



SOLOMON HERRERA M^CCORMICK, PLLC

Divorce can be stressful and agonizing for any family. To prevent this process from taking over your life, you should rely on an experienced divorce attorney from our office to help avoid some of the most common mistakes soon-to-be-ex-spouses repeatedly make in their approach to the proceedings.

- 1. BE AWARE OF THE YOUR FINANCES:** The two overriding issues in most divorce cases are equitable distribution, spousal support and/or child support. All three are directly related to your financial situation, both individually and as a couple. Not being prepared or aware of these issues puts you in a poor position going forward. Before the divorce is commenced, you should evaluate your assets, debts, and other financial matters. You may also check to see what your credit score is through one of the reputable credit agencies to help determine your overall financial standing.
- 2. BE PREPARED:** Any divorce involves a significant amount of research and paperwork. Most of this information is either in your possession, under your control, or easily retrievable from a third party. You need to organize this information so that it can be properly evaluated and filed with the Court. More importantly, even if you receive spousal support and/or child support once the divorce is commenced, your income will likely be reduced since you will be living on one salary and in charge of supporting your home. Your financial preparation must start immediately.
- 3. DO NOT LET YOUR EMOTIONS LEAD THE WAY:** It is difficult to anger, disappointment, sadness, or other emotions under control and out of any divorce. It is helpful to look at your divorce as a business matter, with a touch of compassion if children are involved since their interests rise above all others. If you allow your feelings or emotions take over, it is likely the same will adversely affect your interests. You must also keep your divorce separate from other aspects of your life, and allow your attorney to handle all the disputes.
- 4. KEEP THE CHILDREN AWAY:** If minor children are involved in the divorce, New York law requires the parties to address the issues of custody and child support. If these issues are contested in your divorce, the minor children may be involved in the proceeding under certain and limited circumstances where the Court may appoint an attorney to represent them. However, it's best to keep the children out of the divorce to the greatest extent possible. More importantly, it is of paramount importance for one spouse not to alienate the other to try and gain an advantage in Court.
- 5. BE WILLING TO NEGOTIATE:** At the beginning of most divorces the parties initially approach it as a win-loss scenario where the victory is receiving as many assets as possible, being granted child support and/or maintenance, and getting custody of children. A more realistic and less expensive outlook to be considered is whether there are any issues in dispute where the parties can reach a reasonable compromise. Recognizing that a negotiated settlement may not always be possible and/or practical, reaching a reasonable marital settlement agreement is generally less expensive than a prolonged litigation and allows you to maintain control over the process, as opposed to having a Court doing it for you.

When you retain a skilled and experienced lawyer from our office to handle your divorce, you will be in a better position to avoid mistakes, avoid a protracted litigation and bring about negative parent-child relationships. An attorney from our office will guide you through the divorce process, and will fight where necessary, but also negotiate a reasonable settlement agreement to achieve your goals and serve your interests.



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