

Financing your divorce

By Trey Yates

Many women who come to me wanting a divorce often express concern about how they will pay the costs. This can be especially frightening when a stay-at-home parent, a financially dependent spouse or a disabled spouse is considering divorce.



Here are some common concerns women express to me:

- "My spouse has complete control of the household finances, and I don't have access to funds to pay for a divorce."
- "My spouse is the superior bread winner, how will I support myself and my children on my income alone while I'm going through divorce?"
- "My spouse is threatening to take away my children if I file for divorce since he/she makes most of the income."

As far as paying initial attorney's fees, most lawyers today accept credit cards from clients going through divorce. This is an option to consider, especially if you or your spouse do not have enough cash reserves to finance a divorce. This also may be a smart solution if you want to preserve what cash reserves you have to pay for unexpected expenses during the divorce process.

My next bit of advice is to secure an experienced family law attorney, preferably board-certified and experienced in divorce. Then, immediately request **temporary orders** to protect your marital assets and finances while the divorce is pending and long-term agreements are being worked out. Temporary orders are simply temporary financial arrangements you can secure through your attorneys and the courts, that will tide you over until the divorce is final.

Temporary orders can state who stays in the family home; who cares for the children; and who is financially responsible for the mortgage payment, utilities, car payments, etc.

while the divorce process is under way. These orders also set rules prohibiting any inappropriate conduct by divorcing spouses.

Agreeing on temporary orders following the initial filing stage moves the process along, alleviates fears and can help reduce legal fees and court costs.

Most family law courts in the greater Houston area expect each spouse to pay a fair share of their legal costs in a divorce. This can be worked out equitably as part of each couple's divorce settlement.

Have you resolved to get divorced in 2016?

By Patricia Barrett, CFP, CDFIA

Did you know that January and February are popular months of the year to file for divorce? Why? In my experience, it's the traditional time of year to make resolutions, the holidays are over, annual family gatherings are complete, and it's time to make a fresh start.



Divorce is never easy, no matter how much a spouse wants to be free. If you are considering divorce, but also hesitating to act, I understand. However, if you've worked on the marriage and there's no change despite efforts to fix it, perhaps now is a good time to begin the divorce process. Here are some pros and cons of getting divorced now as opposed to waiting.

Pros

- You remove yourself from a negative situation or abusive relationship and can begin the process of healing;
- If you have children, you lead by example and use the opportunity to teach them about healthy relationships;

- By starting now, you will likely complete the process by this time next year, moving that much closer to getting the new life you want;
- If you are a pension-holder, the community interest will cease to accrue once the divorce is final.

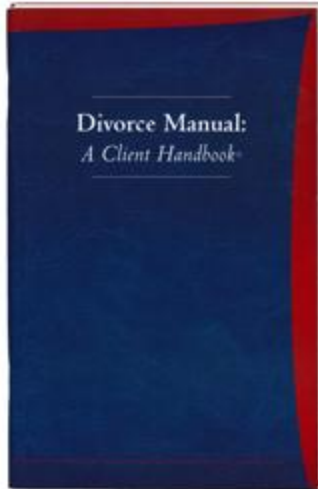
Cons:

- You face yet another year of being stuck in a situation you have no control over and no hope of improving;
- Your prospects for improving your self-esteem and mental health stays the same or may get worse;
- Odds are you will likely engage in unhealthy habits to soothe your unhappiness;
- Your children will continue to see your unhappiness as you model unhealthy behavior patterns;
- If your spouse is a pension-holder, your community interest in the plan will be limited to that accrued during the marriage.

Another reason to get on with an imminent divorce is that you will be required to begin financial preparations. This will cause to begin imagining and planning for your life beyond divorce. While this is challenging, once you set the process in motion, and you get your financial ducks in a row, you will likely feel a degree of relief and excitement regarding what lies ahead. The unknown is far scarier than getting answers to all those questions swirling in your head and acting on what you learn.

A great first step is to assemble your support dream team -- a Certified Divorce Financial Analyst, a board certified family law attorney who is experienced in divorce, a family therapist, and family members and friends. Focus on learning what you need to know about the divorce process. Trust your team's counsel, engage fully in the process and strive to make smart, financial decisions.

One of my clients posted a lovely picture of her *happy* self as she left the court house after finalizing her divorce. It was apparent that she was relieved and excited as she launched the new her. Remember, your next best life is just ahead of you!



[Free download](#)

[Divorce Manual: A Client Handbook](#)

from the American Academy of Matrimonial Lawyers

This handbook explains what people face when considering or going through divorce. The laws and procedures of most states are taken into account, but this is not a guide to the law of any one state. A glossary of commonly used terms can be found at the back of the book. This handbook is no substitution for legal advice and is intended to help you and your lawyer work together more effectively.