown to run you. Are you afraid of your future? Are you afraid of being alone? What exactly are you afraid of? I recently heard someone say that they spend so much time worrying and little or nothing of what they worry about actually comes true! Do you see the insanity of that? We don't know from day-to-day what the future holds for us. How about if you believed that your future was going to be just fine instead of being in fear? What if everything happens for a reason?

"Consider the amount of time wasted being in resentment."

6. Consider your perspective on life. Your attitude – what is it? Do you believe that life is hard and unjust? Do you see everything that is wrong and nothing that might be right? Not only does your attitude affect how

you handle life, it can actually determine your reality. If you believe that life is too hard, then that is exactly what life will be for you: it's a self-fulfilling prophecy.

7. Do things differently. If your victimhood along with its blame and resentment is not working for you (and I guarantee it isn't), then for heaven's sake, do things differently! Try on a new perspective. Examine the truth of your life versus your own personal interpretations. Take responsibility. Take actionable steps forward. Stop resisting. Get out and do new things, meet new people, and don't isolate yourself. Get back into the swing of things.

"You are the one who is angry, sad, bitter, and unhappy — not your ex. Your blame and resentment, along with your regrets, are like poison in your system."

8. Learn from your experience and use that new wisdom for empowerment. Once you see the life lessons of your marriage and divorce (and believe me, they are numerous and impactful), you can use that wisdom to be a better person – to help you become the person that you truly want to be. Everything that happens to us in life has a hidden lesson for us if we only look for it. Might there actually be a silver lining in this storm cloud?

9. Consider the costs of remaining a victim. Do you want to live your life as a bitter and angry person? Is that how you want to be seen? If you have children, is victimhood what you want to model for them? Do you realize that as a victim, you have *no* power to change your life? Remaining a victim is a very bleak picture.

10. Choose a new and better life. Think of all the decisions and choices you make during the course of a day. Are they moving you away from being a victim or keeping you

stuck there? Stop and think before you make important and even not so important decisions or choices. Our choices define us and determine the course of our life.

In closing, I want to share a few bits of wisdom from the Dalai Lama: When you lose, don't lose the lesson. Follow the three Rs: respect for self, respect for others, and responsibility for all your actions. Remember that *not* getting what you want is sometimes a stroke of luck. Judge your success by what you had to give up in order to get it. ■

Shelley Stile is a Certified Divorce Recovery Life Coach, author and speaker. Shelley has been through her own divorce and has gleaned deep wisdom from her experience. That experience, combined with her extensive training in life coaching and research, has resulted in the Divorce Recovery Plan: an empowering step-by-step actionable plan with proven strategies and tools for letting go and moving on after divorce. www.lifeafteryourdivorce.com

Related articles:

Letting Go of Your Story in Order to Heal

Move beyond the pain from the past to fully realize your future.

www.divorcemag.com/articles/Divorce_Recovery/letting_go.html

Moving Through Your Anger

It is always in your best interest to move beyond feeling high levels of anger.

www.divorcemag.com/articles/Divorce_Recovery/moving_through_your_anger.html

Ready to Give Up Your Baggage?

Make the decision to release your attachments.

www.divorcemag.com/articles/Divorce_Recovery/giveup_your_baggage.html

25 Tips for Divorced Parents

How to create special memories and strengthen your bonds with your children.

By Tommy Maloney

I was five years old when my parents divorced; coincidentally, my son was also five when his mother and I split up. While going through my divorce and travelling for work, I created the following tips from firsthand experience to help divorced parents stay connected with their kids – and to forge a positive bond in each other’s lives.

1. Talk to your kids every day

It does not matter if it is just a phone call, long or short. Kids need to hear their parents’ voice daily because it reassures them they still have a connection with you.

Tip: Don’t be afraid to ask them personal questions.

2. Send your kids postcards or letters

Do this even if you live in the same town. If they are just learning how to read, written notes to your kids are even better. Think about when you were a kid and received mail and how special you felt.

