

Legal Notes: March 2017

More first aid, this time for divorce. Whether you decide to file for divorce, or your spouse files on you, there are number of initial steps you should take, and a couple that you should not.

Divorce is sad, emotional and life changing (for better or worse). But when you get right down to it, divorce is a question of finances (with the exception of child placement). Keeping this basic truth in mind will make your divorce easier (although not easy).

Gather up and copy your financial documents. These include bank statements, bills, investments, car and house titles, and tax returns. Get this information for the last few years, if possible. Do not hide these documents from your spouse.

One of you may be moving out of the house (or may have already done so). You will need to put together a budget of living expenses. This budget may be somewhat speculative, but do not let that stop you. Be as specific as you can be. Also, think about what you may need from the house, if you are the one moving out. If it helps, take pictures or video of the house before you leave.

Have a plan for meeting the marriage's current debts. Some need to be paid without delay, such as mortgage and insurance. Some may be put off for a while, such as credit card statements (although charges and fees will obviously accumulate). It may be that you will also need to file bankruptcy, more on that in a bit.

Do not listen to friends and family. Everyone has a story about their divorce or someone they know. Advice may be well intentioned, but still bad. Divorces are different. What worked for you sister may not be appropriate for you. Listening to all this advice will make your head spin, and this is not a time to be confused.

Finally, you can work through a divorce case yourself. Materials are available at the Family Court Commissioner's office at the La Crosse County Courthouse. Some are able to do this by themselves, most are not. In finding a lawyer, ask around. Interview a few. The goal is to find a lawyer you can work with, not one that is a "shark." Changing lawyers in mid-stream is expensive. If you need to file bankruptcy, you may

need to find a separate lawyer to do that work. Most lawyers will require a retainer, but the amount may differ depending on the difficulty of the divorce.

Good luck.