

## **BEFORE DIVORCE: SOME TIPS**

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**DIVORCE.** The word shatters even the strongest of hearts. Are you headed that way?

Ok, before we even start thinking about divorce - **GO TO COUNSELING.** Couples AND individual. A lot of problems causing people to divorce may be personal problems. If you can save the marriage in any way, you owe it to the marriage - to the children (if you have them) - to your spouse - and to yourself - to do whatever it takes.

If, however, your differences are sincerely irreconcilable, here are some tips from a divorce lawyer.

1. **Delete all social networking accounts.** Yes, that would be your Facebook, MySpace, Twitter, or other social media profiles. You are about to embark in a very painful process. Although you should be able to share with few intimate friends, posting your feelings and experiences, PHOTOS, on Facebook could have negative consequences, including potentially legally adverse consequences. Just trust me on this.
2. **Get a new email account.** Better yet, if you can afford it, get a new computer. If you are sharing a computer, you need to make sure there is no spyware. If you plan to communicate with anyone (your mom, your therapist, your attorney), through emails - be discrete and careful. I've represented many a client who had full access to their spouse's emails.
3. **Take out the prenup.** If you have a prenup, take it out and review it. I always advise my clients who have prenups to keep it in a separate place. It is a bad idea to store your prenups in the same safe deposit box. They always end up missing when you need them the most.
4. **Figure out money.** Know your finances, especially if you are the "out-spouse". Just because you aren't currently earning income, doesn't mean you need to be dumb about finances. EDUCATE yourself as to the family finances. Even if you do not have statements, you need to keep track of institutions, account numbers, balances. This includes bank accounts, stock accounts, retirement accounts, credit card accounts, life insurance, and tax returns. There is absolutely NO excuse for being in the dark. Knowledge is power.
5. **Separate money.** On that note, depending on whether you are the "in-spouse" or "out-spouse", you need to separate accounts immediately upon deciding a date of separation. If you are the supported spouse, it may pay for you to act clueless and draw out the date of separation. You can hire a private investigator (while acting dumb) to

figure out if community assets are being expended, trace accounts, etc. If you are the supporting spouse, and you suspect foul play, you need to immediately do what it takes to show objectively/subjectively a clear date of separation, and open separate accounts, depositing earnings post-separation into these separate accounts, immediately.

6. **Get a parenting plan going.** If you have children, you need to start figuring out a parenting plan. Children are NOT, and I repeat, NOT property to be divided. You need to consider that you are possibly wrecking their lives, and you need to take every step possible - including therapy, to make their little lives go as smoothly as possible during this split. Absolutely, without fail, please work out a parenting plan with your soon to be ex, WITHOUT court intervention. Barring any abuse or addiction, recognize that your marriage is falling apart, but RESPECT their role as the other parent. Suck it up. I know that custody battles seem glamorous, and seriously, "Everyone is doing it," but the reality is: IT SUCKS AND YOU DO NOT WANT THIS. If there is any fight left in you, you need to FIGHT to get a good working parenting plan. You can do this. Engage the services of a custody mediator/facilitator. WORK IT OUT. I repeat, WORK IT OUT. DO NOT GO TO COURT. Even if you have 750 million dollars, do NOT pay attorneys to fight your custody battle for you.

7. **Find a place to live.** Figure out where you want to live. Discuss it. Understand that if you move out, there may be legal consequences.

8. **Budget accordingly.** If you've never had to budget, this is painful. But a divorce is going from ONE household to TWO households. You will have 1/2 to live on. It doesn't have to "break the bank", or "take you to the cleaners", but you must recognize that money will be a bit more tight, so maybe skip French Laundry, and take the kids to McDonalds tonight.

9. **Find good help.** If I had cancer, I would be knocking down the doors of the best oncologist in town. Same with a lawyer. Don't hire an everyday lawyer who defends murder trials, and chases ambulances, and handles divorce. If you are going through a divorce, find a Certified Family Law Specialist to represent you. They will charge more. They've earned it, and you will get what you pay for.

10. **Think good thoughts.** Finally, whatever is true, whatever is noble, whatever is right, whatever is pure, whatever is lovely, whatever is admirable—if anything is excellent or praiseworthy—think about such things. Divorce is a nasty thing. You don't need to plague your thoughts.

Remember, like all things, this too, shall pass.

\*\*\*Kelly Chang Rickert founded the Law Offices of Kelly Chang, A Professional Law Corporation. Her firm specializes in Divorce and Family Law, and handles all areas of Divorce, Annulment, Spousal Support, Child Support; Modification, Child Custody and Visitation, Prenuptial and Postnuptial Agreements, Adoptions, Property Division; Restraining Orders; and Family Law Mediation. She practices in Los Angeles and San Francisco and is happily married to the love of her life.