

Shopping for a Divorce Lawyer: One Size Doesn't Fit All

Imagine: You're sipping coffee, perusing the Sunday paper. Suddenly, you're jerked from your reverie by an ominous bang. You dash to the basement. Scalding water from your ruptured hot water heater rises around you. As your bare feet blister, you splash to your phone, Google frantically, then punch in the number of the first plumber you find who does emergency house calls. You don't check references. You don't care if the company is bonded. You can't even think. You just want it to stop -- now!

Facing separation and divorce is some version of this nightmare.

Whether you're leaving or being left, whether you've been planning the split for months or it hit like a bolt from the blue, life as you've known it is over. Even as your emotions ping pong like lottery balls, you'll have to make some big decisions -- starting with which lawyer you'll choose to represent you in discussions about two of the most important things in your life: your kids and your money.

Where to start?

Relax. You can do this. Here are some tips.

Tip #1

Breathe

You're under pressure. Maybe your wife has dumped your clothing in an angry heap on the guest room bed and left the real estate listings on the pillow. Perhaps your husband's attorney is flooding your inbox with nastygrams threatening litigation if you don't get counsel *yesterday*.

But guess what? This is a life crisis, but it's *not* an emergency.

Don't allow your spouse's bullying or your own anxiety to force you into any sudden moves. Choosing a divorce lawyer is one of the most important things you'll ever do. Researching options will pay huge financial and emotional dividends -- for the rest of your life.

Tip #2

Tell Your Greek Chorus to Quiet Down

Most of us naturally turn for advice to our nearest and dearest -- family, friends, colleagues. They all have opinions, war stories, and the name of a great lawyer. But they also have agendas. Your tennis partner -- still reeling from his wife's affair with her personal trainer -- will gladly produce the number of his gladiator. Your recently divorced friend who got "fleeced -- I'm telling you fleeced!" will eagerly refer you to her shark litigator.

While we all need support during this time, what your loved ones don't know can hurt you. Soak up all the emotional encouragement you can -- but do your own homework. Only you can know what kind of lawyer is right for you.

Tip #3

Take a Personal Inventory

Even in the early days when the very thought of your spouse elicits homicidal fantasies, ask yourself: Is an adversarial process going to serve you best? Try to think beyond today's pain and rage. Do you want to squander both your kids' college fund and any potential good will in a nasty negotiation or (worse) litigation?

Consider preserving your family's resources and the possibility of dancing with your ex at your daughter's wedding by choosing the most peaceful process that the two of you can agree on.

Tip #4

Educate yourself

There are many ways to get divorced. Very few couples (particularly those with short marriages, no kids, and simple finances) opt for the "kitchen table" approach -- they simply sit down together and work things out. But most couples need the support of divorce professionals. The "mainstream" processes (settlement negotiation, mediation, Collaborative Divorce, and litigation) differ from each other in a number of important ways. You need to get up to speed. Below I've listed some helpful websites. Just browse through them.

Remember: if you're a hammer, everything looks like a nail. If you're not sure which "type" of divorce would be best for you, interview attorneys with a full complement of tools in their toolbox.

Tip #5

Avoid a sales pitch

Attorneys have an ethical obligation to explain *all* legal process options. While many attorneys lean heavily toward certain ways of working (some, for example, prefer strategic negotiation over non-adversarial approaches), you're entitled to information about your full range of choices. If you're not getting good answers, go elsewhere.

Tip #6

Cheaper isn't always a bargain, and more expensive isn't always better

If finances are tight, a greener attorney might be a good choice. Many younger lawyers are well-trained, well-mentored, and, because they're typically less busy than their senior colleagues, may give your case a lot of attention. At the other end of the continuum are the famous Big Dogs with decades of experience and astronomic fees. If money isn't a concern, you don't have energy to research attorney's credentials, and national name recognition is important to you -- go for it. But know that these folks often offload big chunks of their work to other members of the firm. While that might be fine (even preferable), be sure to ask up front who will answer the phone when you call.

Tip #7

Choose a good listener

When you walk into a lawyer's office you'll be nervous -- you won't know what to expect. Before he or she launches into advice or starts strategizing, a good lawyer will take the time to put you

at ease by listening carefully to your story, asking relevant questions, addressing your immediate concerns and offering emotional support.

Finally...

Tip #8

Trust your gut

Picking a divorce lawyer is like dating. If there's a voice in your head whispering "run," then run. You're getting out of bad relationship; don't jump into another one.

Helpful Websites

[American Association of Matrimonial Lawyers:](http://www.aaml.org/find-a-lawyer)

<http://www.aaml.org/find-a-lawyer>

International Academy of Collaborative Professionals

<http://www.collaborativepractice.com>

NOLO Law for All (free legal information)

<http://www.nolo.com/legal-encyclopedia/divorce-mediation-myths-30191.html>