



The Right 'Armor' To Protect You During A Divorce



By **MARLA MARINUCCI, ESQ.**

The decision to file for divorce is, without a doubt, one of the most difficult decisions you can make, especially when children are involved.

Or, if you are on the receiving end of a complaint for divorce, there is no decision to be made, as it has already been made by your spouse. Either way, once the complaint for divorce is filed, you will find yourself taking a ride on an emotional roller-coaster and chances are, the ride will not be pleasant. What you need to do is protect yourself by getting informed about your assets and your overall financial situation.

When I meet with potential clients for the first time, whether it is a husband or a wife, I am often surprised by their lack of knowledge regarding their assets, liabilities and overall financial picture. It is of vital importance that, before filing for divorce, you are aware of everything that you and your spouse have acquired during your marriage—assets and debts alike. Despite the fact that full disclosure of assets is required of both parties, more often than not, one party tries to hide an asset. Additionally, it does not matter whose name appears on the asset

or debt. If it was acquired during the marriage, it is fair game and will be equitably divided.

During a first consultation with an individual who has made the decision to get divorced and is ready to get on the roller-coaster, if it appears that they are uncertain of their finances or unaware of their assets,

I advise them to refrain from filing for divorce until they can answer certain basic questions like:

- 1) How much money does your spouse earn on a yearly basis?
- 2) Are there any retirement accounts or pensions?
- 3) Does your spouse's employer pay for any perks like a company car?
- 4) Do you own any real estate besides the marital home?
- 5) What is your total debt, including credit cards, mortgage, personal loans, etc?

If the answer to any of these questions is "I'm not sure," I advise the potential client to do some serious exploring and come back when they can answer most everything about their finances. Yes, it boils down to some investigating but it is necessary for your protection.

Some basic things a spouse contemplating divorce should do prior to filing for divorce are:

- 1) Make copies of your joint tax returns for at least five years.
- 2) Copy all bank statements and any and all documentation for stock accounts, IRAs, pension plans and any investments that you can find. Go directly to the bank if you are on the account and request copies of all bank statements, checks, deposit slips, for at least three years.
- 3) Make copies of your spouse's pay stubs for at least the past eight weeks.
- 4) Copy all your monthly bills over the past three months: mortgage statements, utilities, credit card statements, insurances, everything.
- 5) Copy deeds to any property owned jointly or if it is owned in your spouse's name individually.
- 6) If there is a business involved, copy as many documents pertaining to the business such as tax returns and ledgers.

The above is just an example of documents that will become essential in your divorce.



Certainly, these important documents can be requested by the other side once the divorce is underway during what's called the discovery phase of the case. However, once a divorce is underway, documents and records and even assets have a strange way of disappearing into thin air. Chasing them can become very expensive.

- ✓ Protect yourself.
- ✓ Protect your family.
- ✓ Armor up.

Call 609-390-9078 to schedule a consultation.
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Marla Marinucci is a member of the law firm of April & Maudsley, P.A., Marmora, NJ, which is about to celebrate its 26th year anniversary. Her sole area of practice is family law. She received a B.A. in French from Rutgers Camden, and received her law degree from Rutgers Camden School

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If you are looking for a team of experienced attorneys who will take the time to get to know you, and help you with effective, passionate representation in court or at the negotiating table, we can help.

Contact the New Jersey offices of April & Maudsley, P.A., to schedule a consultation about your legal needs.

- Jeffrey A. April
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