

How To Work With Your Divorce Attorney

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Beginning the divorce process can be daunting. You are embarking on a life changing journey that will require guidance, patience, time and effort. It is important that you select an attorney with whom you are comfortable, with whom you have confidence and with whom you can work as a partner while navigating the road through the divorce process. It is important that you not feel intimidated in your interactions with your attorney and should feel free to ask her questions and to voice your concerns. On your part, it is critical that you provide information to your attorney.

Your attorney must be informed in order to advise you, guide you, and to take appropriate action in your case. Annexed to the retainer agreement provided by your matrimonial attorney should be a document entitled **Statement of Client Rights and Responsibilities in Civil Family Actions** which has been sanctioned by the New Jersey Courts. This statement clearly defines what is expected of you **and** what you should expect from your attorney.

The “Client Responsibilities” describes the client’s responsibility to provide “full and accurate information” regarding his/her matter and to be “available to participate in a timely fashion regarding [your] matter and to respond reasonably to requests [of his/her] counsel.” In addition, the client must “advise [the] attorney promptly of any changes in [his/her] life that might reasonably be expected to affect the handling of [his/her] matter.” To that end, at the inception of your case, you should provide your attorney any agreements with your spouse, such as marital and/or premarital agreements. In addition, provide all financial documentation that you have reasonably available to you, including: your tax returns for the last 5 years; your last 3 paystubs; recent statements for all of your bank accounts, investment accounts, retirement accounts; documents related to any property owned by you individually or jointly with your spouse or in which you have an interest, including but not limited to deed, mortgages, notes; accounts in your children’s names or held on behalf of your children; information with regard to any trusts in which you may have an interest; your and your spouse’s will; debt information, i.e. credit card statements, notes of indebtedness, bills such as medical and utility

bills, Judgment(s) of Divorce regarding prior marriage(s); any restraining orders (temporary and final), and documents related to any asset or business owned by either you or your spouse.

Also of assistance would be a written narrative of the circumstances surrounding your meeting of your spouse, significant events during your marriage, i.e. birth of children, relocation, domestic violence incidents and issues relating to the demise of the marriage. Indicate any property that you owned prior to the marriage, your educational background, your work history, whether either party pursued an education or training during marriage, whether either party or child(ren) has or had medical issues, infidelities, and history of drug or alcohol abuse or mental or emotional issues of either you or your spouse.

Your attorney will provide to you a Family Part Case Information Statement (CIS), which is a 9 page document which sets forth your earnings, budget/living expenses, assets and debts. Make every effort to fill out the document as completely as possible so that your attorney can get a complete financial picture. The CIS is required to be filed with the Court in all divorce matters and the importance of this document cannot be overstated. It will be relied upon by the Court if called upon to make determinations regarding support and equitable distribution of assets and debt. A CIS can be obtained on the New Jersey Courts online website (<https://njcourts.gov/courts/index.html>) (search Family Part CIS). It would be helpful if you at least begin filling out this document before or as soon after retaining your attorney.

Provide your attorney with contact information where you can be reached, such as telephone, fax and email addresses. If you have concerns with respect to privacy, such as being emailed or faxed at work or at home, be sure to advise your attorney.

It is essential that throughout your case that you promptly respond to your attorney's requests for information or documentation so that she can properly represent you and prepare submissions to the Court. You should view yourself and your attorney as partners. The more you participate in the process and the more informed you make your attorney, the more sure-footed you will be on the path to your divorce.