

**WHEN DIVORCE IS WHAT YOU NEED FOR A BETTER LIFE,
BUT THE TIMING ISN'T RIGHT**

GET READY KIT

DIVORCE

PRESENTED BY
ATLANTA DIVORCE
LAW GROUP



ABOUT

At Atlanta Divorce Law Group, we know our clients, like you, thought about divorce long before they decided it was the best option to lead to a healthier and happier life. Not only are you considering if you should even take this step, but you are also most likely experiencing worry or fear over how it will affect you, your children, your finances, and the future you had envisioned for yourself and your family. It's a life changing experience that brings with it a lot of unknowns and uncertainty.

The purpose of this Get Ready Kit is to help prepare you for the road ahead, and hopefully, replace many of the unknowns with a clearer path to the next chapter in your life. Getting things in place will give you a sense of control and power that is often lost when a marriage has reached its end. It'll allow you to start envisioning a new future full of hope and joy.



What do you want your life to be like in a year?

A TYPICAL DIVORCE PROCESS

There are typically several stages to a divorce process. The next few pages will discuss the different stages and how you can prepare ahead of time for what is to come. Not only will this provide you an opportunity to have a clear picture of your current financial situation, but in the case of children, you'll begin to develop a clear idea of what you want for them during and after this process.

It's important to note that not every case will go through every stage.

More amicable divorces will be completed through mediation, while more complex cases may involve a trial. The majority of cases are settled at mediation. This will be discussed further when you hire a law firm.

In addition to the divorce process itself, there are two other items that the Atlanta Divorce Law Group recommends you consider and prepare for ahead of time – support systems and preparing for after the divorce.

STEP 1: THE CONSULT

Once you've decided that divorce is the path you need to go down to create a better life for yourself, the first step is to hire a law firm. We encourage you to hire a firm that makes you feel comfortable, safe, and empowered. The process can be expensive but to go with the cheapest law firm means you get what you pay for. There are many nuances in the law and many approaches and options available to you, so it's important to hire a firm that specializes in family law and are considered experts.

We believe that if you are provided a case strategy at your consultation, it's going to be a cookie cutter strategy based on other people's cases instead of the specific circumstances of your case. While experienced firms can give you an idea, a true strategy is created after your attorney has spent time digging into the facts of your case and is not something that can be given after a 30 minute conversation.

STEP 2: COMPLAINT FOR DIVORCE

Legal document needed to initiate divorce with the county clerk of the court.



WAYS TO PREPARE NOW

A. Gather necessary documents:

- i. Do you have a prenuptial agreement?
- ii. Do you have a post-nuptial Agreement?

B. Gather necessary information:

- i. What county have you lived in for the majority of the past 6 mo?
- ii. What county has your spouse lived in for the majority of the past 6 mo?
- iii. What county has your child lived in for the majority of the past 6 mo?
- iv. List all addresses where the minor child has lived for the past 5 years.

B. Continued.

- v. What was the date and location of marriage?
- vi. What was the date of separation?
- vii. What grounds for divorce would you like to plead under?
**This will require counseling from your attorney because there are nuances to every ground under the statute.*
- viii. Are there any temporary issues that need immediate attention?

STEP 3: COMPLAINT SERVED TO SPOUSE

Summons and complaint served to defendant initiating the divorce process.

WAYS TO PREPARE NOW

A. Gather the necessary documents:

None

B. Gather the necessary information:

- i. How do you want your spouse served?
 1. With a cordial email and request they execute an affidavit called an acknowledgment of service?
 2. Via private process server?
 3. Via sheriff?
- ii. Where do you want your spouse served (e.g. work, home, school)?
- iii. Prepare a description for your spouse for the process server if chosen.



STEP 4: DISCOVERY – FORMAL OR INFORMAL

Parties gather information necessary for the legal team to determine an equitable division of assets.

WAYS TO PREPARE NOW

A. Gather the necessary documents:

- i. Monthly statements for all bank accounts for at least 1 year (separate and joint accounts)
- ii. Monthly statements for all credit card accounts for at least 1 year (separate and joint accounts)
- iii. Monthly statements for all loan accounts for at least 1 year (separate and joint accounts)
- iv. Monthly statements for all mortgages for at least 1 year (separate and joint accounts)
- v. Monthly statements for all investment accounts for at least 1 year (separate and joint accounts)
- vi. Monthly statements for all retirement accounts for at least 1 year
- vii. Monthly statements for all 529 accounts for at least 1 year
- viii. Policy documents for all retirement accounts
- ix. Policy documents for all insurance (car, life, home, renters, umbrella)
- x. Receipts for childcare for the past year
- xi. Receipts for medical costs for minor children for the past year
- xii. Receipts for medical costs for you for the past year
- xiii. Tax returns for the past 3 years
- xiv. Paystubs for the past year
- xv. Email correspondence relevant to the case