Tip: Have them write to you.

3. Purchase a webcam for yourself and your kids

This is very important if you live far away and cannot spend time with them on a regular basis.

Tip: Flip Cam for the kid(s).

4. Tell them EVERY DAY that you LOVE them

Do I really need to explain this one?

Tip: Find out what makes them feel loved – then do it.

5. Make Quality vs. Quantity time with them

You do not need to create an “event”. Just being with and talking to them is more vital than you will ever know.

Tip: Make a Gingerbread house together.



6. Read to one another

Find out what they like to read and buy a few books at the bookstore. Read them one of your books, even if it does not have pictures.

Tip: Go to the bookstore together.

7. Embrace their interests no matter what they are

You need to get yourself out of your comfort zone and learn to embrace their interests – even if that means riding a roller-coaster.

Tip: Research their interests to be able to ask them questions – and understand the answers.

8. Volunteer at their school

You get to see them in their environment, which can sometimes be both shocking and embarrassing. I have learned that teachers love when a parent comes to school and lends a helping hand.

Tip: If you can't volunteer at their school, find another one of their activities to become involved in.

9. Honesty IS the best policy

This is most important when your kids tell you they wish all of you were still a family. Explain to them they will always be loved and that you are still a family.

Tip: You may need to show it and say it several times.

10. Create traditions together

Think of things that make your time together special and create your own customs separate from standard holidays.

Tip: What traditions did you have as a kid?

11. You are not the victim

I advise you to see a trusted counselor to help you work through your emotions. Do *not* use your kids for this!

Tip: Take control of your own healing.

12. Respect the rules

Teach them there are rules in your house just like at the other parent's house.

Tip: Have your own rules, but try to respect the other household's rules as well.

13. Two words: Road Trip

Take vacations – even if it is just a weekend in a hotel down the street. Kids love to be in a hotel with a pool.

Tip: Try setting up a tent in the living room once in a while.

14. Understand that they will miss their mom or dad – and that is okay

The bond between kids and their other parent may be different than the one they will have with you. Focus on strengthening your bond with them and try not to compare yours with the other parent's.

Tip: Kids will naturally cycle from one parent to another. Be patient – your turn will come.

15. Let your kids see that you are not perfect

It is okay to admit to your kids that you try your best but can't be perfect.

Tip: This will teach them how to handle their own mistakes.

16. Teach them the importance of being physically active

Encourage your kids to ride their bikes alongside you as you run, or go biking together. Being a role model is tough, but suck it up.

Tip: Your kids want you to be around for a long time.

17. Be in contact with their teachers

Try not to be a pain, but do be an involved parent. Though you won't always get a solid answer, ask your kids how school is going and contact their teachers for updates.

Tip: Kids need both of their parents to be involved.

18. Respect that your favorite sports team is not always going to be theirs

Heck, they might not like the same sports you do or even like sports at all! Enjoy what they *do* like and embrace those things with them.

Tip: You can always watch your sports when they are back at the other parent's house.

19. When you ask them to make their beds, you also need to do the same

Kids want discipline and you need to set the example.

When they are at your place, have chores for them to do just as they do at the other parent's house.

Tip: Kids need normalcy between the two houses.

20. Fast food is too easy

Doing things such as cooking together is a great learning experience for both of you. Make the fast food runs only on special occasions.

Tip: Home cooking is less expensive and healthier, too.

21. Have sleepovers with their friends

When possible, have their friends over for playdates and sleepovers. It is a special feeling for your kids to show off their bedroom.

Tip: It's a great way to learn about their friends.

22. Take the high road

If your former spouse is not being reasonable, or if you are being hard-headed, remember it is not about winning disagreements – it's about successful co-parenting. Co-parenting is about the kids.

Tip: You won't regret taking the high road in the long run.

23. You need to be a positive role model

Though actors, musicians, and sports stars are modern role models, the bottom line is to fill that role yourself and be there for them.

