

How to Prepare for a Divorce

With so many things to deal with when ending a marriage, it's important to have a knowledgeable attorney in your corner to guide you through the process. That's why we had Albany family and matrimonial attorney Barbara King on the show tonight to help us sort through all the steps when preparing for a divorce.

One of the first things she recommends before you even file for divorce is to open up your own bank account and start putting some of your money into it on a steady basis. Along the same lines, you want to begin establishing your own credit so down the road when you go to buy a car or a new home, you aren't relying on joint credit accrued during marriage or left with none if everything was in your spouse's name. Barbara also suggested having your mail sent to a P.O. Box to ensure you are receiving everything you should be. In addition, this will help conceal any information about your new bank account/line of credit to avoid suspicion from your soon-to-be ex.

It is very important that you choose the right attorney for your needs. Barbara explained some of the main factors to consider when determining who to go with, and one of the things he brought up was the firm's size. There are huge differences between small firms and ones that are slightly larger, including how many attorneys are on hand to help you. For instance, at my firm, Tully Rinckey PLLC, we have a team of six family and matrimonial attorneys who are available to help clients. This is in addition to our 24/7 emergency phone number, where no matter what time day or night, there is an attorney to help you. On the other hand, at a smaller firm you might get an answering machine and not have your call returned for a day or two.

Finally, a common question I get all the time pertains to spousal support and who is entitled to it. Although this largely depends on the circumstances of each case, a good general rule is that in long-term marriages- those that last seven years or longer- there is the possibility of support. In short-term marriages that last only a year or two, there is no guarantee of spousal support unless there are special factors, such as disability, medical issues, or the inability of one of the parties to work.