STEP 4: DISCOVERY CONTINUED

A. continued.

- xvi. Text correspondence relevant to the case
- xvii. Video evidence relevant to the case
- xviii. Any proof of any assets you had before the date of marriage (e.g. monthly statement for the month before the date of marriage, email attachment with metadata showing last modify date, etc.)
- xix. Any proof of any asset that you otherwise would like to claim is separate (i.e. not up for division during the divorce (e.g. inheritance from family member)
- xx. All business documents you have access to for businesses you own (e.g. monthly bank statements, monthly credit card statements, formation documents, etc.)
- xxi. All military documents that you have for yourself or your spouse (e.g. DD-214)

B. Gather the necessary information:

- i. What documents would you like to request from your spouse? This will require counsel from your attorney when the time comes
- ii. What specific information would you like to request from your spouse? This will require counsel from your attorney when the time comes
- iii. What documents, if any, would you like to request from third parties? This will require counsel from your attorney when the time comes.
- iv. List all bank accounts, including institution & last 4 digits of account #
- v. List all credit card accounts, including institution & 4 digits of account #.
- vi. List all loan accounts, including institution & last 4 digits of account #. (e.g. car loan).
- vii. List all mortgage accounts, including institution & last 4 digits of account #. (e.g. first mortgage, Home Equity Line of Credit).
- viii. List all investment accounts, including institution & last 4 digits of account #.

STEP 4: DISCOVERY CONTINUED

B. continued.

- ix. List all retirement accounts, including institution & last 4 digits of account #.
- x. List 529 accounts, including institution, last 4 digits of account number, the beneficiary child, and which parent/guardian has control of the account.
- xi. List all insurance policies that cover you (car, life, home, renters, umbrella).
- xii. List your income.
- xiii. List your spouse's income (estimate if necessary).
- xiv. Your monthly budget – this should be a detail of your monthly expenses.
- xv. List any assets that you had before the date of marriage that you would like to go to you
- xvi. List any assets that you otherwise claim are separate that you would like to go to you.
- xvii. List any specific assets that you would like to go to you (e.g. the cuckoo clock you love or the snake collection).
- xviii. List all businesses that you have an ownership interest in.

STEP 5: SPOUSE'S RESPONSE TO COMPLAINT

The person served has 30 days to respond to the summons and assert his/her own defensives.

WAYS TO PREPARE NOW

A. Gather the necessary documents:

None

B. Gather the necessary information:

None

STEP 6: MEDIATION

A neutral law professional is hired to facilitate discussions between spouses in an effort to reach an agreement and avoid a long drawn out trial.

WAYS TO PREPARE NOW

A. Gather the necessary documents:

REVIEW STEP 4

B. Gather the necessary information:

- i. Take some time to gather your thoughts and write down what your life looks like after you are done with the process.
- ii. This allows us to stay focused on and fight for what's important to you.

STEP 7: TEMPORARY HEARING

The purpose of this hearing is to provide a temporary plan in which to work during the divorce proceeding or other family law matter. This is especially helpful when neither party can agree on certain arrangements.

WAYS TO PREPARE NOW

A. Gather the necessary documents:

- i. Are there any witnesses you would like? Only one witness can come to the temporary hearing, but we can get affidavits from other witnesses / have them prepare statements.
- ii. Prepare any evidence you have regarding the temporary issue.

B. Gather the necessary information:

- i. Prepare your testimony regarding the temporary issue.
- ii. Prepare a statement regarding your perspective of the temporary issue.

While often not necessary, when needed these hearings arrange for a temporary agreement until a final agreement is reached in complicated matters.

STEP 8: LATE CASE EVALUATION

This is usually scheduled about 120 days into the proceedings if the judge believes a late case evaluation may result in a settlement thus eliminating the need for a trial.

STEP 9: GOING TO TRIAL

Usually 6 months to a year after complaint for divorce is filed. Neither party has agreed on all areas of the divorce despite going through mediation, settlement conferences, etc. the trial is the final alternative.

