



CAULDER & VALENTINE
— LAW FIRM —

7 Steps to a Successful Divorce

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Introduction

Divorce is one of the toughest challenges you'll ever face. But you're not doing it alone. We're here for you – here to answer your questions, preserve your rights, and fight hard to get you the best possible outcome.

You can have what we call a successful divorce, and we can help you do it.

The strategies outlined in this book are designed to minimize your stress and make things easier on your whole family. We'll be here for you throughout the entire process, so if you have questions, just call. We'll give you the **answers you need and the peace of mind you deserve.**

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FAMILY COURT

Step 1:

Make Sure You're Ready for Divorce

If your spouse has already filed for divorce, your best course of action is to get in touch with an attorney. However, if you're still contemplating divorce, it's time to take stock and make sure you're truly ready – emotionally, financially and logistically.

Are You Emotionally Ready for Divorce?

Most people are never completely emotionally ready for divorce. Typically, people fall into one of three categories:

- “I’m thinking about divorce, but I’m not sure it’s the right choice for our family.”
- “My spouse wants a divorce, but I don’t.”
- “Things aren’t working out, and I definitely want a divorce.”

While it’s a tough call to make, you shouldn’t file for divorce until you’re 100 percent positive that you and your children will be better off if you dissolve the marriage. Naturally, if your spouse has already filed, you don’t have much of a choice.

Are You Financially Ready for Divorce?

Being financially ready for divorce is essential. Chances are that you’ve already been living on your own for a year because of North Carolina’s separation requirement, but it’s a good idea to ensure that you have enough money set aside for the transition from being married to being single, as well as for attorney’s fees and other divorce-related expenses.

Do not count on getting spousal support from your ex until you have a signed order from your judge.

Are You Logistically Ready for Divorce?

In the state of North Carolina, you have to be separated from your spouse for at least one year before you actually file for divorce. If you’ve met the state’s legal separation requirement, you also have to ensure:

- You have a plan in place for your children, including who gets custody and where they’ll live
- You have all the necessary documentation to file, including financial paperwork
- You are financially ready and have a stable place to live during and after the divorce

It sounds like a lot of planning because it is – but planning properly is the only way to reach a successful outcome.



Step 2: *Find the Right Lawyer*

Divorce law can be pretty complicated, and it's no different in your case. You need to work with a divorce lawyer who will take the time to understand your situation so he can help you through the entire process. You deserve to work with an attorney who **cares about the outcome of your case, your kids and your future**, so don't accept anything less.

How to Find the Right Attorney

A good lawyer will encourage you to ask questions and will take his time explaining the divorce process to you. He'll ask you questions, too, so he can ensure that he's **focused on your goals**.

You can always interview lawyers you're thinking about hiring. If you talk to an attorney who brushes you off or you just don't feel like you "click" with, move on to the next one. As you ask potential attorneys questions, look for each to have:

- Knowledge about the divorce process
- Answers to your case-specific questions
- Experience in family law
- Commitment to protecting your – and your children's – rights

Commit to Staying Out of Court

Most people want to get through divorce as quickly and painlessly as possible, and one of the best ways to do that is to share decision-making with your spouse. If you and your spouse can't agree on important issues like child custody and the division of your property, you'll have to rely on your judge to decide for you... and while judges do remain fair and impartial, they don't know your family or what's best for each of you.

Going to court to hash things out can be time-consuming and expensive, too, so your attorney will probably suggest that you and your spouse try to work things out on your own before bringing important matters to court.

Step 3:

Understand and Take Control of Your Finances

Before you file for divorce, or before you separate from your spouse if you haven't yet, it's important that you familiarize yourself with your family's financial situation. Check your bank balances, figure out how much you spend versus how much you make and examine your employment options. If you're not currently working, talk to your lawyer about what you should do.

Find out how much debt you have (and how much you, personally, are responsible for) and figure out how much it will cost you to live on your own. Remember, **going from a two-income household to a single-income household can be a financial shock for many people.**

Get a copy of your credit report. Thanks to the Federal Trade Commission, everyone's allowed one free copy each year; you can get yours from AnnualCreditReport.com.

You may need to create a budget — or at least a rough outline of a budget — to make sure you're financially prepared for a divorce right now.

How to Budget for Your Divorce

You don't need a complicated spreadsheet to figure out how much money you need to survive. Just grab a pencil and paper to get started.

Don't count money your spouse makes or spends, and don't include alimony or child support in your calculations (you can't count on them until your judge signs an official order).

Write down how much money you make each month. Then, begin deducting only the things you're responsible for paying. Include things that you'll need when you branch out on your own, including payments for:

- Credit card debt
- Telephone service
- Rent or mortgage
- Car payments
- Insurance premiums

Examining Joint Accounts

When you and your spouse share joint bank accounts or credit cards, don't do anything out of the ordinary. If you empty a bank account or max out a credit card because you're anticipating a divorce, you could get into serious trouble with the court – and that's the last thing you need. Only spend what you need to, just like you normally would.

If you don't already have an account that's only in your name, now is probably a good time to open one.



Step 4:

Keep Your Divorce Civil

It's not easy to get along with your spouse when you're going through a divorce, but the more civil you can be, the better your outcome will be. Now is the time to **start cooperating with your ex**, especially if you have children; you're setting the tone for your future communications.

Don't Get Mad; Don't Get Even, Either

The legal system isn't the place to get revenge on your spouse for everything he or she has done to you – even if you're really, really tempted to use it that way. The system just isn't set up that way; it's designed to dissolve the marriage contract and **ensure both spouses and their children get a fair outcome**.

