



## **Leave No Stone Unturned: 8 Lesser-Known Challenges to Prepare for in a Divorce**

When mentally preparing for going through a divorce, most people understand that it isn't going to be a pleasant experience, but they also think that they pretty much know what to expect. While there are many things, such as dividing assets, figuring out custody, and other common steps that everyone expects to go through, there are many other challenges that are often surprising.

Taking the time to learn about some of the things that surprise those going through a divorce the most can help reduce stress, and ensure you are prepared for whatever comes your way. The following eight challenges are not found in every divorce, but learning about them now can help to ensure you're not facing something unexpected before, during, or just after this difficult process.

### ***Expect a Full Range of Emotions***

When filing for divorce, many people are hurt, angry, or just exhausted from the challenges of a failing marriage. Many of these emotions will continue into the divorce process itself. What many people don't expect, however, is that most people going through a divorce experience a wide range of different emotions throughout the process, and unexpected things may trigger them. Understanding that this is a normal part of the process can be helpful in getting through it successfully.

### ***Update Your Beneficiary Designations***

After your divorce is finalized, you will want to make sure to go through and update the beneficiary designations on all your accounts. This is something that is easy to forget or put off, but should something happen to you, it is essential for ensuring your assets go where you want them. The following are some of the most common areas where you'll want to make these changes:

- Life Insurance Policies
- Retirement Accounts including 401(k)

- All Bank Accounts
- Wills
- Powers of Attorney (if you had your spouse named)

### ***You May Never Have to Fight in Court***

Many people think that a divorce means going into a courtroom and trying to convince the judge that you should get certain assets, or that they should side with you in each decision. While litigating a divorce is often necessary, some divorces today aren't nearly as contentious as people expect. Lots of people are surprised to learn that their divorce may be better handled through mediation than fighting in court, and most courts require parties to attempt to resolve their disputes through mediation before coming to court. A good mediator can help resolve most, or even all, the conflict so that a divorce agreement can be made without having to argue in front of a judge.

This may not seem like a challenge at first, but some people go into a divorce looking to 'win' their case by 'beating' their ex in court, and may actually be disappointed that they don't have this opportunity. Mediation, however, is better for everyone involved (especially children, if there are any), and should not be resisted if it is a good option in your case.

### ***Judges May Not Seem Fair***

The vast majority of judges in family law courts do a great job at trying to really understand all the facts in a divorce case, and make fair rulings. It is important to remember, however, that there are times where a judge may not treat you or your case in a way that seems fair to you. Judges are human and have their own experiences and biases, which may be different from your point of view. They may even make decisions that seem outrageous to you.

While this is never an easy experience, it is important to remember that there are typically legal steps that can be taken to overcome this type of challenge if the judge is being truly and legally unfair. This is one of the many times where you will benefit from

the experience and knowledge of your attorney, who can help guide your case to ensure you are getting fair results.

### ***Tax Filing Status***

The IRS doesn't wait for your divorce to have your taxes filed and paid. When going through a divorce, and even for the first year after a divorce, it can be confusing to know what the best way to file taxes might be. Even if you are in the middle of a divorce, for example, it may make sense to still file as married filing jointly. Putting the divorce aside, and making the right decision on how to minimize your tax burden, can end up saving you a significant amount of money. Many people find that having an accountant handle their taxes, even if they have done it themselves in the past, can help ensure everything goes smoothly.

### ***Dishonesty of Your Spouse***

One of the biggest surprises for many people who aren't expecting a particularly contentious divorce is that their spouse may lie, or have a different version of the truth, than they expect. While in court, or even mediation, don't assume you know how your soon-to-be ex is going to act. Let your attorney prepare for the case, and handle it properly no matter the situation.

### ***Divorce is Very Difficult on Children***

This one might not seem like something 'lesser-known' but the reality is, most divorcing parents underestimate just how hard this process is on the kids, no matter their age. Each child will react to the divorce differently, and preparing for anything can be very helpful. Getting your children the help and support they need to process this event in their life can be very important. Even if they seem to be handling it well, keeping a close eye on the situation is always essential. It is imperative that you work to keep your negative feelings and comments about your spouse from affecting your children. Most courts impose a prohibition against making disparaging comments about your spouse or allowing others to make disparaging comments about your spouse in the presence of your children. This is a good rule to follow at all times.

### ***Dealing with the Loss of Control***

Even in a bad marriage, a spouse will typically have some sense of control over the situation they are facing, especially when it comes to the children. During and after a divorce, however, there is often very little that can be done in regards to the decisions your ex makes (unless they are causing danger to you or a child). While it should be expected, people are often extremely surprised when their ex entirely disregards their desires, or worse, actively works against them. This could be anything from bringing a new significant other around the children too soon, to demanding something in the divorce that you know they don't really care about.

### ***Get the Help You Need***

Divorce is a complex and often confusing process, but it is important to get through it with as little difficulty as possible. While most people know that an attorney will be there to help argue their case, and navigate the often-confusing legal processes, it is important to understand that they are also there to help you prepare for the unexpected. Never be afraid to ask your attorney questions about what to expect, or if something you are dealing with is normal. A good family law attorney will have gone through this hundreds of times, and can be an invaluable resource for far more than just the legal aspects of this process.

No matter the nature of your family-related legal challenges, we encourage you to reach out to the dedicated attorneys at the law firm of Fraser, Wilson & Bryan, P.C. today to schedule a free consultation and discuss your case. You can call our Stephenville, TX office at (254) 965-7270 or reach out through the [contact page](#) on our website.