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WIN-WIN DIVORCE BY JORYN JENKINS

TOP TIPS FOR GETTING DIVORCED ©

When will the stress stop? When will the confusion go away? When will my life be normal again? And, by the way, what *is* the new normal?

Divorce is frightening. There are so many questions. Here are just the most obvious:

1. How do I do it?
2. How do I tell my spouse?
3. What will happen to the kids?
4. Will I have to move out of my home?
5. Will all my personal information become public?
6. How long will it take?
7. How much will it cost?
8. Must I have a lawyer?
9. Do I have to go to court?

If we believe that the best of all possible worlds is that nothing will change – that everything is perfect just as it is, we will be very disappointed. Change is the only constant – kids grow up, friends grow old, our health declines, people die, our memories fade – life is one big change – and we are always in a state of transition – adapting to the current reality. The craziness of change might be coming from your resistance to this fact of life!

And divorce is change, let there be no doubt. It is a well-known fact that divorce is one of the biggest stresses one can suffer in a lifetime; and this death of a long-term relationship, your marriage, is often compounded by another big stressor, moving out of your home.

So here are my best tips to help you deal with the stress of the change that is divorce.

Accept what is. As you look around and you see everything as it shouldn't be, the resistance to what *is* can drain your energy and deplete your reserves. It is. And you can't do much about what has happened. You can, however, have a significant impact on how you react to what is, and you can also have a significant impact on what will happen in the next minute, hour, day, month, and year if you turn your attention towards what you want instead of what you don't want. Visualize your future after divorce. This is a fresh start, a new beginning. It's an exciting time, not a depressing time. You can make it happen by envisioning it. Mantras *do* work.



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Attend to what you say. Every time you hear yourself talking about what you don't want, realize that you are attracting more of what you don't want to you! Want to attract more good stuff? Then talk about good stuff and what you are doing to move in the direction of the good stuff. Talk about the wonderful life you will be living after your divorce is finalized.

That being said, you must also appreciate when to be quiet and listen. If you are able to hear your spouse's point-of-view, you will likely be more willing to consider possible settlements.

Focus on your future. Talk with others about what you want. Not as in "what I want for me," but as in what you want for everyone who is important to you – your family, your community, your gender, your profession, and your world. Then listen and be willing to accept what they offer. Sure, you can do it alone, but why struggle? Why not graciously accept the gifts that others offer to you? Besides, it's more fun, isn't it?

What does the world around you look like in this Utopian life after divorce? How are the kids doing in school and in life? How is your ex moving on? How wonderful is your job, now that you are able to focus and to achieve in it? What fabulous gifts are you now able to give back to the world?

Choose your divorce process. Understand that there are multiple divorce processes, and you are not required to litigate. Instead, you can mediate or negotiate your divorce collaboratively. Be sure to speak with an attorney who understands these different courtless options. And, before you hire an attorney, get a second opinion.

Focus on interests, rather than on positions. Identify your interests, and understand that there may be several ways to achieve your goals. This will give you more bargaining room and increase the likelihood that both parties will accomplish their most important goals with fewer compromises. For example, if you and your spouse own one orange, and you each focus on your position that you want the whole orange, one of you will win the orange, and one of you will lose the orange, or you may cut the orange in half, and neither of you will be satisfied. However, if you focus on your separate interests in the orange, you may be able to come to a win-win solution. You may want the zest so that you can make a dessert. Your spouse may want the pulp to make juice. Understanding your interests will allow you to win the peel, and your spouse to win the pulp; you both win!

Be realistic! Even if you need alimony, that doesn't mean that your spouse has the ability to pay it. Even though you would like to stay in your home, that doesn't mean that it is financially



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possible for you to do so. Just because you want your children with you the vast majority of the time, it is not fair to your spouse to share less time with your children than you do if she wants the same. Divorcing spouses waste time and money arguing impossible positions. Try to see the big picture, and take time to view issues from your spouse's perspective. Consider what your interests are, and don't just take a position for the sake of taking a position.

Remember that your attorney is on your side. He has your best interests at heart. Just because he is telling you something that you do not want to hear, doesn't mean that he doesn't understand what you want. Do not treat your attorney as your enemy.

Understand that you signed a contract with your attorney. If you don't understand the terms of it, ask your attorney questions. If you are not comfortable with the amount of time billed on your case, discuss it with your attorney sooner rather than later. Your attorney may propose some less expensive options for his representation of you, and it is better to explore those options before you owe your attorney fees that you cannot afford. No one likes to spend a lot of money on an attorney, only to discover that the money is gone but the divorce is still plowing forward. And you're representing yourself without a clue how to do it.

Do your homework. Any divorce takes a lot of hard work. You will need to prepare a financial affidavit, compile financial documents, review lengthy settlement offers, attend a parenting course, and, in some cases, prepare for hearings and depositions, etc. The more work you do, the more that you will be committed to resolving the matter, and the less you will have to pay your attorneys and other professionals to do the work for you or to chase you down to do the work they requested of you.

Be transparent. By freely disclosing information, you will gain your spouse's trust, and you will save money by avoiding the other side having to search for information. You are required by Florida law to disclose everything, and by doing so, you will develop the trust necessary to settle your divorce and to move forward with your ex as amicably as possible.

Observe the Golden Rule. Treat your spouse as you would like to be treated. Don't lie to, belittle, or ignore him or her. Don't empty joint bank accounts, dissipate marital assets, or remove your spouse from insurances. Don't file false police reports or contact child services unless your children really are in danger. Don't post inappropriate pictures and comments on social media.



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Most importantly, understand that, if you have children, your divorce does not end your relationship with your spouse. You will have to deal with him or her daily until your children turn 18, and even thereafter, at major events like graduations and weddings. It is important to be as amicable as possible during your divorce so that you are able to be in the same room with one another in the future.

Do not speak disparagingly about each other to your children, friends, or family. Your spouse will hear about it, and it will only delay your ability to resolve your divorce and move on. Your spouse will be less likely to negotiate reasonably with you if you are constantly badmouthing him or her. While divorces are highly emotional times, try to remember that there is life after divorce, and you should avoid doing things during your divorce that are destructive to your relationships with your spouse and with his or her family, with your children, and with your friends and neighbors.

Contact Open Palm Law now. We can help you resolve your disputes.