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DIVORCE INFORMATION

Introduction

If you are contemplating a separation or divorce in NY...

If you or your spouse are contesting the custody of your children...

If you are experiencing legal and financial problems...

You are entitled to receive fast and effective solutions that restore your peace of mind. You need a knowledgeable, determined and compassionate New York divorce lawyer who will explain your legal rights in easy-to-understand terms.

Known for his unswerving integrity, NY divorce attorney Brian Figeroux will fight to protect you and your family during the separation and divorce process in New York so that you can move on with your life.

Brian Figeroux (whose office is located in downtown Brooklyn, NY) will guide, counsel and help you understand your choices and will work with you to achieve the best possible result as quickly and cost-effectively as possible.

It's time to reclaim your life!

DIVORCE PREPARATION

Obtaining competent and reliable information, legal and financial advice is important because it can move you in the direction of an easier, faster and better overall divorce experience. You must be informed and educated, develop a divorce plan or strategy, and become the manager of your own divorce case.

The necessary requirements of a successful divorce in New York include preparation on three different levels: mental, emotional and financial. Before you start your divorce case, before you take any affirmative action, prepare yourself and think about your case, your life, your children and make a detailed, specific list of everything you want to achieve including the divorce or separation, consistent with your life goals and values, your children's best interests, property and overall financial security.

The issues of the legal divorce in New York are very specific with regard to your finances, the equitable distribution of marital property, custodial arrangements that are in your children's best interests, child support and maintenance.

1. Put your papers in order

Put your divorce papers in order. Keep copies of important financial documents in a secure place. Critical financial papers, include tax returns, insurance policies and bank statements, investment accounts, salaries and benefit programs.

2. Keep an expense journal

Keep a journal of all expenses with receipts, especially your children's expenses

3. Establish credit

Try to establish personal credit relationships (gasoline credit cards, department stores and national credit car companies such as Visa, MasterCard, etc.)

4. Open a bank account in your name

Open a new bank account in your name at a bank where your spouse does not do business. Start putting away as much money as possible, on a regular basis. Later on, when you separate, you will need to have available funds to retain a divorce attorney and to pay for your day to day living expenses in case your spouse refuses to pay for your support. If your spouse withholds financial support, it will place a financial burden on you until an application for temporary support and maintenance can be heard and decided by the court.

5. Keep inheritances separate

Keep all inheritances separate from the marital estate. Do not put an inheritance into joint names with your spouse and do not use your inheritance money to pay for family expenses or purchases or to pay down debts.

6. Have access to your car

Make sure that your car is in good working condition and that it is titled jointly or preferably in your sole name.

7. Don't quit your job

Do not quit or leave your job if you are employed. It is important to maintain and secure your financial independence and earn enough to maintain assets such as your home.

8. Save receipts

While still married and living together with your spouse, it is advisable to save all of the receipts for major purchases and prepare an inventory of all of the property and assets acquired during the marriage. Keep a current inventory of your safe deposit box.

9. Keep your documents secure

Make sure that your valuable documents are stored in a safe place and obtain a safe address for your personal mail. Consider repayment of family loans and upgrade your clothes and personal appearance.

10. Prepare your spouse

Take some time to also prepare your spouse and let your spouse get used to the reality of being divorced in the near future.

EMOTIONAL BALANCE

Emotional endurance and balance are necessary and powerful ingredients in the divorce process.

1. Get support systems in place

Make sure you get strong emotional support and encouragement from trusted friends, family, spiritual advisors or psychologists to help you through the difficult,

complex feelings that are associated with the divorce process.

2. Postpone big decisions

Postpone life altering decisions until you are able to think clearly about relocating or changing jobs or acquiring significant property.

3. Don't move out of your marital residence

Do not move out of the family residence without first discussing it with your divorce lawyer.

4. Talk to your children

Reassure your children that they are not the cause of your separation or divorce and explain this in a way that is consistent with your children's ages and maturity level. It is best to be truthful and honest and give children simple and clear answers without blaming anyone.

5. Take care of yourself

While you are taking care of the business aspects of your divorce, you must also take care of yourself. Have a medical and dental examination. If possible, undergo any medical treatments which are needed or anticipated in the near future if they are covered under your spouse's insurance.

CONSULT AN ATTORNEY

Knowledge is power. Schedule consultations with a few different attorneys who are experienced in all aspects New York divorce and family law to explore strategies for your divorce case. Present your case to several divorce lawyers to get a variety of opinions and attitudes before you choose the one you want.

1. Bring documents

It is helpful to bring financial documents and records for the divorce attorney to review during the initial consultation. Include as many of the following documents as possible:

- recent pay stubs
- tax returns for the past three to five years
- bank statements and credit card statements for the past three to five years
- pension and any other retirement and employment benefits both you and your spouse are entitled to receive, including year end bonuses, health insurance and life insurance
- copies of deeds to real property and statements of any mortgages or equity loans that are due

2. Don't sign any papers

Do not sign any documents, contracts, promissory notes, deeds, mortgages, etc. if your spouse requests you to do so. The consequences of signing any documents or papers may be irreparable and highly prejudicial to your legal and financial rights upon a divorce in New York.

3. Don't move out of your marital residence

Do not move out of the marital residence without first discussing it with your divorce lawyer.

OPEN COMMUNICATION

Most divorce cases are settled by the spouses between themselves, not necessarily by their divorce lawyers, so you will both benefit, in the long run, by keeping communication lines open. The way in which you and your spouse behave and communicate with each other during the most stressful moments in your marriage, will serve as a mirror image of how you will behave through the divorce process.

BE AWARE OF YOUR MOTIVATIONS

If your top priority is your children, your decisions must be consistent with their best interests, not just yours.

If you realize that some of the problems you are fighting about will not matter in the future, then the same issues probably do not matter in the present moment. Therefore, let go of these issues and focus on the important ones!

It is a good idea to frequently reassess your actions while going through the process of a divorce in New York and make sure you continue to focus and move towards your ultimate goals.

Choose your battles wisely!

For a Glossary of Divorce terms log in to www.falaw.us and visit the Family Practice section of our website.

You can also listen to our weekly radio show ICE on WPAT 930AM, on Saturdays from 6:00pm to 8:00pm.

Are you interested in registering for a seminar, then please check your choice(s) below and we will mail you a schedule.

- Tax & Financial Planning For Individuals & Businesses
- Bankruptcy & Foreclosure
- Estate Planning & Wills
- How to get a green card
- Clergy Tax Seminar
- Franchise Expo, Brooklyn Marriott, Saturday, March 28, 2009
- Beauty, Health & Wellness Conference

COMMENTS: _____