Tip: Do your best to be involved with their lives and be a positive influence.

24. Do not be hung up on dating right away after a divorce

Work on *yourself* before bringing someone new into the equation. Kids need to know they are your highest priority.

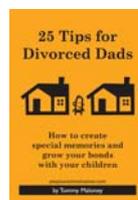
Tip: There is someone out there for you, but just make sure they are the right one for you and your kids.

25. Help make your house a home for all of you

Kids need to have some of their own "treasures" around to be comfortable at your place.

Tip: Take the time to learn from your past mistakes, so you don't repeat them. ■

This article has been adapted with permission from the book *25 Tips for Divorced Dads* © 2011 Tommy Maloney.



Tommy Maloney is a speaker, consultant and author. He is a member of the National Speakers Association and the Colorado Speakers Association. www.tommy-maloneyinternational.com

[maloneyinternational.com](http://www.tommy-maloneyinternational.com)

Related articles:

Letting Go of Your Story in Order to Heal

Move beyond the pain from the past to fully realize your future.

www.divorcemag.com/articles/Divorce_Recovery/letting_go.html

Moving Through Your Anger

It is always in your best interest to move beyond feeling high levels of anger.

www.divorcemag.com/articles/Divorce_Recovery/moving_through_your_anger.html

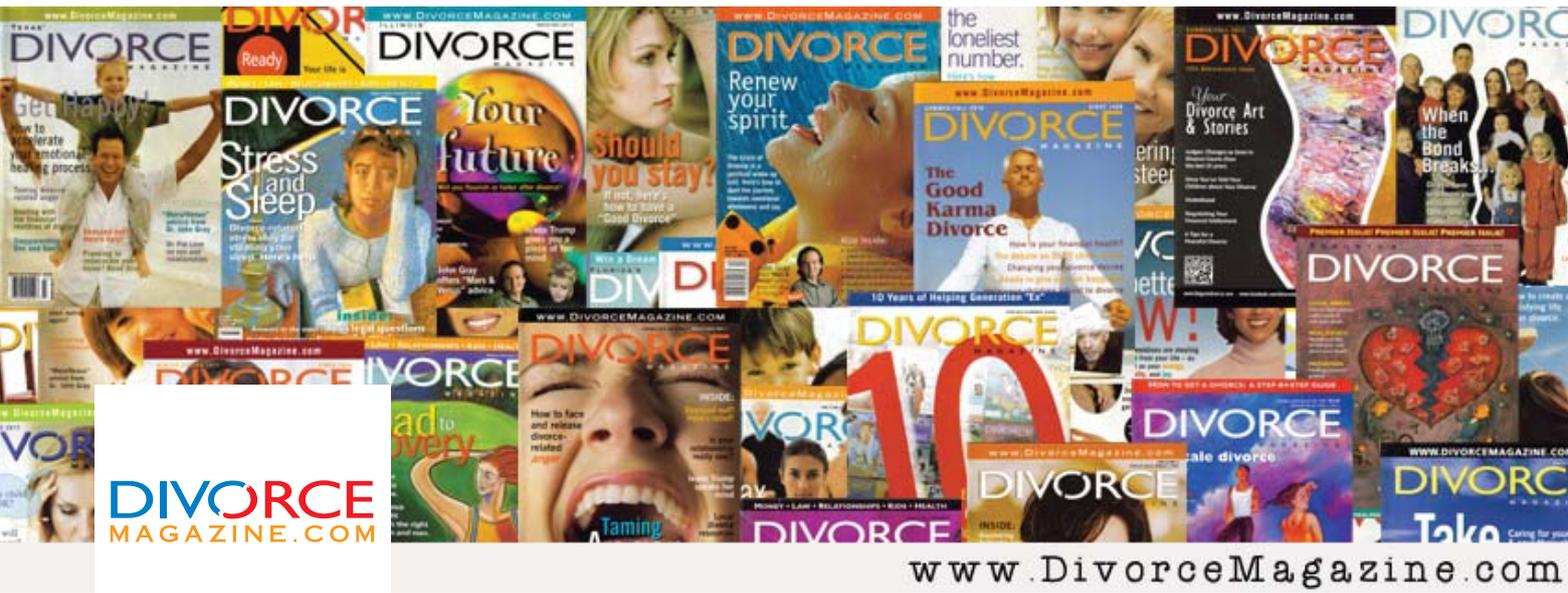
Put your ad here
and on
www.DivorceMagazine.com

