
7 IDEAS ON HOW TO GET DIVORCED SMOOTHLY

A Guide to a Peaceful Divorce



SASTOW
LAW &
MEDIATION

Sheryl-Anne Sastow, Esq.

516-314-6116 | www.sastowlawandmediation.com

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I understand that contemplating divorce almost always invokes extensive anxiety and trepidation. Having litigated in the past, and now for many years worked with numerous clients as their mediator or their collaborative attorney, I will recognize the issues within the process. The reality is that keeping a few tips in mind can really help ease your fears and boost your confidence for the entire ordeal of legally, but peacefully, ending your marriage.

My services are very personalized; I like to get to understand each client's or the couples' particular circumstances and needs and often bring in specialists to assist with those special needs. I recognize that each person brings his or her own concerns to the table, and that's why we help you create unique resolutions that maximize your time, while minimizing your expenses.

Every divorce has its own challenges and many people going through divorce, whether first or second, are unsure about what to expect and what to do. That's why working with an experienced attorney/mediator is so important. Experienced attorney/mediators not only know the ropes in family law, but usually have also encountered a variety of issues in court that they can bring to the table in assisting their clients to resolve their differences. Helping clients work smoothly through problems to achieve solutions is my goal, and that's why I am so focused on maintaining a client-centered practice.

Divorce will be difficult, but it can be smoother than you anticipate. You'd be surprised at just how you can create a smoother and more peaceful divorce as a participant in mediation or collaborative team divorce. Unlike in litigation, with us, you will be able to exercise decision-making power over your concerns and have control over the process. We know that each family has unique issues that need to be resolved in a way that will address those specific issues. We strive to reduce the complications and challenges that you face, rather than increase them, as would occur in litigation.

I wrote this ebook to help you understand some of the simple and effective tools for making your divorce go smoothly.



Sheryl-Anne Sastow, Esq.

Sastow Law & Mediation

Specialists in Peaceful Divorce

Divorce Mediation, Collaborative Team Divorce, Family Dispute Mediation

(516) 314-6116

ssastow@sastowlawandmediation.com

www.sastowlawandmediation.com

Offices in Plainview, Great Neck and New York City.

Main Office: 998C Old Country Road, Suite 125, Plainview, NY 11803



Divorce is difficult for almost everyone, but there are steps you can take to make it easier. Knowledge and some advanced planning and preparation can go a long way towards reducing your anxiety and setting you up for a smoother divorce. Litigation isn't your only option for going through divorce. It is expensive, frustrating and lengthy, none of which tend to appeal to those in the throes of a divorce.

1

Consider Mediation

Divorce Mediation works well for individuals who, despite their emotional turmoil and negative emotions toward their spouse, feel that a well-trained and knowledgeable neutral third party may be able to steer the couple toward resolving their issues in the most cost effective, least time consuming, and smoothest divorce process.

Consider mediation when:

- You want to save the **most** money
- You want to save the **most** time
- You want to learn ways to communicate somehow with your to be ex-spouse
- You want to protect your children from emotional turmoil
- You and want to have total control over the process and creation of the agreement
- You have the option to use a consultant attorney
- You want to stay out of court
- You don't want to fight with your spouse
- You want to tailor the agreement to your and your children's needs and interests
- You want to divorce peacefully

In mediation, you'll be guided by a neutral third party (the mediator) who helps facilitate communication between you and your spouse, enabling creative solutions that meet your specific needs and the needs of your children. Many couples are able to resolve the critical issues of their divorce successfully in mediation, **despite** the anger, mistrust and resentment toward each other!

Mediation minimizes the adversarial nature of divorces. You end your marriage smoothly. The mediator's job is to be sure that both parties' needs and concerns are addressed. Mediation emphasizes what's constructive, rather than fueling conflict as the



litigation process does. Mediators encourage and guide the conversation, helping each spouse hear, (possibly for the first time), the needs, concerns, and wishes of the other. The environment is neutral, safe, and confidential. Successful mediation often lays the groundwork for future non-confrontational discussions when the divorce is over.

2 Consider Collaborative Divorce

Collaborative (team) divorce works well for individuals who feel more comfortable having an attorney represent them and negotiate alongside them. If you feel that you need to ensure at all times that your legal rights are being considered and protected as you work through a peaceful divorce, this may be the right choice for you. Specifically, collaborative divorce may work well for you when:

- You want to save money
- You want to save time
- You feel afraid to speak without your attorney with you
- You want to ensure that you are not being taken advantage of
- You want to stay out of court
- You don't want to fight with your spouse
- You want to participate in creating your agreement
- You want to tailor the agreement to your and your children's needs and interests
- You want to divorce peacefully

3 Collect All Financial Information and Make an Inventory of Assets

When you're heading into divorce, it's extremely helpful to get to know your financial situation and your monthly budget. Without all the proper documents, you could end up being the cause for delay in your own divorce. So to help the process run smoothly and save yourself some time, gather these documents, think about your budget and be ready to give them to the mediator upon request. The mediator needs this information to help you and your spouse craft the resolution of your divorce issues. Get started sooner rather than later, keeping notes of items you still need to track down.



4 Make an Inventory

This can be a very detailed process. Make an inventory of all your assets and liabilities, bearing in mind whatever debt or assets you think you might hold jointly. Any documentation that backs up what you are claiming is extremely helpful. Try to organize this information chronologically for easy reference. In the inventory, you can include car payments, student loans, retirement accounts, credit card balances, mortgages, and any outstanding business loans. Taking a complete inventory is the only way to get an accurate picture of where you and your spouse stand with regard to both debts and liabilities.

5 Choose the Right Mediator

Your mediator should be very comfortable with New York Matrimonial Law and Family Law, should have a good understanding as to how the court system differs from the mediation process, should be very comfortable with budgeting and divorce financial planning issues, as well as should have an understanding of the critical psychological issues that arise when a couple faces a divorce. A good mediator knows the issues that need to be decided and is able to assist the couple from the beginning of the divorce process right through until the divorce judgment is signed by the judge.

6 Divorce Financial Planning

Work with a divorce mediator or collaborative attorney who is not too proud to work with a professional divorce financial planner, or any other professionals who may have more expertise than the mediator or collaborative attorney in a particular area that is specific to your family's needs. This will save you time and money and enable you and your spouse to create a more sound agreement. For example, the financial planner will provide you with a clear picture of your finances and will help the mediator or collaborative attorney and you, come up with creative ideas to secure your and your spouse's future financial health. This helps substantially in resolving your issues.



7 Stay Focused on You Moving Forward

This is often difficult for people going through the divorce. You're feeling so alone, so scared, so unsure of yourself, and often so angry and resentful of your spouse. But you need to set aside time for yourself, (and your children) and have some quiet time. Just knowing that you've chosen the "better way to divorce" should give you some emotional satisfaction that you're acting in you and your family's best interests. Set aside some time each week to do an activity you enjoy, or to pick up a new hobby. Taking a breather away from the divorce can do wonders for reducing anxiety. If you have a good support system in family and friends, this is a good time to decompress with those individuals. Remember that it's okay to have emotions and that there will be days where you struggle- turn to your support network during this time and allow yourself the opportunity to heal.



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