
7 Mistakes

To Avoid In Your Divorce

Divorces can be difficult. Knowing what mistakes to avoid while going through a divorce is a large part of the battle. When you do not know what you do not know, confusion and anxiety make a bad situation worse. In 18 years of handling divorces, the following seven mistakes are the most frequently encountered. Avoiding them will help you tremendously as you navigate a difficult time in your life.

Mistake #1: Hiding assets. Hiding assets is a lot harder nowadays given the predominance of electronic transactions. In fact, cash transactions are getting harder to conceal. By hiding assets, you run the very real risk of damaging your credibility with the court. Since you have very limited time with the court, lost credibility it is very difficult to recover.

Mistake #2: Taking legal advice from family and friends. This is perhaps the biggest mistake one could make. There is no shortage of advice you will receive, and most of it is well-intended. However, a great deal of it is incorrect for your specific situation. What may have been good advice for your friend could easily cause your case to suffer. The advice of your experienced attorney is your primary resource. If you do not trust your attorney's advice, then see Mistake #4.

Mistake #3: Beginning a new relationship while your divorce is still pending. Texas does not have legal separation, so you are married until you are divorced. There are many risks associated with dating during a divorce, and most carry very severe results. It is best to wait until your divorce is over before beginning a new relationship.

Mistake #4: Choosing the wrong lawyer. Hiring a divorce lawyer is a big decision.

Having an attorney who you can connect with and feel good about is important. The attorney's experience level is very important as well. Finally, it is important that your attorney have a good understanding of the court in which your case is pending. Knowing the judge's preferences and general demeanor is vital.

Mistake #5: Disregarding mediation. Mediation is a good way to resolve your case without the stress and expense of a trial. Since most courts require mediation before trial, making the most of mediation and taking advantage of the opportunity is important. A successful mediation usually requires both sides to "give a little" to reach a settlement. However, this is often better than turning your life's most important items over to a judge you have never met. That judge may be a great person, but they usually have over 2,000 other cases and rarely give you more than a few hours for your trial. On the other hand, you can mediate your case for as long as it takes to reach an agreement.

Mistake #6: Failing to follow your lawyer's advice. As we discussed in Mistake #4, taking legal advice from friends and family is usually a bad idea. Listening to your attorney's advice is critical. An experienced attorney understands that common sense usually does not apply in family law cases.

Tadlock Law Office

13155 Noel Road, Ste 900, Dallas, TX 75240

Phone: 214-550-1122 – tadlocklaw.com

The entire reason for having an attorney is so you can have a “tour guide” through the legal process. This is someone who should have enough experience to have addressed your type of case many times. As a result, they know the intricacies of your case, which traps to avoid and which traps to set. Most importantly, your attorney should know how to best position you, and your case, so that you have the best chance for a successful outcome.

Mistake #7: Failing to see what matters most. Getting caught up in the desire to “win at all costs” can cause you to you spend more on trying to win than on the value of what you are actually fighting for. This mistake is generally based on misplaced emotions which cause you to lose sight of the bigger picture. Keeping an eye on the cost/benefit analysis is very important.

For more information on your Divorce, or to schedule a free consultation, call the Tadlock Law Office at 214-550-1122.

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