WAYS TO PREPARE FOR STEPS 8 & 9

A. Gather the necessary documents:

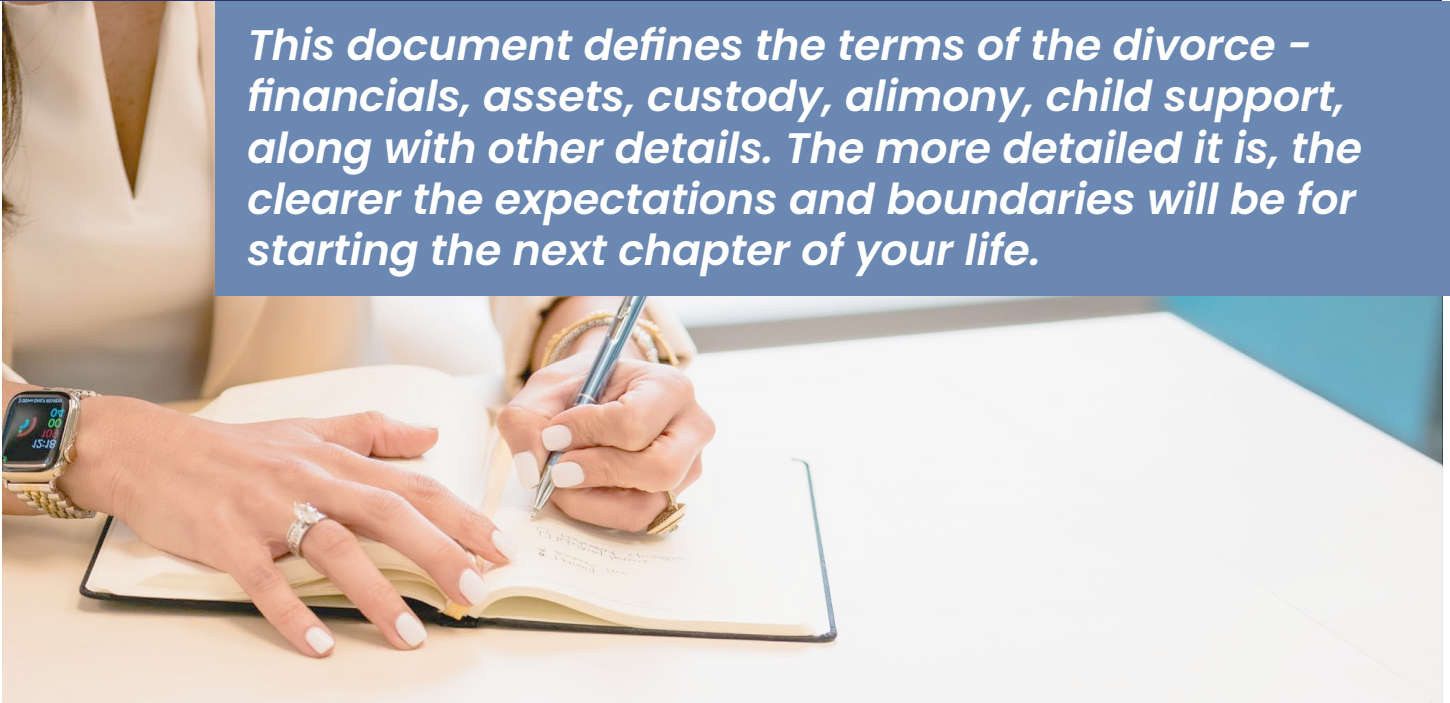
- i. When the time comes, your attorney will walk you through the steps, but most of the preparation work lies on her/his shoulders.
- ii. When the time comes, your attorney will do much of the work to prepare evidence, timelines, and exhibits to support your claims.

B. Gather the necessary information:

None

STEP 10: SETTLEMENT AGREEMENT

This document defines the terms of the divorce – financials, assets, custody, alimony, child support, along with other details. The more detailed it is, the clearer the expectations and boundaries will be for starting the next chapter of your life.



WAYS TO PREPARE NOW

A. Gather the necessary documents:

None

B. Gather the necessary information:

- i. Does anyone want their pre-marriage name restored?
- ii. Is there marital real property? How do you want it disposed of?
- iii. Do you have a parenting schedule you would prefer?
- iv. Do you expect to receive or pay alimony?

STEP 11: FIND A SUPPORT SYSTEM

Research and experience has shown that divorce is one of the toughest things an individual can experience during their lifetime. Don't do it alone! Now is the time to be vulnerable and allow other to help you through this time.

- i. Confide to a close friend or family member.
- ii. Meet with a counselor who specializes in helping those deal with the emotional grief of a divorce.
- iii. Find a local support group.
- iv. Join an online group through Facebook or other social media platforms.

THE FINAL STEP: PREPARE FOR THE NEXT CHAPTER

It may feel like all you can do is put one foot in front of the other as you go through a divorce. We encourage you to envision your future and what you want it to look like. Here are a few things to consider :

- i. Make a household budget.
- ii. Where do you want to live?
- iii. What childcare do you need?
- iv. What can you do for yourself after the divorce is finalized?

ATLANTA
DIVORCE
LAW GROUP



HAPPILY EVER AFTER DIVORCE®

**GOT ANY
QUESTIONS?**

EMAIL US AT
TEAM@ATLDIVORCEGROUP.COM