

Divorce Mailbag

Margot Swann, the Founder & CEO of Visions Anew Institute, The Divorce Resource for Women, answers your divorce questions.

Photo: Dan Carmody, Studio 7



Margot Swann

Dear Margot,
My husband just told me he wants a divorce. This is terrifying! We have two children, 9 and 12, and I haven't worked in almost 20 years. My husband has always handled all of our finances. I really don't know very much about what we have. We are very comfortable now, but if we get a divorce, I worry about what I will have to make a new life for myself and our children. Where to I start?
- Feeling Abandoned

Dear Abandoned,
 This is a critical question in every divorce. I asked Harmon Caldwell, who has handled not only hundreds of divorce cases, but hundreds of business lawsuits as well,

for his advice. Harmon, where should Abandoned begin?

The first thing you should do is talk to a good divorce lawyer as soon as possible. I can't overstate this – if your husband has indicated to you that he wants a divorce, you need to plan for the possibility that he will follow through on what he wants. If you delay, it may give your husband time to manipulate assets. Advance planning can never hurt.

Second, pull together as much financial information as possible: income tax returns, financial statements, brokerage accounts and bank records can all be very helpful. However, even if you don't have any of these documents, an experienced attorney can usually give you a reasonable evaluation of what you can expect.

During the initial meeting, you should discuss the issues which will often be in dispute: equitable division of assets and debts accumulated during the marriage, alimony, and child support. Remember, none of these is more significant than the other. What is important in resolving a divorce case is to be creative and put together a plan that works for your particular situation. Sufficient resources will go a long way to making it easier for you and your children after the divorce.

Where one party inherited property or brought property into the marriage that property is "separate property," and should not be subject to division. However, this can become a major issue where the separate property has been merged or invested in other property such as a home. Likewise, the value of a business or real estate can be a major issue. There can be huge swings in how these assets are treated, and what the parties receive; so it is critical to properly evaluate everything to determine distribution.

Alimony is based upon your need, your husband's ability to pay, the length of the marriage, conduct, and

your ability to earn an income. Child support is based on a formula which takes into account your husband's income, your income, the children's expenses and a variety of other factors.

Finally, you should remember that a good divorce lawyer is not going to tell you that you should or shouldn't get a divorce – that is your decision – your lawyer is there to protect your economic interests if you or your husband chooses to seek a divorce.

-Harmon Caldwell, Esq.

Thank you, Harmon, for helping Abandoned get a handle on the first things to do as she prepares for divorce. Abandoned, I would also like to recommend that you attend some of the free Visions Anew Divorce Support Groups (there are 10 locations all over Metro Atlanta), and a Divorce Workshop or Divorce Survival Weekend.

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 Send your divorce questions to: margot@visionsanew.org

Remember though you never expected to divorce, if it is unavoidable, do it with good information, with integrity, and with a team of experts. You don't have to divorce alone.

UPCOMING EVENTS:

**NOV. 13
 POST DIVORCE SUCCESS WORKSHOP**

**JAN. 22
 DIVORCE SURVIVAL WORKSHOP**

**FEB. 11-13
 DIVORCE SURVIVAL WEEKEND**



The divorce process is at best like juggling dozens of balls in a circus act. At its worst, it is like fighting for your life against a multi-headed dragon often while trying to shield your children from its flames.

Our mission is to empower divorcing women to successfully create and achieve a new vision for their lives.

Wise, professional women offer the tools to help you recapture your dignity and self respect.

Our programs educate, support, and connect divorcing women with professionals, resources and each other.



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