





Appendix 2


Initial Consultation Checklist

[Note: The following is a menu of questions from which to choose those that are most important to you. To maximize the usefulness of your consultation, bring 3 years of tax returns, a net worth statement, and your Statutory Criteria Summary. You can download this Checklist at <http://divorceresourcessite.com/updates-materials/>.]

Attorney/Client Relationship and Handling of the Case


1. Are you supportive of ADR? If I decided to mediate, would you act as my review counsel? What do you understand the role of review counsel to be?
2. Do you offer “unbundled legal services” and if so, how might that work most productively in my case?
3. How many of your divorce cases go to trial each year?
4. Do you have a policy of returning calls within a certain amount of time?
-  5. Will you be available to meet with me before any court proceedings or “four-way” negotiation session?
-  6. Do you prepare clients prior to depositions or court hearings by cross-examining them as you expect the other lawyer would?
-  7. How would you try to minimize the impact of the divorce on my children?
-  8. Is there anything I should do right away to protect my interests (for example, regarding joint bank accounts and credit cards, pending loan applications, upcoming pension elections, etc.)?
9. Are there things that I can get started on (financial affidavit, gathering documents, etc.) that will expedite my case?
10. Are there things that I shouldn't talk to my spouse about?

Attorney's Experience





11. How long have you been practicing family law?
-  12. What percentage of your practice is devoted to divorces?
13. Besides family law, what other types of law have you practiced?

14. What kind of relationship do you have with my spouse's attorney?
15. Are there any attorneys with whom you would prefer not to work?

Others Who May Become Involved in Your Case

16. In the event a lawyer or guardian is to be appointed for my child, will I be able to participate in the decisions regarding who you would recommend and what role such a representative would play?
17. What other members of the firm will be involved in my case? What experience do they have and what work will they be doing on my case?
18. Is your support staff experienced in family cases? What tasks do they perform?
19. Might an actuary, accountant, or lawyer outside your firm render services such as preparing qualified domestic relations orders? If so, who and what tasks do you envision them performing?
-  20. Will you personally handle all substantive court proceedings and settlement negotiations?

Fees & Disbursements

-  21. What is your hourly billing rate and the hourly rates of other lawyers who may work on my case?
-  22. Will I be charged for non-legal clerical work such as bill preparation and scheduling of appointments?
-  23. Will you be sending me a letter regarding your fees?
-  24. Do you charge by the minute, increments of .1 hour, or in some other way?

Range of Likely Outcomes

25. Based on my tax returns, net worth statement, and statutory criteria summary, what can you tell me about the range of likely outcomes in my case regarding child custody/access, property settlement, child support, and alimony?

Miscellaneous

26. Do you use software such as Finplan to run alimony scenarios, calculate present value, etc.? Do you do that personally or does someone else in your office do it?

Appendix 3

CHILDREN'S BILL OF RIGHTS

WHEN PARENTS ARE NOT TOGETHER...

Every kid has rights, particularly when mom and dad are splitting up. Below are some things parents shouldn't forget – and kids shouldn't let them – when the family is in the midst of a break-up.

You have the right to love both your parents. You also have the right to be loved by both of them. That means you shouldn't feel guilty about wanting to see your dad or your mom at any time. It's important for you to have both parents in your life, particularly during difficult times such as a break-up of your parents.

You do not have to choose one parent over the other. If you have an opinion about which parent you want to live with, let it be known. But nobody can force you to make that choice. If your parents can't work it out, a judge may make the decision for them.

You're entitled to all the feelings you're having. Don't be embarrassed by what you're feeling. It is scary when your parents break up, and you're allowed to be scared. Or angry. Or sad. Or whatever.

You have the right to be in a safe environment. This means that nobody is allowed to put you in danger, either physically or emotionally. If one of your parents is hurting you, tell someone – either your other parent or a trusted adult like a teacher.

You don't belong in the middle of your parents' break-up. Sometimes your parents may get so caught up in their own problems that they forget that you're just a kid, and that you can't handle their adult worries. If they start putting you in the middle of their dispute, remind them that it's their fight, not yours.

Grandparents, aunts, uncles and cousins are still part of your life. Even if you're living with one parent, you can still see relatives on your other parent's side. You'll always be a part of their lives, even if your parents aren't together anymore.

You have the right to be a child. Kids shouldn't worry about adult problems. Concentrate on your school work, your friends, activities, etc. Your mom and dad just need your love. They can handle the rest.

IT IS NOT YOUR FAULT AND DON'T BLAME YOURSELF.

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