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# How to Turn Your Case into the Divorce From Hell



*Let's face it,  
divorce is no fun.  
It is a painful,  
traumatic, terrible  
time in your life.  
If you really want  
to suffer, however,  
you can take steps,  
ratchet up the heat,  
and turn your  
divorce into the  
"Divorce From Hell."*

Other articles in this manual will help you in reaching a rational conclusion to your divorce case so that you can walk away with some measure of emotional stamina, financial security, and pride. However, if you really want to create havoc, you can turn your case into the divorce from hell—your worst nightmare. Following are some sure-fire ways to do just that.

**1. Focus only on emotional destruction.** Invest a lot of time in self-pity and find shoulders to cry on—your friends, family, future ex-spouse's family, and worst of all, your children.

We all know that divorce is painful, but if you really do want to get over it at some point and move on with your life while maintaining your friendships and family relationships, you cannot continually involve your friends, your family, your future ex-spouse's family, and your children. This only escalates the emotional nightmare and may permanently destroy important relationships. Spreading your pain is a tactic that rarely accomplishes anything positive for you and often serves to isolate you from friends and family who soon begin to tire of hearing about your situation.

What you should do is take positive steps. Engage in meaningful therapy or find a support group. One client got involved with a group of woman at her church who were going through the same process. They provided essential emotional and social support for each other through the bad times and strong friendships long afterward. Remember, one day your divorce will be over and you want to be able to put it behind you with dignity and grace.

## 2. **Involve your children in the dispute.**

One of the quickest ways to escalate hostilities is to involve your children in fights with the other parent. Typically, one spouse reports to Junior that “Dad can afford to buy you a car, but he just doesn’t want to” or “Mom can afford to pay for private school with the money I am giving her.” When children are used as pawns by their parents in a divorce, they soon learn that they can use their parents as pawns. The nightmare of that is unimaginable.

These tactics are not good for you or your children. Resisting the temptation to lash out in front of the children may be difficult when you are angry or frustrated or can’t afford to buy the little extras your children want, but be advised, you will suffer for it and so will your kids and everyone around you.

## 3. **Play games with timesharing.**

This tactic can have endless permutations. You can consistently be anywhere from a few minutes to an hour or more late for pick-ups or drop-offs or you can fail to appear for visitation and forget to call. You can continually send the children without appropriate clothing or refuse to return clothing or toys or books, or return the children dirty, hungry, or exhausted. You can inadvertently forget to send the children’s schoolwork or assignments or fail to send notices of school events to the other parent. You also can forget to mention long-standing dental or medical appointments until the last possible moment. Another wonderful opportunity to cause misery is to refuse to take your child to a soccer game or birthday party because it conflicts with your time-sharing arrangement or to insist that the child attend extracurricular events, especially when they are difficult for the other parent to manage.

Another way to stir up the heat is to insist that your soon-to-be ex-spouse discipline the children in a certain way or feed the children at certain times or generally try to usurp his or her parenting decisions. Remember, you each have your separate parenting styles and neither one is necessarily better or worse than the other. One psychologist used the catch phrase, “the goodness of fit,” meaning

that some children thrive with a *laissez faire* parent, whereas others need a stricter regimen. Both parents must be guided by the child’s needs, rather than one parent’s desires to control the other. Your children’s welfare and emotional adjustment should be your primary concern.

## 4. **Expose your children to that new person in your life too soon.**

Nothing can spell disaster with greater certainty than introducing your new relationships or significant other to your kids too soon. In the first place, your children need time to heal and learn to live with you as a single person before being exposed to a new adult in their lives. Also remember that children very often do not want their parents to be divorced and will do almost anything to get them back together, including reporting your activities to the other parent. Anger, resentment, and jealousy, on the other hand, do wonders to raise tensions.

As a corollary, getting involved with a new person too soon also can be a mistake for you. You also need time to heal. Often people say, “I just want to get on with my life” or “it’s not fair that I can’t get on with my life.” Well, you can get on with your life, but you need to let the process take its course. Rushing the process only seems to impede it.

