

# AN EDUCATED DIVORCE

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As parents or mentors, we educate our children and loved ones to prepare them for success. Knowledge is power. Armed with knowledge, we can usually face difficult or stressful situations with less anxiety, the appropriate emotion - and more control.

For most people, beginning the divorce process is an especially emotional and frightening time. Like anything else, if you have educated yourself, you will be better prepared and feel less stress, armed with knowledge of what to expect and the tools to get you through the process.

Developing a strong support network and understanding how to prepare for the proceedings can help you to feel more in control.

Here's a brief overview of the key actions to take when preparing for divorce in New York State:

## GATHER FINANCIAL PAPERS

If you're considering filing for divorce, it's vital to begin collecting your financial information as soon as possible. Make copies of at least one year's worth of bank statements, tax returns, insurance policies, pay stubs, investment statements, deeds, credit card bills, and other financial statements. Store these in a secure location so you can present them to your attorney when the time comes. Having these documents already gathered will help the process move more quickly.

If you haven't been involved in the finances of your marriage and/or do not have access to some or all of your financial information, your lawyer will have procedures available to get access to financial documents and information through the divorce process. A good place for you to start, if you do not have complete knowledge of your marital finances, is by making a list of the assets and debts that you are aware of, and those that you believe to exist (e.g. bank accounts, retirement accounts, real estate).

## SET A BUDGET

You should also set a projected budget. When getting divorced, most families go from a dual-income, single household to separate households each supported by a single income. This division of finances will mean significant life changes for most, even those with a favorable divorce settlement. It is important to take a realistic look at your financial situation and prepare yourself for any changes that may be in your future and to know what your financial needs will be after the divorce.

## KNOW WHAT TO EXPECT IF YOU ARE SERVED WITH A COMPLAINT FOR DIVORCE

If you're served with divorce papers in New York State, you have 20 days to file an answer. If you do not respond within 20 days, your spouse may be able to obtain a default judgment and proceed with the divorce without your input. That means they will get to decide the terms of the

divorce, possibly leaving you in a very difficult situation. So, once you have the initial divorce papers, find an attorney and respond as soon as possible.

## FIND THE RIGHT DIVORCE ATTORNEY AND SUPPORT TEAM

Having an experienced, knowledgeable attorney right from the start is essential. Your attorney can educate you on the divorce process, help you to understand your rights and obligations, and lessen your fears. Be sure to choose an attorney with whom you feel comfortable and can trust. After all, you will be spending considerable time with this person, sharing some of the most personal details of your life. In addition to legal counsel, building a strong support team can be crucial including counselors, financial professionals, estate planning attorneys, real estate agents, HR/benefit administrators and of course family and friends.

## UNDERSTAND THE OPTIONS

Everyone knows someone that is divorced. Many of us are familiar with horror stories of the divorce process and potential outcomes. It is important for you to know that not all divorces involve long and expensive court battles. In fact, in some situations divorcing parties do not have to go to court at all.

There are options for divorce that allow you to stay out of court and focus on preserving your family and protecting your children and your finances. These options include uncontested divorce, collaborative divorce and mediation. If you and your spouse can agree on any of these three alternatives to a court-based divorce, your divorce will likely proceed from start to finish more quickly and easily and with less expense.

## THE WCP LAW PHILOSOPHY

The divorce attorneys at WCP Law have extensive experience in helping clients through this challenging time with compassion, understanding and efficiency. We are prepared to educate you so that you are armed with knowledge and can see a clear path forward. The attorneys at WCP Law focus their practice on divorce mediation as well as uncontested, collaborative and court-based divorce. If you're considering divorce or have been served with divorce papers and live in central or western New York, call the divorce attorneys at WCP Law today to set up a consultation. Clients tell us that after just one meeting, they experience reduced anxiety and a fresh perspective on the divorce process and their future. WCplaw.com - Your Family is Our Business. wcp

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