

How to Get a Divorce

Seeking a Win-Win Split

By Kevin Bourke

Sunday, May 25, 2008

Kevin, I'm beginning divorce proceedings. My goal is to avoid the ugliness that goes with most divorces. Any thoughts from the financial planning perspective?

Sara from Montecito

Sara, I receive variations of this question often, so it certainly deserves a carefully considered answer.

Robin Williams and his wife Marsha chose to set aside their personal differences during their divorce, for the sake of their children, and work things out amicably. Robin said in an interview that he was intent on avoiding a divorce that was "like slash and burn". He also made this comment: "I think a lot of times divorce can be like circumcision with a weed whacker." Quite a metaphor.

So, what should a person contemplating divorce consider? What will make the most difference when it comes to handling the financial portion of divorce?

Recently I had the pleasure of meeting Susan Allan, a nationally recognized expert on peaceful divorce and the author of *101 Divorce Secrets, A Survival Guide*. She is also the creator of the Heartspace System of Peaceful Divorce and of [Divorce Forum](#).



Money Talks

The very first step, according to Susan's guide, in creating a peaceful divorce, "is understanding the most likely financial outcome for you, your spouse, and your children in the event of divorce. Rather than having an attorney run the numbers using the Disso Master software used in the California Family Court System, consult a CPA (certified public accountant) who specializes in divorce or a CDFA, certified divorce financial analyst, so that a financial expert can consider your financial issues and let you know exactly where you stand. Do this before using the D word at home."

"Look before you leap," is her advice. See where you stand before jumping into the void.

She has a method (Motivate to Mediate©) to help you then "communicate peacefully and gently move your spouse to the mediation table, thereby creating solutions that work for you and allowing your family to avoid the tremendous cost of litigation. These skills will also allow you to craft co-parenting agreements for the rest of your lives."

Cynthia Tiano, a divorce attorney, the co-Author of *Happily Divorced! Secrets of the Win-Win Formula* and the operator of the sites [Peaceful Divorce](#), [Happily Divorced](#), and [Mediate This](#) has advice for those contemplating divorce.

She says to interview a potential divorce attorney and ask them if they believe in the concept of peaceful divorce. Do they believe that it's possible for you, your ex, and the children to be better off after the divorce? Is it possible that divorce can lead to more for all?

She also reminds those working with a divorce attorney that the attorney works for them, not the other way around, and those divorcing can do much to set the tone.

Divorce mediation has become increasingly popular in recent years. If you and your soon-to-be ex are both intent on creating a peaceful divorce, why not explore this option? It can be much less expensive and has worked well for many.

I realize that this is not the type of advice you might have been looking for in writing your question, but the truth is that these are the real issues that control the financial outcome of a divorce.

In a future column I'll address the financial ramifications of divorce in more detail.

Kevin Bourke is a registered principal with and offers securities through LPL Financial, Member FINRA/SIPC.