## 5. **Get a really good battle going over timesharing of the children.**

You can argue until you are blue in the face that your spouse doesn’t know how to care for the children, doesn’t want to care for the children, and never did care for the children. Frankly, in almost every family there is one parent who tends to be more responsible for the day-to-day activities of child care, including getting the children to school, play dates, etc. Notwithstanding, the less involved parent is more capable than you realize to take on his or her responsibilities and often has not done so simply because of the family dynamic. More and more courts are looking toward equal or almost equal timesharing with both parents actively involved. Carefully assess your family dynamic with your attorney’s help and make an

effort to work out a situation that is best for your children and that you and your soon-to-be former spouse can live with.

**6. Keep secrets from your lawyer.** Don't tell your lawyer about the stash you have hidden in the safe deposit box or the relationship you have been having, or the psychologist you have been seeing for the past three years.

Your lawyer really is there to help guide you through the emotional and financial morass, but can't do his or her best unless you are completely honest. There is no worse experience for a lawyer than preparing for trial and learning on the eve of trial of some deep, dark secret or hidden asset or income stream not previously disclosed. Frankly, most people who try to hide assets or income are not particularly good at it. There almost always is a paper trail, and judges get pretty astute at discerning dishonesty. If you are caught in a lie, you will destroy your credibility with your spouse, your lawyer, and, worst of all, the court.

**A**mong the most important things you can do early in the case is to clarify possible outcomes, focus on what you want to achieve and how best to accomplish it, and consider what you are willing to give up. No case is a "win-win."

**7. Claim your spouse is hiding income or assets.** Insist that your lawyer use evidence of unreported income to bolster your claim for support. This generally is a hot issue for families who appear to be living on higher incomes than the tax returns reveal.

Before you take this position, understand that signing a joint tax return may make you jointly liable for fraudulent reporting. In addition, the judge may feel an ethical obligation to report tax fraud. "I didn't look at the return before I signed it" is never an excuse. You are responsible for your own actions and you always have a choice to file a separate return, even if it costs more in taxes.

**8. Insist on going to trial.** You risk disaster if you demand, "I need to tell the judge my side of the story. As soon as she hears about that lying so-and-so, she will hate him like I do and rule against him."

Your attorney generally will advise meaningful settlement negotiations beginning at an early stage. Success at trial is never guaranteed. It is far more intelligent to avoid trial if you can. In the first place, going to trial often is very expensive. Make sure it is worth the cost financially and emotionally. In the second place, if you insist on going to trial on questionable positions, the judge may begin to see you as angry, emotional, or frivolous. This does not, of course, mean that every position you take before the judge must be a sure-fire winner; however, make certain you are standing on solid legal and factual grounds. Judges have busy dockets and don't like to waste time with obviously meritless or trivial matters.

**9. Insist on unrealistic expectations.** This usually starts at the beginning of your case. Occasionally, all of us have unrealistic expectations; however, refusing to listen to your attorney and to consider rational alternatives will only escalate the chaos.

Among the most important things you can do early in the case is to clarify possible outcomes, focus on what you want to achieve and how best to accomplish it, and consider what you are willing to give up. No case is a "win-win." Listen to your attorney and other professionals on your team. Ask questions and take notes. Be flexible and reassess your goals as you move through the process. Pursuing unreasonable expectations will leave you unhappy with whatever result is achieved.

The bottom line is this: Engaging in the blame game and punishing the other side may seem to be your only way to "get even" but will often leave you the ultimate victim. Remember the old saying, "The best revenge is living well." The best divorce strategy is to focus on issues that are important to you and that are winnable and steer clear of anger, finger pointing, and retribution. Take responsibility for yourself, focus on what is important to you and your family, and be realistic. Believe it or not, one day your divorce will be over and you will move successfully on with your life for the benefit of you and your children. **FA**

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