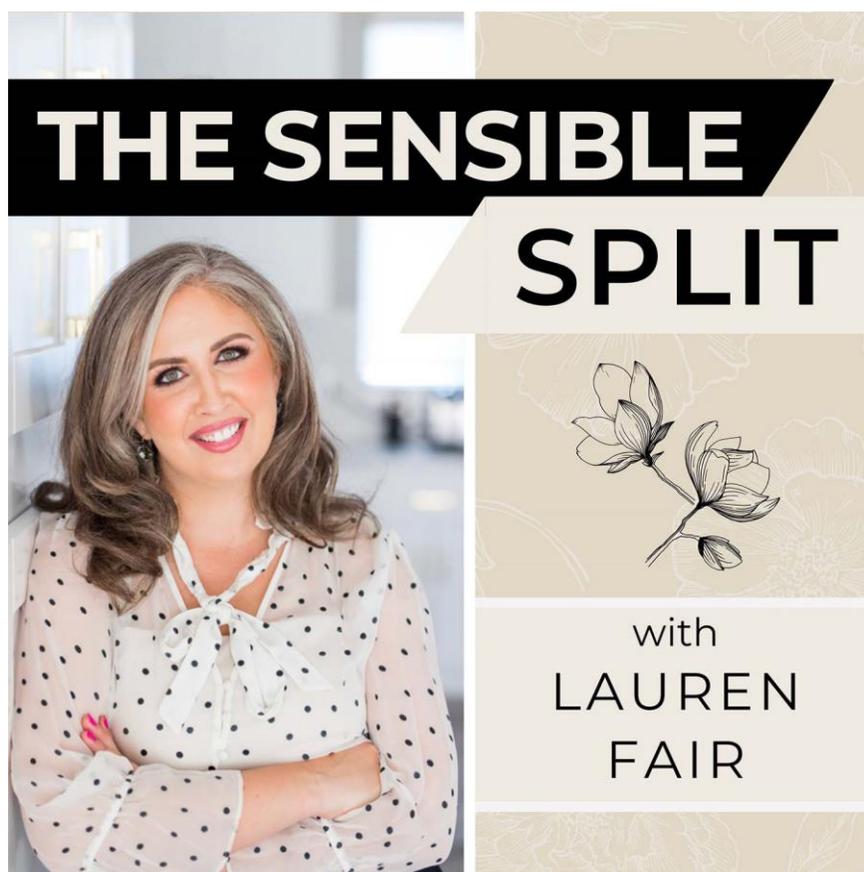


## Ep #2: How to Set Yourself Up for a Successful Divorce



### Full Episode Transcript

With Your Host

**Lauren Fair**

## Ep #2: How to Set Yourself Up for a Successful Divorce

You're listening to *The Sensible Split* podcast, Episode 2. Today, we're talking about where to start to set you up for success in the divorce process.

*The Sensible Split* is a podcast for smart but overwhelmed women in search of a roadmap to a successful separation and divorce. If you are looking for guidance in navigating the practical, legal, and emotional aspects of divorce with confidence, this is the show for you. Here's your host, Master Certified Life and Divorce Coach, Divorce Attorney, and Mediator, Lauren Fair.

Hey, friends, welcome back. I'm recording today's episode the week between Christmas and New Year's. I've been enjoying a quiet holiday at home this year, for the most part. I hope you've been enjoying your holidays as well, whatever those look like for you.

For me, it's been a mixture of putting in some hard work at the office, because January is always a really busy time for new divorce filings. And so, we're always kind of gearing up the last week of the year for what's about to come in January. And also spending some quiet time at home with the kids and doing some holiday outings with them.

I think it's been a really good balance of those two things this year, which has been cool. I have two little kids at home; my daughter is almost six, my son is eight. I have three teenage step kids, as well. So, when they're all off school and at home for the holidays it's always a really busy time, and really nice and cozy in the house having everybody together to spend some special time. I hope you've had a great holiday, as well.

You might be thinking about initiating a new divorce filing, or looking at making some changes in how your divorce is proceeding, at the beginning of the year. Today, I want to talk to you about an important first step for you to take if you are on the fence about getting a divorce, you're in the early stages of the divorce process, or even if you're in the middle of the process and it's stalled out in some way, it's not going the way that you want it to.

When you're at that early stage there are so many unknowns that are on the horizon. We talked about some of those last time. There is a myriad of legal

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financial and life transition issues that need to be worked out. Particularly, the unknown and often complex legal process can be one of the biggest monsters lurking in the divorce shadows for people.

When all of those really important big issues remain to be resolved, you probably are feeling confused or overwhelmed. You may have heard some bad stories from friends about how their divorce process shook out. You may not be sure where to get your information from or how to move forward.

You may have heard about mediation, about litigation, different process options, and not really know necessarily what the right choice is for you. You might be afraid to hire an attorney, but at the same time think maybe this is a situation where you really need one.

If you're like a lot of my clients, you want to get it right, not make mistakes in the process, and probably be sure of your decision before moving forward. And if you do decide to move forward, being sure of what those right next steps are. Really, even if you decide to stay, that's one thing that's often overlooked, what are those right next steps to stay and also make this work? Which is something I'll talk about on another episode.