Check out our special advertising packages for:



- Family Lawyers
- Family Mediators
- Financial Planners
- Certified Divorce Financial Analysts
- Certified Public Accountants
- Forensic Accountants
- Family Therapists
- Real Estate Agents

Contact Dan Couvrette
(866) 803-6667 Ext. 124 • danc@divorcemag.com



DIVORCE
MAGAZINE.COM

Our Facebook Fans Share

Divorce Magazine’s Facebook Fans share their thoughts about separation and divorce. To join the conversation, please “Like” our page: www.facebook.com/DivorceMagazine

Divorce Magazine: Who has helped you the most with your divorce or separation? Maybe it is a friend, a relative, a co-worker, a divorce professional, your ex?

MSH: My first job outside the home — I met a single divorced mom of 20 plus years — we were both nurses — will never forget what she shared with me — “ you cant make someone stay — and someone can not make you have a life — in other words there is life after divorce

RC: About 40,000 men and women around the world. Between sites i host or the radio show i co host they have all helped me.

HM: You’d think the \$25K I gave to lawyers would place the lawyers at top but NO. A Family Court Watcher helped me the most — Cathy Sloper — www.divorceinconnecticut.blogspot.com

DB: My life love and now my wife who I have known since I was 12.

DP: It was a lot of people from an ex to my cousin and best girlfriend.

MA: My attorney worked miracles fell in love with him and eventually dated. He sucked at relationship but he saved my life lol

CH: My friend Holly who was deep in nursing school, told me that I wasn’t crazy, and held my hand the whole time.

1,443 people saw this post 9 10 2

.....
Divorce Magazine: A fan wrote this, please provide your support:

"How can I be sure that I will get my fair share from my divorce? My husband owns his own business and I am a stay at home mom with 2 children (6 and 10 years old). I was never involved in his business, but I know there is a lot of cash money because it is a restaurant. I know he does not declare all his income. My divorce lawyer says he can get to the bottom of it but my husband is not very co-operative. He wants to keep the children so he does not have to pay child support. I am very concerned that I won't get custody because I can't afford to fight."

MM: I just recently got divorced. My ex and I owned our own businesses as well. I know state laws vary but you should be entitled to half of everything. As far as your children go, I have never heard of a mom losing custody unless she is deemed unfit or voluntarily gives them up. The ex and I agreed on joint custody with primary placement with me and he was ordered to pay me child support. It shouldn't matter if you can't afford to fight. That doesn't define what type of parent you are. Maybe a mediator might be a better option for you financially. Stay strong and stand your ground. Believe me... mine dragged out for 18 months and it was killing me. Don't give in to him, especially if it doesn't feel right. Divorce is brutal... you will be ok:) Good luck!

DS: First of all do you honestly believe he only wants the children for monetary reasons why can't a mother believe a father loves and wants his children.

CH: Most dads do love their kids. But some situations they don't, sadly. And hopefully the mom is seeing it correctly. I had a situation where he had 50% parenting time, and gave it up 6 months later to 13%.

Join Your Divorce Community

Aside from getting expert advice, there are times you may want to connect with real people who are going through their own divorce or have gone through a divorce. You may simply want to vent, ask some questions, get some support, share your thoughts, insights, tips or even inspire others through your own divorce story. If this sounds like you, join the Divorce Magazine Community online, where you'll connect with divorcing people 24/7 through the following:



Divorce Blog
www.BlogsOnDivorce.com

This blog features a wide range of bloggers who are seasoned divorce professionals, including divorce lawyers, therapists, and financial advisors. Read and comment on their posts written with expert opinions.



