

# **The Guide to Good Divorce eNewsletter**

## **April 2013**

### **Practicing gratitude during life challenges will shift your perspective**

***By Trey Yates***

My professional experience and science proves it: practicing gratitude makes us happier, even while going through divorce.

One very important segment of my law practice involves helping clients navigate the rough and choppy waters of divorce. As one might expect, this is typically a very difficult time where my clients often feel overwhelmed, anxious, flawed and dejected.

As their attorney, I listen intently to each of them as they pour their hearts out to me. The pain they feel is very real and I readily acknowledge it, but I don't leave them there. The many years spent in this role has taught me a lot about the divorce process, and not all of it has to do with divorce law. What I have come to know is that divorce with all its difficulty and pain, is an opportunity for both individuals to begin again – to reboot their lives, so to speak. So, I try to offer them encouragement, a place of calm and security, and hope for future happiness.

Over the years, I have come to realize that women going through divorce could benefit from a wide range of expert advice and counsel throughout the divorce process. I created the Guide to Good Divorce program to be a source of encouragement, hope, strength and community for divorcing women as they transition out of marriage and into the next phase of their lives.

We share many practical tools in our seminars to help women handle the stress and terror that comes with divorce. We also offer tools that help them shift their perspective from one of fear to one of gratitude. I know in my own life and in the lives of many people I know, gratitude is vital to our inner peace and overall happiness. That is why cultivating an attitude of gratitude is a foundational component and a unique hallmark of our program and an important segment of each seminar.

In a new book entitled *Thanks*, author Dr. Robert A. Emmons outlines several studies on the psychology of gratitude and found that being thankful can increase one's happiness. In one study, people who took time to write down five things they were grateful for in the past week felt 25 percent happier than those who focused on "hassles" or neutral events over the same time period. The grateful group was also more optimistic about the future, felt better about themselves and even exercised 1.5 hours more per week than the others. In another study, Emmons found participants who expressed gratitude also were more satisfied with their lives overall and slept better.

I encourage my clients going through divorce to not only practice gratitude, but seek out a community of supporters. The comfort and power available from a community of like-minded women facing similar challenges offers a peace that comes from shared experiences. I have found again and again, that divorce is difficult, but it can also be a transformative experience offering the opportunity for new beginnings.

## **Carefully consider post-divorce health insurance coverage in divorce**

***By Patricia Barrett, CFP, CDFIA***

Health insurance is a very important financial issue for couples facing divorce. Securing coverage for both spouses, and any children, is clearly something that should be researched, seriously considered and specifically outlined in a divorce settlement.

Health insurance becomes a particularly critical issue if one spouse and/or the children were insured on one of the spouse's plan while they were married. Following divorce, that coverage will end unless specific steps are taken.

Here are some examples of how insurance coverage can be addressed in a divorce.

- 1) If one spouse is covered under the other's health insurance plan, one of the easiest solutions is for the post-divorced, uninsured spouse to secure full-time employment with health insurance benefits. This is by far the most economical since most employers usually subsidize the cost, paying 2/3 to 3/4 of the premium. Average cost can run \$150 per month with low co-pays.
  
- 2) Securing individual health insurance is likely the next most economical if: a. the soon-to-be uninsured spouse expects to go back to college, or retrain for months or years in an effort to gain new skills in order to secure employment; or b. the spouse is not able to work full-time after the divorce, AND is in very good health. However, insurance companies are VERY picky about "preexisting" conditions (at least until 2014 when the health care legislation changes this). So, plan on shopping around and be sure to ask friends and family for recommendations. Often, an insurance broker can help with evaluating a number

of insurers to find the most appropriate provider. Cost on average \$300 - \$800 per month without co-pays.

- 3) If the soon-to-be uninsured spouse has preexisting conditions and isn't taking a full-time job, and if the insured spouse works for a company with more than 20 employees, the uninsured spouse is entitled to COBRA for up to 36 months. But, this can be pricey since the company doesn't subsidize the cost and can add up to 5% administrative fee. Estimated cost will be between \$350 and \$700 or more per month.
- 4) The last resort is the "[Texas health insurance Risk Pool](#)". Premiums are based on age, zip code, amount of deductible and smoker/non-smoker, etc. Preexisting conditions don't matter. Costs are from \$400 to \$1,000 per month.

Whatever choice one makes, it is a good idea NEVER to leave a gap in coverage. This can prevent you from qualifying for individual coverage OR the high risk pool.

## **Finding safe harbor in a stormy sea of fear and desperation**

***By Neda T.***

Neda T. and her former husband met while working in the Middle East. He is British and she is Bosnian. Looking back, she views the first 11 years of their 18-year marriage as a fairly happy time. Neda took on the primary duties of homemaking and caring for their daughter and son during that time.

However, the last seven years of their marriage were difficult. Neda and her husband struggled with challenges dealing with their rebellious teenage daughter that brought tension to their home, straining their marriage.

"I also wanted to go back to school at this time and learn some new skills so I could re-enter the workforce," Neda says. "My husband did not support these goals, however, and fought with me about it constantly."

One day she discovered that her husband had filed an injunction against her to force her out of their home. Neda was shocked and terrified. She moved out for six months and then, her

husband placed their daughter into treatment. The both entered family counseling and put their separation on hold in order to help their daughter recover. However, a year later, her husband filed for divorce.

"My husband served my papers at work," Neda says. "I was devastated. He cancelled all our credit cards and left me with no money. I didn't know what to do next. How was I going to afford a lawyer?"

"I met with one attorney who gave me little hope for my case," Neda explains. "He did not have any ideas or a plan to help defend and protect me. I felt worse than I did before we met. There was a hearing in 10 days and I was terrified about what was going to happen next."

Then someone recommended Neda call the office of Trey Yates, which she did immediately.

"I was so frightened at our first meeting, knowing my whole life was in his hands," she admits. "But Trey put me at ease quickly. I immediately felt better talking to him. He assured me of my rights under the law and was knowledgeable about the court system. As Trey mapped out his plan, I could see he was very capable and confident on my behalf. I left our first meeting completely trusting in him."

The next few months were very challenging for Neda. Trey defended her at the initial hearing and set the case on track. Then, still facing difficulties with their daughter, the couple tried once again to reconcile. After several months, she decided to proceed with the divorce.

Neda credits Trey with giving her the confidence to follow through on what she knew in her heart was the best course of action.

"Trey laid out a legal plan as well as a financial plan for me going forward," she says. "Seeing a path to a future for myself and my children put my mind at ease that I would be able to accomplish my goals."

Neda, now divorced, recently finished school as a skincare and massage specialist. With a full-time job, she also recently bought a home.

"I am very happy now, and even have good working relationship with my ex. There is no doubt in my mind that I have Trey to thank for helping me get here."