All of this can feel very overwhelming and overwhelm is really not a pleasant feeling. Right? We want out of feeling overwhelm, usually. We usually don't want to stay there and continue to feel that way. It doesn't feel good, so we want to get out of that feeling. Of course, we do, right?

We naturally want to hand the issues we think are creating the overwhelm over to someone else, to figure out for us. It's really tempting to want someone else to tell you exactly what to do. It seems like, in that moment it would be a big relief to hand this over to someone else to figure it all out for you.

Don't get me wrong, there's definitely value in having legal advice and professional guidance, for sure. You might be thinking though, that you'll just hire an attorney and they're going to figure it all out for you. Or you may even have friends and family encouraging you to go hire an attorney right away. That is the traditional route that you hear about, from friends, from family, you see it on TV.

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It's the traditional way that we think that a divorce starts. We run out, we hire an attorney, and that attorney is then going to figure all of this out for us and fix all of our problems. Right? They're going to file papers with the court, they are going to serve my spouse, and they're going to deal with all the rest of it. And because I paid them that retainer and hired them for this purpose, I'm not going to have to deal with anything anymore.

Unfortunately, that's not exactly how it works. Sometimes people are really surprised by that, by how much work they still have to put into the process themselves. By how many decisions that they are going to need to make or are going to want to be the ones to make, in the process.

But there are three key problems with taking this traditional approach of running out and hiring an attorney, usually from an emotionally activated place, and assuming that they're going to figure this all out for you.

The first one is, you may get started on the path without having a clear picture of where that path leads to. Where the destination is, along this path that you've put yourself on. We are much more likely to hit a target if we know where to aim. If we know where that target is.

Especially when you are dealing with the emotional implications of starting down the divorce path, you often can only see what is right in front of you right now. It can be so beneficial for you to get help seeing where you want to end up. Why is it important to know where we want to end up? Because oof, that sounds seems really difficult to envision right now.

Because if we know where we want to end up, we can reverse engineer, to a degree, how we are going to get there. If we don't know where we want to end up, we are starting down a path that we don't exactly know where it goes to, and whether this is really the best path to get where ultimately we would actually want to be.

So, on that note, not receiving education upfront about process options and the best approach to achieve your goals is the second problem with taking this traditional route. There are different ways to get from the beginning to the end of

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the divorce process. There's litigation, mediation, attorney-to-attorney negotiation, collaborative divorce. These are just examples of some of the options that you have, in terms of a process to get through the actual legal aspect of the divorce from beginning to end.

I want to share something with you as a divorce attorney; most divorce attorneys do not provide comprehensive education on what those process options are upfront. They just don't. When I first started as a divorce attorney, I really didn't either. I was never taught to do that by other attorneys from whom I learned as a young attorney, and probably because they were never trained that way either.

Another reason some of those process options are not provided by attorneys at the beginning of the process, is because they may not offer all of those different process options, in terms of their legal services. For example, collaborative divorce.

There are specific requirements that an attorney has to meet in order to be a collaborative divorce attorney. If that attorney does not have those particular requirements met, it doesn't mean they're the wrong attorney, or a bad attorney for that matter, it just means that they can't offer that particular option. So, you're not going to get, probably, education about that particular option from the attorney.

Or it could be also that the particular attorney that you consult with at the beginning just prefers one methodology over another. Perhaps what they do most commonly, or just what they naturally gravitate toward, is something that they may just automatically offer as a standard process option that you go through.

The third reason that this traditional route isn't necessarily the best route is, you're oftentimes making an attorney selection choice, at the beginning, from an emotional place. What I mean by that is, as a divorce attorney, oftentimes I would get clients that would call, or potential clients rather, who would call and request a consultation right after something bad had just happened with their spouse.

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They were not in a very grounded place, but in a much more emotionally activated place. Again, when we are in that state of emotional activation, usually we're not utilizing our best decision-making capabilities at that point.

If you make an attorney selection from that emotionally activated place, you may or may not find out soon after that perhaps there were factors you wanted to consider in hiring an attorney, and in retrospect, you had not made. You may find that it was not the right choice for you, after you've already made the choice.

Or maybe you determine later on that you would have preferred legal services that this attorney actually doesn't offer or specialize in. Or again, maybe you will have gone down a path that you ultimately, once you've cooled off, realized you actually weren't ready for quite yet.

So, there really is a better, more strategic way to approach your divorce process; take a breath, and slow down. I know that's really hard when you're at this stage of the decision or the process. Hire a professional, experienced divorce coach.

I want to pause here though and make an exception to this. If there are safety issues for you, whether that's a threat to your physical safety or your immediate financial safety, the caveat to this is, you always want to seek legal advice or other protection that you feel that you need, as soon as possible.

Okay, assuming you don't have those complicating factors present, having a consultation with a divorce coach first could be a really helpful step for you to take at the beginning. Also, if you are midway through the process, and things aren't going the way that you think that they should, that's also a good time to have a consultation with a divorce coach to see how they might be able to support you in that process.