Divorce Magazine on Facebook
www.facebook.com/divorcemagazine

Join us on facebook where you will get daily posting from Divorce Magazine and be introduced to useful articles and engage in conversations from other divorcing people and divorce professionals.



Divorce Magazine on Twitter
www.twitter.com/divorcemagazine

Follow Divorce Magazine on Twitter and get the latest news on divorce and read inspirational quotes that will help you through this difficult transition.



Marriage and Separation
www.MarriageAndSeparation.com

A one of a kind social network where married, separated, and recently single people support and inspire one another to thrive! A place for you to find divorce professionals coming together and sharing their answers and experiences.

MM: I know lots of dads who love their kids and don't want to pay support... my ex included. Every case is different.

DS: The system goes against the father. It's always about money.

KJ: DS you are really opening up my emotions on this one. How dare you say the system goes against the father- maybe in Nebraska but that is certainly not the case everywhere. But you did get something right...it's always about the money...and I know a lot of fathers that want more custody just because they won't pay as much child support

DS: KJ the system is against men everywhere and yes I dare say it the system always goes against the father and I know a lot of mothers who only want custody for more money read the posts here there all against fathers the wife gets this she gets that and fathers get screwed it cost me 1200\$ just to get the standard Christmas time because she refused before we were even divorced 3 weeks to see my child because she didn't think I had a need and a court order is what it took to make it happen. Don't you dare say fathers have just as much right to there children as the mother and the courts side with the mother.

CH: No, not all moms are saints. I question my goodness as a mother every day. I'm human. I have seen plenty of great dads do the job because the mother has poor parenting skills.

MM: My ex wanted me to say we have shared custody, which we don't, so he wouldn't have to pay as much child support.

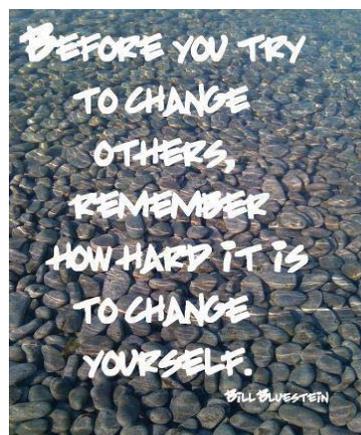
YSTW: I very much doubt he will get custody of the children, the courts usually award to the Mother unless abuse is involved, which it doesn't sound like. Your husband doesn't have to be very involved and Your attorney can do specific searches to find hidden money. Your husband will have to provide certain things if he is court ordered. You don't have to be involved in his business to get half (if community property is the law in your state). Your job has been raising the children and running your home so he could run a business. I know this sounds like a lot but please don't just give in which is what I did 20 years ago and had to go back to court to get more spousal support. You are entitled to spousal and child support. Stay strong, you will get through this and will move forward from a place of power. Lots of luck and many blessings.

DS: All your lawyer wants is your money.

CH: If it becomes something you can't afford then you can have your bills become his bills. Stand your ground. You may need to go into discovery. My ex told the judge he makes the same amount of money as I do after child support, I work 2 jobs and pay considerably less rent than his property taxes a year, and he drives a Bentley. So anything that he doesn't have to pay because the business pays those expenses are income.

1,962 people saw this post 4 18 1

Divorce Magazine:



9 10 2

Divorce Magazine: Have you downloaded the latest issue of Divorce Magazine yet? It's free. www.divorcemag.com/findprofessionals.php

SB: Why don't they put one out on how to commit, devote and learn to work on a relationship

DM: Actually, we just posted an article entitled "Divorce Prevention: Valentine's Day Tips from DivorceMagazine.com" ■

Preparing for Divorce
www.divorcemag.com

NOTE: posts have been edited for length, but not for grammar or spelling.