

What a Divorce Client Should *Not* Do in a Case

- Don't enter a written agreement or oral agreement with your spouse without consulting with your attorney first. Let your attorney do the job you are paying him or her to do.
- Don't assume your question about the case is "stupid" or that you are "bothering" your attorney by asking a question. Every client is different and every client's understanding of his or her case is different. Unless you tell your attorney otherwise, he or she will assume you understand what is going on and everything your attorney has told you about your case. If you are concerned about the cost of asking your attorney, try saving up your questions until you have several, then send your attorney a letter, fax or e-mail on all of your questions at the same time.
- Don't assume the attorney is not paying attention your case just because the attorney hasn't called. Instead, call the attorney and ask about the status of your case.
- Don't reach the conclusion that your attorney is not doing his or her job, or that you believe your attorney is selling you out, without talking to your attorney about this issue. If your attorney won't return phone calls, try sending your attorney a written letter, via certified mail, return receipt requested. It only costs you \$5.54 for the postage, but it may save you thousands in new attorney fees.
- Don't seek advice from friends, relatives and co-workers about their own legal case that you believe is similar to yours. The law in Indiana has probably changed since the other person's case was completed. In addition, each client's case is different and each client's judge is different, therefore your outcome may be completely different from someone else's outcome.
- Don't fight about every single item in the case unless you are prepared to pay your attorney a great deal of money.
- Don't assume that the judge is biased against you because he or she did not give you everything you wanted at a hearing. In addition, don't blame your attorney for the judge's decision or actions in your case. The attorney tries his or her best, but the judge is the ultimate decision maker in your case. It doesn't matter what you think is fair, or what your attorney thinks is fair. It only matters what your judge thinks is fair, and what is fair to one judge, may not be what is fair to another judge. Your attorney has virtually no way to predict the exact outcome of your case.
- Do not lie. Do not lie to the judge, do not lie to the jury, and do not lie to the other side. They will know you are lying, and you will lose. And above all, never lie to your own lawyer. Lying to your lawyer is lying to yourself.
- Don't assume you will have more money at the end of your case than you did while you were married. Chances are—you'll have less. There are now two households to maintain on the same pot of money; therefore each parent's lifestyle and finances may be in worse shape at the end of the case than at the beginning.
- Don't talk to the children about the other parent in negative terms. The children take criticism of the other parent as criticism of the children since they love both parents, not just you.
- Don't talk to the children about your legal battles or upcoming hearings, including custody evaluations. The children need permission to be children, not adults; therefore you should not force them to take sides in a battle between you and your spouse.
- Don't refuse to cooperate with the other parent in changing visitation dates and times. You will also need the other parent's cooperation in the future when it is your idea to change visitation.