Did you know that divorce coaching is actually a recognized alternative dispute resolution process that is recognized by the American Bar Association? It's true, and that's pretty neat. The American Bar Association defines divorce coaching as a "flexible, goal-oriented process designed to support, motivate, and guide

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people going through divorce to help them make the best possible decisions for their future, based on their particular interests, needs, and concerns.”

So much of divorce coaching is designed to support the successful engagement in the divorce process. As a double certified Life and Divorce Coach, I've done those certifications separately, I do want to make the distinction that life coaching for people going through divorce versus divorce coaching are different. I can talk to you more about how they're different in a future episode.

What I want you to understand about divorce coaches is that we are not pro divorce. We are not in favor of a divorce happening or not. All I am in favor of is my client having the best possible outcome to their situation, whatever that outcome is.

It is critical, when you are looking for a divorce coach to support you in your process, that you look for one who has formal training and the experience necessary to best support you in this process. Although it's helpful to have gone through divorce yourself, it's important that you look for qualifications beyond a coach just having gone through the process themselves.

It's very different to have experience from one particular proceeding in which you personally were a party, versus helping many, many people through the divorce process with different facts, different legal processes involved, and also having the education to be able to back up the coaching, and the level of quality, in the coaching that is being delivered.

So, I want to talk to you next about the benefits of hiring a divorce coach. Why is it so important? There are a few reasons. The first one is, you get better neutral education on your options, in terms of the legal process you can select, up front. The divorce coach is able to provide you with education on all those different options that you have to get from point A to point B in your divorce process, so that you are able to, with their neutral support, select which is the best match for you.

From there, once you've made that decision, they can help you make an informed, intentional decision as to who you would like to hire if you decide to

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hire an attorney. Who that person might be, that would be the best fit for you based on the type of legal process that you would like to engage in.

They can also help you use your attorney's fees most wisely. One of the things that I noticed in the years of practicing as a divorce attorney, is that a lot of the phone calls and the emails that I would get from clients were, let's just say, not tailored to keeping their attorney's fees at a minimum.

Oftentimes, they were about subject matter that was really not best directed to an attorney, but best directed toward someone else in the process; it might be a therapist or a coach, depending on what the issue is were.

One of the things that coaches can really help with, is to help you use your financial resources most effectively in this process. Help you learn how to best communicate with the attorney in a way that gets you the answers that you need, and also reduces the cost to you as much as possible. Because attorney's fees are not insignificant in this process, right? So, we want to use those as efficiently as we can.

It can also help you get organized at the beginning of the process, which is something else that sets you up to have the best chance of success with what you want, in terms of a resolution in the proceeding. But also, again, is helping you minimize those attorney's fees. Because if you aren't organized with the attorney, the paralegal's going to be spending hours, at a very high billable rate most likely, doing that organization for you.

So, being organized is super important. It's hard to do that sometimes when things are falling apart around you. A divorce coach can also be a neutral thinking partner for you on all these things that we've talked about so far, but also about many decisions that need to be made throughout the process; there are big decisions, and there are micro decisions that happen along the way.

It's super helpful to have the support of friends and family in the process. That's amazing to have that. Also, oftentimes, friends and family bring their own opinions into the decision-making process, which you may want to consider as factors. But you may need some assistance, or want some assistance, in

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working through your own thought process. What you want to decide for each of these things that need to be addressed within the process.

So, you can engage in better decision making, improve communication skills, manage communication better with your soon to be ex-spouse, as well as your attorney.

A divorce coach can also help you with emotional regulation, to help you just feel better in the short term, in the long term as well, and to also help you reduce and manage conflict.

Finally, having a skilled professional by your side as a guide can really help you feel confident about understanding the process and what your next steps are, as well as how to continually navigate the process.

I want you to consider what would it be like for you to receive valuable education from a neutral source up front, to help you make the best-informed decisions possible for you in the process. The best decisions about who you put on your team, what process option is best for you, what your budget is going to be for this process, where you want to put your precious resources, and where maybe you want to let some issues go.

So, if you're in that decision-making stage, or you're in the early stages of the divorce process, or even if you're maybe midstream and you're stalled out a bit in the process, consider having a consultation with a professional divorce coach. It can be so helpful to get clarity on what it is that needs to change, and to help you figure out a plan for making that change happen.

Having the knowledge of what your next steps could be, can be hugely helpful at any of these stages. You can, and should, take an active role in how your divorce proceeds rather than completely delegating this to someone else. Because only you will live with the outcome of your divorce. So, take the time to thoughtfully consider now, how having a coach on your side could help set you up for success in the process.

To celebrate the launch of the show, I'm going to be giving away a \$100 Amazon gift card to each of three lucky listeners who follow, rate, and review the show. I

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would love your honest feedback so I can create an awesome podcast that is helpful to you.

Visit [www.TheSensibleSplit.com/podcastlaunch](http://www.TheSensibleSplit.com/podcastlaunch) to learn more about the contest and how to enter. Do it soon, because I'm going to be announcing the winners on the show in an upcoming episode

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