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Today's Business: How to prepare for your initial consultation with your divorce lawyer

By Kevin C. Brown
Contributing Writer
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Attorney Kevin Brown
Contributed photo

Facing divorce can feel overwhelming, but being prepared for your first meeting with a divorce lawyer can significantly ease the process. While the particularities and the nuances of each case is unique, gathering the information likely needed can help foster peace of mind.

Divorce often brings financial complexities, with the division of assets, debts, and support obligations playing a central role. Having the following documents at hand will help the attorney understand your financial status so you can discuss approaches to this aspect of the case.

You will need:

- **Income documentation:** Recent pay stubs, tax returns (personal and business), W-2s, 1099s, and K-1s for both you and your spouse. If self-employed, include business income statements and profit/loss reports.
- **Bank statements:** Copies of statements for checking, savings, and other accounts from the previous six to 12 months.
- **Investment accounts:** Documentation for stocks, bonds, mutual funds, retirement accounts (e.g., 401(k), IRA, pension), and other investments.
- **Debt records:** Statements for credit cards, car loans, student loans, and other liabilities.
- **Business records:** If applicable, include business ownership documents and financial records.

What do you hope to achieve? Whether it's custody arrangements, financial settlements, or lifestyle considerations, your goals will guide your attorney's approach. Here are key questions to think about:

- What are your priorities regarding child custody and visitation?
- Are you seeking or concerned about paying (or obtaining) alimony?
- How do you envision the division of marital assets?
- Are there specific assets you wish to retain or debts of concern?
- Would you prefer a compromise through settlement, possibly through mediation, or to seek a litigated outcome?

Of course, divorce cases are shaped not only by finances but also the history of the marriage. Be open about your relationship. Be prepared to discuss:

- Marriage length: How long were you married, and how has your relationship evolved?
- Children: What are their ages, and what is your current custody arrangement?
- Contributions to the marriage: What roles and responsibilities have you and your spouse taken on when it comes to earning money, maintaining your home, and raising children?
- Living arrangements: Are you and your spouse still living together? If not, how long have you been separated?
- Reason for divorce: While Connecticut is a "no-fault" divorce state, the reason why your marriage broke down — e.g. due to factors such as infidelity or domestic violence — may influence decisions around custody, alimony, and a division of assets.
- Previous agreements: Have you and your spouse already discussed or agreed on certain terms?

Your first consultation also is an opportunity to learn about the process and assess whether the attorney is a good fit. Preparing a list of questions will help you make informed decisions.

- What are the initial steps, and how long will the process take?
- How will we handle asset and debt division?
- What are likely outcomes for child custody and support?
- What are the strengths and weaknesses of the case?
- What options are available for resolving the divorce (mediation, litigation)?
- What are your fees, and how are legal services billed?

Divorce is emotionally taxing. Your well-being is crucial. Be honest with yourself and the attorney about your feelings on the reality of embarking on an adversarial process that can be very stressful. Consider building a support system of friends, family, and professionals who can offer emotional support as you navigate this challenging time.

If you've already been served with legal papers or have pre-existing agreements, bring them to your consultation. These include:

- Divorce petition or complaint
- Prenuptial or postnuptial agreements
- Temporary restraining orders or protective orders, if applicable
- Pending motions and court orders that have been entered, if applicable
- Any communication from your spouse's attorney

Divorce can be financially demanding. Your attorney will explain his or her fee structure, which typically includes legal work performed at hourly rates and charged against a retainer on deposit (and held in a trust account), in addition to court fees and other disbursements on your behalf. Keep in mind that legal costs in a divorce case are very difficult to estimate. You never really know how the other side is going to react at various stages of the process.

By preparing for your initial consultation, you'll set the stage for a more productive legal strategy — and more quickly gain peace of mind.

Attorney Kevin C. Brown is a divorce litigator at the Westport-based law firm Needle | Cuda: Divorce and Family Law. Many of the cases he takes involve high-income and high net worth divorces, complete business valuations, highly contested child custody. He can be reached at 203-508-3198 or at www.needlecuda.com.

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