

Anne-Marie Cade

**THE SIX
BIGGEST
MISTAKES TO
AVOID IN
DIVORCE**

Divorce and separation are challenging times. Your very foundations are shaken, and you may be feeling fragile. You did not contemplate having to divorce when you walked down the aisle, and it's not something that you are prepared for. You thought your partner would always be there, but here you are alone and don't know what to do.

Research shows that divorce is the second most stressful life event a person faces, and it is second only to the death of a spouse. When facing the end of a marriage, you end up having to explain what happened to family and friends, you have to cope with the grief of the death of your relationship, and you are also expected to make sound rational decisions that will impact your future and the future of your family. Because you are so overwhelmed, you are unable to think clearly and logically, and you end up making rash decisions. I have identified six mistakes that clients tend to make in this situation.

① HANDING OVER THE DECISION-MAKING TO SOMEONE ELSE

"I hired a lawyer because he will take care of everything for me, know what to do, and has many years of experience. My friend recommended him, he will fight for me." There is a misconception that hiring a lawyer is the first thing to do. A lawyer can't make your decisions for you. The lawyer is qualified to help you with the legal process, not help you untangle the emotional mess you may be in. You and your partner need to make the big decisions together.

You may also think that the judge will make the decision for you. Don't assume that the judge will do justice to an irresponsible partner. The judge will make a decision based on the evidence provided to him/her. The judge does not know your family. You must always retain your right to make decisions and not abdicate the decision-making to others. But do take the advice of professionals when looking at your options.

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② MY WAY OR THE HIGHWAY

"He will not listen to what I say, he won't talk to me. When we have a conversation, it always ends up in a shouting match." If you choose to be obstinate and challenge your partner at every stage, if you want to win at all costs, and if you're going to engage in an adversarial battle to prove your point, you will only end up stressed, unhappy and poorer. Your lawyer will only benefit from this approach because they charge fees for every call and conversation. This approach will also impact the children because they will be affected by the ensuing conflict. The "I win, you lose" approach rarely gets you a good outcome, and it usually ends up in a "no win" for both parties and the children.

Maintaining open communication with your partner during the divorce process is essential, and this isn't easy when emotions are running high. It's best to seek the assistance of a professional to help you manage the conflict so you can both communicate better and hear each other out. You will then be able to listen to what your partner says and understand what's important to them and it will make reaching an agreement easier.

③ NOT GETTING INFORMATION FROM QUALIFIED PROFESSIONALS

"I don't know what to do or where to start, I checked the family court website, and all the forms are confusing. My friend suggested that I see a lawyer." Remember that what worked for your friend may not work for you. Your situation is unique and different to your friend's situation. You need to consult a lawyer to get advice on your particular needs and situation. The lawyer can handle the legal process, but so many decisions need to be made about parenting, finances, career etc. I call this "life admin", and the "life admin" almost doubles because you have to do everything alone. You are also making some of the most important decisions of your life, so it's necessary that you get help from a Divorce Coach on the strategy you need to adopt because you are faced with having to make critical personal and business decisions. You may not necessarily get that advice from your lawyer. If you don't get sound advice initially, you may end up paying the price later and it may cost you more emotionally and financially.

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When you are emotional, your ability to make good decisions is somewhat impaired, and your judgement is affected. This is why you need the expertise of other professionals to help you. Look for insight and support from a variety of professionals.

④ THROWING IN THE TOWEL

"I just want out and have had enough; I want my life back." When the divorce process drags out over a lengthy period, people get weary of it and begin to feel like they "just want out." The divorce process can wreak havoc on your mental and physical health. Years of going back and forth to Court to remedy what went wrong in the first place can wear you down. You feel like you are drowning in the process, the consultations, the negotiations, the mediations and the court hearings. It may be affecting your work life and your relationship with your children too. You are so fed up that you want to throw in the towel and move on with your life. If you do this, you may end up getting less than your fair share or end up paying more to your partner than you should. By giving up, you may create more problems than you solve. You may miss out on getting the essential elements of the agreement sorted out, which may mean you are stuck in limbo forever. It may get you short-term relief but cause long-term pain. Instead, drawing on your resilience and negotiating for what is important to you is essential.

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⑤ BETTING THE FARM ON ANOTHER RELATIONSHIP

"I have met someone who will take care of me, so I don't care about the assets or the support anymore." You may feel emotionally fragile, and your new love may seem like the answer to all your prayers. You want to move on with this new relationship and forget this nightmare divorce. You want to speed up the process and get it over and done with fast. This may mean giving up some of your earlier requests that you thought were important. Remember that during the divorce process, you are highly vulnerable, which may result in you making unwise decisions. Throwing caution to the wind and betting the farm on another relationship may mean you are risking your future security. Your focus should be on ironing out the details of your agreement and finalising it before you move on. You should end your current marriage well before thinking of another relationship.

⑥ WANTING GUARANTEES AND CERTAINTIES

"I need clarification on whether this is a good settlement, and I don't know if it's good enough." Fear is a normal reaction when faced with divorce. You are fearful about facing life on your own and are feeling insecure. It is essential to be reasonable in your expectations. Instructing lawyers to pursue less consequential issues will cost you more money. That is why it is necessary to get other experts, like financial consultants, on board to help you understand the ramifications of your decisions. They will help you explore alternative scenarios and identify the best-case and worst-case scenarios. Be aware of having unrealistic expectations. Take time to understand the settlement terms.

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