



KIMBROUGH LEGAL
— PLLC —

Free Resource



Preparing For Divorce



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Preparing for Divorce

Divorce is something most people either avoid thinking about or spend years considering in the back of their minds. People might consider every aspect of how it would affect their personal life—financially, emotionally, and socially. They might make judgments on it based on how it will affect their children.

They might think about it all the time, or maybe not even once. Either way, **one day it might suddenly be happening**. They might not have prepared for it at all.

Going into the actual legal divorce process blind will hurt you. People involved will take advantage of your ignorance. It's easy for something you know next to nothing about to suddenly become the most important thing going on in your life. Don't let divorce blindside you. Here is Kimbrough Legal, PLLC's guide about how to prepare!

What the Process Looks Like

There is no one-size-fits-all process for divorce. Importantly, Texas does not have a process for legal separation. That means that all of your funds and possessions obtained during marriage will still be owned by both you and your spouse collectively, even in the middle of the separation.

The first step is **contacting a lawyer**. Lawyers spend years studying the legal process of divorce and will know how best to help you. It is invaluable to have a good one by your

side. Your lawyer will help you figure out the grounds on which you will file for divorce. Texas allows no-fault and fault-based divorce; the route you choose might impact property division and spousal maintenance.

Your spouse will be served **the divorce papers**, which they will likely respond to. During this period, you will want to document everything related to your family and financial situation, including income, expenses, and responsibilities. You will also want to copy and hold on to important documents, such as your marriage certificate, last will and testament, trusts, licenses, and any pre- or post-marital agreements.

Some divorces may be **uncontested**, which means you and your spouse are in complete agreement regarding all considerations, such as conservatorship, child support, property and asset division. Consequently, you are able to handle the divorce outside of court. Even in an uncontested divorce, you still need a lawyer.

When a divorce is **contested**, it goes to court. This is where your lawyer will debate with your spouse's lawyer and a judge will rule on property, belongings, financial support, and child custody. This process may be helped by **mediation**, where an independent third party will help you and your spouse talk through issues. If you are unhappy with the result, it may be possible to **appeal** and potentially go back to court.

How to Think About It

Some people think about divorce as a battle to be won. In reality, both sides have to make significant concessions and major life changes in order to arrive at an amicable outcome. It is also important to remember that if you share children with your spouse, you will likely have to communicate in some way with them for the rest of your life. Divorce is something to be **handled amicably** whenever possible. This sets you up for success both in the process and emotionally.

Most people are also not prepared for **how long of a process divorce can be**. It may seem from television that a divorce can be finalized in an hour. In reality, many divorces take longer than a year to be finalized, and you can expect yours to take a minimum of 60 days. Prepare yourself for a marathon, not a sprint. This means making sure your temporary new lifestyles—both financially and emotionally—meet your immediate needs and are sustainable.

How to Prepare for It

We've already mentioned the two most important steps to prepare for a divorce: **contacting a lawyer** and **making sure you have copies of important documents**. A lawyer will help you through all steps of the process—not just the ones that involve going to court. Having your documents secured up front will give you a leg up in the legal process and help prevent you from any doubt or sabotage.

It is also important to **begin saving money**. All divorces are expensive, and at the end of them you will be living off of only one salary. This can be less than half of the income you're used to. Creating a budget is a great way to take stock of what you can spend and what you still owe to others. Make sure to speak to your lawyer about any active joint financial accounts you have, which they will help you protect and document.

It is also necessary to remember that during the divorce process, **all eyes will be on you** constantly. You need to be cognizant at all times of the actions that you take. Going through a divorce is already a stressful time, but how you behave during it will also have an impact on your personal outcome. Remember, even if your social media is set to private, there are ways for your posts to still be seen by others.

How to Handle It

The emotional toll of divorce can be just as debilitating as the lifestyle toll. During divorce more than ever, it is important to **cultivate positive support methods** and lean on them for help. This could mean talking with friends or family members who you trust to be considerate and present with you. This could mean executing healthy habits, such as cooking or exercise. This could also mean speaking to a therapist, which we recommend to everyone. Or, it could mean some combination of all of the above.

It may be tempting to take out your negative emotions about the process in harmful ways. That reaction, while completely natural, will just hurt you in the long run. Avoid drinking the days away or getting swept up into screaming matches with your spouse. **True change happens slowly**, but it will come. Give yourself permission to take the time it takes to make the changes you need to make.

The Main Point

Divorce will be long, costly, and emotionally taxing. To what extent each of those will reach you rests largely in your hands. If you are making the bold choice to get a divorce, then you know you need to be brave and push forward into the unknown. **You are prepared to do the hard work in order** to make a positive change in your life. We are proud of you for starting your journey!

You do not need to do it alone. You deserve someone who will stand by your side throughout the entire process and make sure you land on your feet. **Kimbrough Legal, PLLC is the firm for you.** Contact us online today, or give us a call at (833) 553-4251. You have made the first step, and now it is time to complete the journey. Let us guide you through it.

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