

DIVORCE

GUIDE



 Johnson & Smith, LLP

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A Peaceful Divorce by Design



Neil James Dan Johnson Martha Smith Chris English

Your divorce settlement is important. And how you get there matters a lot.

Our Collaborative Divorce service makes a difference

When Dan Johnson began practicing family law in the early 1990s, he knew there had to be a better way to help clients than taking their cases to court. “Divorce litigation cost a lot of money and dragged cases on for months,” he recalls. But he soon learned about Collaborative Divorce — an alternative method of dispute resolution outside the adversarial system. Johnson and his partner, Martha Smith, are both seasoned collaborative attorneys who are trained to resolve divorce cases using this process. With their Collaborative Divorce service, you can get through your divorce with less stress, expense, and conflict.

A high rate of out-of-court settlements

Today, the law firm of Johnson & Smith has a stellar reputation in Los Angeles County for resolving the vast majority of its cases through collaborative family law. “In Collaborative Divorce, you and your spouse retain your own separate attorneys who will work together with settlement as the only goal,” Smith explains. “The best part is: both attorneys sign an agreement stating that they will resign should the process break down and you want to litigate. So everyone is committed to finding a non-adversarial solution.”

Serving you with top-rated legal skills

Johnson and Smith are highly respected by not only clients but also other divorce lawyers and judges. Johnson is a Fellow of the American Academy of Matrimonial Lawyers and has an AV

rating in *Martindale-Hubbell*. Smith is a past-president of the California Bar Association, is listed in *Best Lawyers in America*, and has been profiled in *Newsweek* and *The Los Angeles Times*. Both have represented numerous celebrities in their divorces.

Financial and Child Custody expertise

“I also have training in asset valuation,” Johnson adds, “which is extremely valuable if your divorce involves significant property issues. And if your case warrants it, we will bring in a financial advisor. Furthermore, Martha has experience as a child advocate, so we cover different aspects of your divorce.”

“Come to us for peaceful divorce resolutions,” says Smith. “We can help you design a divorce settlement agreement that is best for the future of you and your family.”

Contact us today to book a free initial consultation and start designing your peaceful divorce.

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For most people, divorce is much more than a major legal process. It's also a challenging time of transition that can negatively impact virtually every area of life: emotional, psychological, domestic, parental, financial, physical health, social, vocational and more.

In this **Divorce Guide**, you'll find a number of useful articles and resources designed to help you and your family through the divorce process. We understand that divorce is not only a legal process but also a time of great transition that affects all areas of your life. It is our hope that these resources help you and your family move forward as smoothly as possible.



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THE COURT ORDERS:

1. LEGAL SEPARATION OR DISSOLUTION
 THE PARTIES ARE LEGALLY
 MARRIAGE IS DISSOLVED:
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The Divorce Process

A basic guide to the legal process behind ending your marriage.

By Jeffrey Cottrill

No two divorces are exactly alike. Every marital breakup has unique legal, financial, and/or parenting issues that require their own resolution strategies. But every divorce undergoes the same general journey from initiation to closure. Whether you and your spouse make this journey cheaper and faster is up to you, but the destination is always the same: from shared to separate lives.

Here's a basic primer of how the divorce process works in the United States and Canada. Bear in mind, however, that I'm not a legal professional. You'll want to speak to a family lawyer to find out how the options vary in your state or province, as well as how your own situation affects the process.

Temporary orders and filing the divorce papers

One of the first things you and your spouse have to do after you separate is to get a "temporary order" or agreement. This is extremely important, because it could set the precedent for your final divorce settlement. A temporary order/agreement establishes quick decisions about the children, property, bank accounts, and other issues that may

be important between the separation and the final outcome. For example, if one spouse moves out of the home and the other has no income, how will the latter tend the kids and pay the bills? For more information about temporary orders, visit www.divorcemag.com/articles/Financial_Planning/getting_prepared_temp_order.html.

You should hire a divorce lawyer and a mediator, and financial advisor, as soon as possible. You'll set your temporary order/agreement in a brief, relatively informal hearing before a judge — so prepare a complete list of what you want to request in advance. Among items you can request: temporary custody and visitation arrangements; a restraining order so your spouse won't contact you; child or spousal support; and/or who gets the car and house.

Next, you or your spouse files a petition, application, or complaint for divorce with your local family court. The person who files, or plaintiff, serves a Summons upon the other spouse stating that they want a divorce and what they are seeking in terms of property, child custody, support, etc. The other spouse, or defendant, must answer the Summons and, if they wish, can make their own claim.

Check DivorceMagazine.com for information on the grounds for divorce in your state or province. Most states and all Canadian provinces, however, don't require fault as a prerequisite — so you don't have to justify filing by accusing your spouse of wrongdoing.

Collecting information and discovery

Once you've hired your divorce lawyer, you must gather all relevant information for your lawyer's perusal:

- Full names, addresses, phone numbers, and Social Security or Social Insurance numbers of you, your spouse, and your children;
- The date of marriage, date of cohabitation, county or region where the wedding occurred, the wife's maiden name, and any information about prior marriages of either spouse (including the names and prior names of ex-spouses);
- A copy of your premarital agreement (or other domestic contract) and information about any prior legal proceedings, separations, or marital counseling during the marriage;
- All available financial data, including: income-tax returns from the past several years; a recent pay slip; the