

WORKING MOTHER

How to Help, Rather Than Hurt, Yourself in Your Divorce Case

A matrimonial and family lawyer spills on the mistakes moms make when splitting from their spouses

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Emotions are running high during a split, but don't let them lead you to a poor decision.

When you've decided that there's no saving your marriage, divorce is probably your logical next step. But before you file, there are simple measures you can take to make sure your case is as strong as possible. Here are some things that you need to do:

Get Organized

You will save both time and money by organizing your finances as much as possible, both before (if you are the one planning to file) and during your divorce action. Make a list of all of the assets and liabilities that you know of, in your name and your spouse's name, whether individual, joint or for your or your spouse's benefit. Determine the family's average monthly expenses. Meeting with an accountant or financial advisor might help you get a stronger grasp on your and your family's finances. Gather as much financial documentation as you can, make copies and keep them in a secure location.

See a Divorce Attorney as Soon as Possible

Whether your divorce is bound to be amicable or contentious, seeing a divorce attorney as soon as you or your spouse are considering divorce is always recommended. Keep in mind that decisions you make in your divorce case may have a lasting impact on your life in the years to come. You are entitled to know your rights and make educated decisions.

Be Smart About your Communications

In this technologically driven world where many communications take place over email, text message, phone apps and social media, you have to proceed with the expectation that your communications and social media posts will one day end up as an exhibit to a motion filed with the court, or at trial. Keep your electronic communications with your attorney private by ensuring that your email inbox, or mobile phone conversations, are not accessible by your spouse. Change your passwords. Also keep in mind that your spouse may record or videotape conversations with you without your knowledge.

Leave the Children Out of It

Making your children messengers between you and your spouse or disparaging your spouse to the children are big no-no's that may be detrimental to your position in a custody proceeding. You may be accused of alienating your spouse and not acting in the children's best interest. Don't do it.

Mind Your Manners

Your behavior in the hallways of the courthouse and inside the courtroom matters. Court personnel, the judge and opposing counsel are all observing you. A nasty glare or bitter exchange with your spouse will rarely bolster your position in court, but it can certainly leave a poor impression.

Think More With Your Head, and Less With Your Heart

Being involved in a divorce action can be an emotionally and psychologically taxing experience. You can give yourself an advantage in the process by being as much of a practical, logical thinker as possible. Consider seeing a therapist, if you aren't already, to give yourself a safe space to express your emotions about the process.

Be Your Own Advocate

Being your own advocate helps your attorney be a stronger advocate for you. What are your ultimate goals, and how can you achieve them? Be an active listener when your lawyer is talking strategy with you and offering possible routes to settlement. Spend less time lamenting about the fact that you and your spouse are parting ways or feeling spiteful and more time building your case for trial or getting to a resolution so that you can move on to the next chapter of your life—and, yes, there is a next chapter. You will thank yourself.

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