



THE SIX BIGGEST
MISTAKES TO AVOID
IN DIVORCE

DIVORCE**RIGHT**



Divorce and separation is a challenging time. Your very foundations are shaken and you may be feeling really fragile. You did not contemplate having to divorce when you walked down the aisle. It's not something that you are prepared for. You thought your partner will be there always but here you are alone and you don't know what to do.

Research shows that divorce is the second most stressful life event that a person faces and it is second only to the death of a spouse. When facing the end of a marriage, you are faced with the difficulties of having to explain to family and friends, having to cope with the grief of the death of your relationship and you are also expected to make sound rational decisions that will impact on your future and the future of your family. Because you are so overwhelmed, you become out of touch with everyday life and work and make rash decisions. I have identified 6 mistakes that clients tend to make in this situation.

1. HANDING OVER THE DECISION MAKING TO SOMEONE ELSE

"I hired a lawyer because he will take care of everything for me, he will know what to do, he has many years of experience. My friend recommended him, he will fight for me."

There is a misconception that hiring a lawyer is the first thing to do. A lawyer can't make your decisions for you. The lawyer is qualified to help you with the legal process, not help you untangle the emotional mess you may be in.

You and your partner need to make the decisions. The lawyer is not an expert in the finances, business, real estate or tax issues. You may also think that the judge will make the decision for you. Don't assume that the judge will mete out justice to an irresponsible partner. The judge will make a decision on the evidence provided to him/her and on the legally admissible facts. The judge does not know your family. You must always retain your right to make your own decisions and don't abdicate the decision making to others. But do take the advice of professionals when looking at your options.

2. MY WAY OR THE HIGHWAY

"He will not listen to what I have to say, he won't talk to me. When we have a conversation it always ends up in a shouting match."

If you choose to be obstinate and challenge your partner at every stage, if you want to win at all costs, if you want to engage in an adversarial battle to prove your point, you will only end up stressed unhappy and poorer. The only one who benefits from this approach will be your lawyer because he/she will be charging

you fees for every call and conversation. This approach will also impact on the children because they will be affected by the ensuing conflict. The "I win, you lose" approach rarely gets you a good outcome. It usually ends up in a "no win" for both parties and the children.

It is important to maintain effective communication with your partner during the divorce process and this is difficult when emotions are running high. It's best to seek the assistance of a professional to help you manage the conflict so you can both communicate better and hear each other out. You will then be able to listen to what your partner has to say and what's important to him/her, which will make it easier to reach an agreement.

3. NOT GETTING INFORMATION FROM QUALIFIED RESOURCES

"I don't know what to do or where to start, I checked out the family court website and all the forms are so confusing. My friend suggested that I see a lawyer."

Remember that what worked for your friend may not work for you. Your situation is unique and different to your friend's situation. You need to consult a lawyer who will suit your particular needs and situation. The lawyer can handle the legal process but there are so many decisions that need to be made relating to parenting, finances career etc. I call this "life admin" and the "life admin" almost doubles because you have got to do everything on your own. You are also making some of the most important decisions of your life, so it's necessary that you get help from a divorce expert on the strategy you need to adopt because you are faced with critical personal and business decisions. And that may not necessarily be from a lawyer.

If you don't get good advice at the beginning, you may end up paying the price and it may cost you more both emotionally and financially. When we are emotional, our ability to make good decisions is somewhat impaired and our judgement affected. This is why you need the expertise of other professionals to help you. Look for insight and support from a variety of resources.

4. THROWING IN THE TOWEL

"I just want out, I have had enough, I want my life back."

When the divorce process drags out over a lengthy period of time people get weary of the process and begin to feel like they "just want out." The divorce process can wreck havoc on your mental and physical health. Years of going back and forth to court to remedy what went wrong in the first place can wear

you down. You feel like you are drowning in the process, the consultations, the negotiations, the mediations, the court hearings. It is affecting your work life and your relationship with your children too.

You are so fed up that you want to throw in the towel and move on with your life. If you do this, you may end up getting less or you may end up paying out more than you should. By giving up you maybe creating more problems than you solve. You may end up missing out on getting the critical elements of the agreement sorted out and it may mean that you are then stuck in limbo forever. It may get you short term relief but cause long term pain. Instead, it's important to draw on your resilience and negotiate for what is important to you.

5. BETTING THE FARM ON ANOTHER RELATIONSHIP

"I have met someone who will take care of me so I don't care about the assets or the support anymore."

You may be feeling emotionally fragile and your new love may seem like the answer to all your prayers. You want to move on with this new relationship and forget this whole nightmare divorce. You want to speed up the process and get it over fast. This may mean giving up some of your earlier requests that you thought were important. Just remember that during the divorce process you are extremely vulnerable and this may result in you making unwise decisions. Throwing caution to the wind and betting the farm on another relationship may mean you are risking your future security. Your focus should be on ironing out the details of your agreement and having it finalised before you move on. End your current marriage well before thinking of another relationship.

6. WANTING GUARANTEES AND CERTAINTIES

"I don't understand whether this is a good settlement, there are no guarantees. I don't know if it's good enough."

Fear is a normal reaction when faced with divorce. You are fearful about facing life on your own and are feeling insecure. It is important to be reasonable in your expectations. Instructing lawyers to pursue less consequential items in the home means it will cost you more money. That is why it is necessary to get other experts like financial consultants on board to help you understand the ramifications of your decisions. They will help you explore alternative scenarios and identify best case and worst case scenarios. Be aware of having unrealistic expectations.

Take time to understand the settlement terms.

THE LOTUS FLOWER

There are few flowers that are as important to Eastern culture as the lotus flower. Each culture ascribes a different meaning to the flower. The Egyptians view the lotus as a symbol of rebirth. The Hindus on the other hand looked at it a little differently. They saw the flower as a symbol of peace and serenity.

To the Buddhists, the lotus represents patience, love and compassion, forgiveness, self awareness and rising out of suffering. At [Divorce Right](#) we value peace, serenity, patience, love, compassion, forgiveness, self-awareness and strength. We see divorce as a form of rebirth, the end of one chapter in your life and the beginning of the next. Hence the reason we use the lotus as a symbol.

[Give us a call, if you would like more information or want to have a chat.](#)





Anne-Marie Cade is an awardwinning Lawyer, Family Dispute Resolution Practitioner, Nationally Accredited Mediator, Certified Divorce Coach and founder of Divorce Right. She is passionate about family and relationships and works with couples to empower them to reach a peaceful, amicable separation and stay out of the Family court as she believes that this approach will ensure a positive outcome for the family.

Peaceful Divorce, Happy Kids

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