It's essential that you treat your divorce like a negotiation. After all, what you're doing in court is ending a contract you had with each other. It's hard, but try to recognize that your spouse is in the same boat as you are. Pushing him or her overboard, as tempting as it may be, won't make the process any easier on you. (In fact, it'll make your divorce take even longer.)

Tips to Help You Cooperate With Your Spouse

A good lawyer will encourage you to cooperate with your spouse to the best of your ability. That doesn't mean becoming a doormat and letting your spouse have whatever he or she wants, though. It just means that you two should **try to find common ground** so you're both reasonably satisfied with the outcome.

These tips can help you find that common ground:

1. Set boundaries.

You both know how to push each other's buttons, but that was what you did when you were married. Now, you're both moving forward without each other – and button-pushing doesn't contribute to a successful outcome. Set boundaries that regulate your communication. Agree when, where, and how you'll communicate (ideally, you'll have most communication in writing), and when one of you becomes upset and the communication stops being productive, you'll need to step back and save it for another time.

2. Stick to the issues.

Remember, this is about moving forward. You both have a goal in mind, so don't backtrack by arguing about old issues that aren't your problem any more. When you communicate, make sure you're only **discussing the issues that need resolution**; don't waste your time talking or arguing about things that don't matter.

3. Keep the kids out of it.

Your kids are going through a lot right now, and using them as messengers is unhealthy for everyone involved. When you talk about your spouse with your children, leave your personal feelings out of it (and ask your spouse to do the same). Sometimes parents use their children to vent, which damages the relationship the kids have with the other parent. That's a road you never want to go down, because ultimately, it ends up hurting you.

Step 5:

Help Your Lawyer Help You

Your lawyer will protect your best interests throughout your divorce, but he can't do it alone. He'll need information from you, and he'll need you to show up when you're supposed to.

You can help your attorney by **gathering all the financial documents and other paperwork** necessary to process your divorce. Some of the documents you'll probably need include:

- Income tax returns
- W-2, 1099 and K-1 tax forms from the past year
- Your most recent pay stubs
- Loan applications
- Home deeds or lease agreements
- Bank statements, including checking, savings, and credit cards
- Retirement plan summaries
- Life insurance documents

If you can, **gather all these documents ahead of time**. Keep them in a folder where you'll have easy access, whether it's on your computer or you have hard copies.

Keeping Records

Try to keep communications between you and your spouse limited to emails and text messages, especially if you're not able to get along. That way, you'll have a visual recording of everything you two have said that you and your attorney can fall back on.

If you and your spouse exchange money for any reason, whether it's for after-school activities for the kids or you're just helping each other out, keep a record of the transaction.

You may also find it helpful to keep a journal that tracks the things you and your spouse have discussed over the phone or in person. Write down important points as well as the dates and times these conversations took place. You'll be able to look back on it when you need to clarify something for your lawyer or remind your spouse that he or she made a commitment.



Step 6:

Make Time for Yourself and Your Children

Stress is cumulative; it builds up, even if it's coming in from different sources. You definitely need time to decompress, and so do your kids. A few things can help – like having a **solid support network, making extra time for your children, and getting enough exercise and sleep.**

Your Support Network

During divorce, many people notice that longtime friends begin to keep their distance. Sometimes that's because they're not sure what to say, they're busy with their own lives, or they subconsciously feel like divorce is contagious. Family members sometimes do the same.

Even if your support network is intact, you might **benefit from talking to a counselor or therapist** who understands you're going through a lot right now. A trained professional can teach you new coping strategies that help you now and in the future.

Making Extra Time for Your Kids

Psychologists say that parents who let their children know they're always available to talk end up helping their kids more through divorce than those who don't. When you're there for your kids, they know you value how they feel; that helps head off future issues. Even better, being an emotional caregiver to your children can help you keep your own emotions in perspective.

Exercise and Sleep

Divorce is one of the most mentally exhausting experiences you'll ever go through, and that translates into physical distress. Shoot for 8 hours of sleep each night, if you can, and take care of your body through exercise. You don't have to go get a gym membership; even a brisk, 30-minute walk around your neighborhood each day can make a tremendous difference in the way you feel. Physical activity releases endorphins, lowers your blood pressure, relieves stress and makes you feel a lot better.

A black and white photograph of a man in a suit, looking out of a window with horizontal blinds. His hand is raised, touching the blinds. The lighting is dramatic, with strong shadows.

Step 7:

Understand That Moving On is a Process

For most people, moving on is a process. If you're the person who initiates your divorce, you've had more time to work through your emotions and begin moving forward than your spouse has; the opposite is true if you're the spouse who wasn't ready for a divorce.

Either way, though, recovering from a divorce takes time. While it seems like what you're going through will last forever, the good news is that it won't; one day, **you're going to wake up and say, "I'm so glad that's over."**

But there are a few things you can do to make recovery a little easier, including:

- Getting plenty of exercise and sleep. Both of these will help you stay clear-headed and make good decisions.
- Keeping your eye on the "big picture." You can set goals right now and start working toward them, which can be especially helpful when you're just trying to make it through each day as it comes.
- Don't fight with your ex. Even if it feels good to tell him or her what's on your mind right now, it's not going to help you in the long run – and it might set you back quite a bit. You'll probably still arrive at the same solution, but the path there will be a lot rougher.



You Can Have a Successful Divorce

Just by reading this book, you've done more than most people do to prepare for divorce. You're already on the right track, and you're committed to doing what it takes to have a successful divorce.

You'll have ups and downs, but that's normal; everyone does.

You're going to make it through this, and you'll be stronger and more resilient than you thought you could be – and we know that's true, because we've seen it happen to all our clients. You focus on what's most important: taking care of yourself and your children. We'll handle the rest.

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