

Divorce How-To Guide

Divorce can be one of the most difficult experiences that you and your family go through. This guide will help you understand your options for the divorce process, the professionals that can help guide you, and the step-by-step legal logistics of a divorce.



kristyn@couple solutionscenter.com
(480)573-3317

This presentation provides insight into the divorce process, but no legal advice is provided.

Divorce Processes

Mediation

Mediation is a process in which a third party neutral helps you and your partner reach mutual agreements on all issues during your divorce, including a parenting plan (if applicable), divisions of assets and debts, and support such as spousal maintenance (alimony) and child support.

Benefits of Mediation

- Allows you to reach mutually beneficial agreements rather than a judge making decisions for you
- Personalized to your family's needs and protects families from the conflict of litigation (going to court)
- Lower cost process, with one flat fee rather than retainer+hourly fees with attorneys
- 2-4 months in length rather than 8 months to over a year in court
- Allows you to reach your agreements in the comfort of your home, rather than in a courtroom

Interested in mediation?
Check out my information here!
I mediate divorce cases
in all 50 states and offer
a FREE consultation.



Litigation

Litigation, or going to court with attorneys, is a contentious process.

Rather than partners working together to find a mutual agreement, each individual has an attorney who argues your cases against your partner's attorney. If the attorneys are not able to help you reach agreement outside of court (referred to as "settlement"), a Judge makes the final decisions for you and your family. Litigation is typically the most expensive divorce process and is also the longest, lasting close to a year or more.

Document Preparation

For those who have reached all agreements on their own, they can hire a professional to draft their final documents for the court. This is common for those who do not have children and have very limited assets and debts. The document preparer cannot provide any assistance in reaching agreements, but can draft the agreements based on the information the partners provide and file the documents with the court.

Divorce Logistics

Please know that each state differs in what documentation must be filed, as well as if you will be required to appear in court. The below information follows the general process of a divorce, but the terminology may be different in your state.



Petition or Initial Filing

When you hear someone says they "filed" for divorce, this is the initial document they are referring to. It begins the divorce process with the court.



Response or Answer

The initial filing typically needs to be "served" on your partner. This makes your partner aware that the initial court filing was made. Your partner then "responds" with their own filing.



Financial Disclosure & Other Filings

In every state, you and your partner are each required to disclose all of your assets, debts, and income to one another. Depending on your divorce process, there may be additional filings made with the court.



Decree or Settlement Agreement

To finalize your divorce, your final agreements are filed with the court.

Professionals

Mediator

Third party neutral who assists you and your partner in reaching all agreements.

Attorney

Licensed professional who represents you as an individual during your divorce.

Certified Divorce Financial Analyst (CDFA)

Professional certified to assist you with understanding your finances during divorce, including negotiated offers, and division of assets and debts.

Divorce Coach

Helps you navigate every stage of your divorce, including emotions and rebuilding.

Certified Divorce Lending Professional (CDLP)

Helps you to understand the logistics around keeping your home, including financing options.

Therapist/Mental Health Professional

Helps you to work through the emotional toll of a divorce, as well as support your family in finding closure.