

# Family Law

## What is family law?

Family law includes many things other than divorce. It includes:

- Dissolution
- Changing or modifying divorce decrees for child support and spousal support when there has been a significant change since the last order
- Modifying the decree for child custody and child visitation when it is in the best interests of the child
- Adoption, either stepparent or independent adoption
- Juvenile law, representing parents or children in juvenile proceedings
- Representing children in custody or visitation disputes
- Conservatorships
- Guardianships
- Probate

## What costs are weighed in family law matters?

Financial costs: what is the financial analysis of the action taken?

- What will the legal fees versus the cost benefit?
- What is the fair market value of the property?
- How is the property divided up?
- What are the tax ramifications of the transaction?

Legal costs: what legal rights and obligations do you have?

- What value do you place upon those legal rights and obligations?

Emotional costs: what will taking a certain action cost you emotionally?

- How much stress will going to trial cause to you and to the kids?
- What will going to court do to your relationship with your ex-spouse in the future?
- What will going to court do to your relationship with your children?
- How much stress will be caused if you have to live with a certain action, such as a custody decision or property division?
- What is your stress level now? How badly do you need resolution of a conflict immediately?

## What do you look for in a family law attorney?

- Someone you can work with comfortably. This is largely a matter of style. Do you want someone who will "take care of you" and tell you what you should be doing?
- Do you want someone who lays out options and lets the client make the decision?
- Do you want someone who will be aggressive in style, both in court and outside of court? Often people say they want aggressive attorneys, but aggressive behavior escalates the conflict between the parties to the point the parties cannot get along at any level in the future. Like it or not, if you have children, you have an on-going relationship with the other spouse for a very long time. Additionally, aggressive attorneys often annoy judges, who then make rulings less favorable to the client.
- Do you want an attorney who is prepared to go to court if necessary, but looks for other creative ways to solve the problems?