

# The Ride

Five ways to prepare for the divorce process.

BY MICHAEL D. WYSOCKI

Although societal stigmas still exist to some extent, divorce is far less scandalous these days and is often viewed as something that just happens to some couples. If you are divorcing, this is a healthy perspective for you to remember as you navigate the process and move forward.

Clients often say, “Divorce is an emotional roller coaster,” which is an incredibly accurate description. You pay a fee, stand in line, take your seat, strap in, lose control, get tossed about, and eventually come to the end. While you might not avoid the ride, preparation can help dictate whether you are strapped into the amateur-friendly Judge Roy Scream or the “gasp-inducing” and recently fatal Texas Giant. Consider taking the following steps to protect and prepare yourself.

## 1. Know Your Assets and Debts.

There should be nothing about your marital finances that you do not know. Take the necessary steps to access accounts, your financial advisers, and your CPA. Copy all year-end financial statements, work-related documents (W-2s, 1099s, 401(k), Individual Retirement Account, pension) and personal bank and investment statements. Run a credit report on yourself and your spouse.

## 2. Separate Nonmarital Assets.

The dictionary would define nonmarital assets as property considered by the courts to belong to one spouse and to be unavailable for equitable distribution. More simply, this means property that is not divided in a divorce proceeding. Some types of nonmarital assets include inherited property, items brought to the marriage or owned before the marriage, gifts given specifically to one person, or proceeds from



personal injuries.

Sometimes nonmarital assets can become mixed with marital assets, such as when a boat that was purchased before marriage is sold during marriage to purchase another item like a car. In situations like this, it is very important to have a paper trail documenting the assets’ activity to be able to claim them as nonmarital.

**3. Walk the Line.** In other words, don’t do stupid stuff. Consider yourself to be under a microscope—so no alcohol, no drugs, no questionable behavior. Put your love life on hold and stay single. Change passwords on all social media accounts and refrain from posting anything that would upset your children or spouse. In fact, it may be best to avoid social media all together until the process is concluded.

**4. Focus on the Kids.** If you have children, start making a list of parenting issues and visitation options. Be sure to know details of the children’s lives—who their doctors, teachers, and friends are and what activities they are involved in. Hopefully you already have a solid relationship, but if not,

there’s no better moment to start spending quality time with your kids.

**5. Hire a Divorce Lawyer.** Even by adhering to all of these principles, divorce can be very confusing and difficult to manage. There is a large amount of information, often fact-specific, that must be considered. For this reason, it is important to consult with and hire an experienced divorce attorney who will be able to walk you through this process.

Lastly, respect each other, save the arguments for another day, and try to start a new tradition for yourself. By doing that, the next year will be easier and you will be on your way to making the best of the rest of your life. **TBJ**

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