JERSEY COAST
FAMILY LAW

DIVERGING PATHS:

A ROADMAP THROUGH DIVORCE

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DIVORCE ROADMAP

Ending a marriage is never a completely easy decision. Even the most amicable separation can take time, and be fraught with stress and difficult emotions. And just as the reasons behind every divorce are different, the outcomes are as well.

No matter how a divorce proceeds, there are some things you can do ahead of time to ensure you are as prepared as possible.

CHECKLIST

Consult an attorney to understand your rights and options

Divorce proceedings take on various forms. There are different types – fault and no-fault – and can be resolved in a number of ways, including mediation, arbitration, and trial. The best way to protect yourself is to have an attorney to help you navigate it.

Create a realistic monthly budget for life before and after divorce

Most people must make some adjustments to their lifestyle in the wake of a divorce. What you'll have to live on afterward, and whether that includes alimony or child support, depends on the agreement you make during proceedings. When thinking about child support, it's important to also account for:

- Auto insurance for young drivers
- Cell phones
- Extra-curricular activity expenses
- College expenses – in a divorce in New Jersey, each parent is required to split college costs equally
- Child support for children in college

Gather all financial documents and clarify assets and debts

Your proceedings will go a lot more smoothly if you prepare important documents in a timely manner. It's important to make copies of all pertinent paperwork and keep the originals in a safe place.
Those documents include:

- Court materials such as custody arrangements, restraining orders, or police reports in the case of domestic violence, foreclosure notices, name change orders, and bankruptcy orders
- Financial documents like tax returns, pay stubs, bank account information, stocks, bonds, IRAs, documentation of debts including credit card, car, and leases/deeds/mortgage, car titles and loan documents, insurance policy information (health, dental, vision, life), pension plans, wills, and any documents you have on personal assets
- Personal documents including your marriage certificate, children's birth certificates, and children's social security cards
- Documents on business ownership such as partnership agreements and any formal outlines detailing ownership

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Prioritize the emotional well-being and stability of your children

Even with the best of intentions, almost every divorce includes some kind of conflict. But that doesn't have to impact your kids. It is best for them if you avoid talking to them in detail about the proceedings or insulting your spouse. Any slip up could cause trauma or emotional damage to your children. If your relationship with your spouse is contentious, it is also important to consider adding more structure to your custody agreement to avoid conflict later.

Determine housing and property arrangements early on

It's important to think through how and where you will live, and determine what you need out of your divorce proceedings to accomplish it. The more effort you put into the process early on, the fewer headaches you are likely to have later.

Seek a reliable support network for guidance and understanding

Outside of good legal counsel, you'll also need emotional support. It is important to lean on your friends, family, and spiritual advisors. You may also want to seek local support groups or mental health counseling.

Know what a fair settlement looks like and where you can compromise

There's really no "winning" in a divorce. Under the best circumstances, divorces are fair and include a reasonable division of assets and debts including:

- Mortgage
- Car loans and leases
- Credit cards
- Outstanding bills
- Loans against retirement accounts
- Marital home
- Cars
- Bank accounts
- Stock accounts, stock options, and executive compensation
- Retirement accounts
- Cash value of life insurance

Plan for life after divorce, including legal and financial updates

Divorce can be hard and can feel overwhelming when you are in the middle of it. But it will end, and there is life after divorce. What do you want your life to look like afterwards? Identify that and you can work backwards to determine how you can make it happen.

Our Mission

At Jersey Coast Family Law, our mission is to serve as unwavering advocates for families in their legal journeys. Skilled in both trial litigation and settlement negotiation, our Ocean and Monmouth County family law attorneys service clients throughout the state and are Martindale-Hubbell® rated AV Preeminent®, have an Avvo Rating of 10.0 Superb, and have been recognized by Super Lawyers® Magazine.

Our attorneys are also uniquely qualified and certified to work in Orthodox Jewish Courts in New Jersey, and our firm can offer services involving reading, writing, and speaking in Hebrew. We are dedicated to providing exceptional legal counsel and support, guided by our commitment to wisdom, compassion, and courage. We focus on achieving optimal results in every situation.

If we can help you confidently navigate your divorce journey, please contact our team to schedule a consultation at 732-361-4718.

FREQUENTLY ASKED QUESTIONS

How do I know if I need a lawyer at this stage?

At Jersey Coast Family Law, we specialize in complex divorce issues. We can give you tailored advice about your specific case and help protect your interests. Legal counsel is especially critical in divorce cases involving a history of violence, significant assets, disagreements over custody, alimony, lawsuits unrelated to the divorce, your spouse hiring an attorney, a spouse in the military, and business ownership. It is especially important to hire an attorney who specializes in family law.

Am I allowed to withdraw funds from our joint account?

It's best to avoid it without mutual consent or court order.

What if my spouse stops paying our bills?

The first step would be to ask your spouse to go back to the status quo and continue paying them as you have throughout your marriage. If that doesn't work, your attorney can advocate for you and engage in further legal measures if needed.

Will I have to appear in court?

It depends on how contentious the proceedings are. However, many divorces are resolved outside of court.

How is child custody determined?

Every case is different, but there has been a trend in courts leaning towards an even split in child custody. Courts have final determination of child custody unless the parties make an arrangement outside of court.

Am I entitled to half of our assets?

Unless division is predetermined through a pre-nuptial agreement, you will likely have to share any marital property and assets acquired during the marriage.

Can I keep the marital home?

It depends on your financial ability to do so, and how your equity is distributed.

How will I survive?

It's important to know, you will survive. Change can be scary, but it also opens the door to new possibilities. Start with a budget and develop your plan to meet it. You can do this. We can help you.