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NEW YEAR, NEW BEGINNINGS...  
USING THE MOMENTUM OF THE NEW YEAR TO FINALIZE YOUR DIVORCE  
by Melaney G. Hodge, Esq.

Now that the holidays are over and a new year has begun, people are putting away their decorations and making their resolutions. For some, those resolutions may include finalizing a divorce that has been languishing. Here are a few tips to jump start your divorce in the New Year:

1. Communicate with your soon-to-be ex

If it is safe for you to do so, communicating directly with your spouse regarding an ultimate resolution of your case may move the matter closer to resolution. Sometimes in the litigation process, miscommunications and misperceptions arise resulting in an extended divorce process. Perhaps your spouse thinks you want to keep all of the equity in the house because of a statement made in court. By clearing away those misconceptions, you and your spouse may actually agree on a few important issues. Even if you cannot agree on some things, it can be very helpful to hear what your spouse is seeking.

However, if you are represented by counsel, ensure you speak to your attorney prior to engaging your spouse in discussions, and never enter into any agreement, even if informal, without first discussing the terms with your attorney.

2. Consider alternate dispute resolutions

Divorce litigation can be prohibitively expensive and the court system may not be the best way to address the issues. Particularly when there are children involved, you and your spouse should control your destiny, not a judge. Recognizing the expense and emotional turmoil involved in litigation, the courts are strongly encouraging parties to participate in alternate dispute resolutions.

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There are so many different alternate dispute resolutions, including but not limited to mediation, conciliation, limited issue settlement conferences, etc. Discuss with your attorney which approach would be most productive in your case.

### 3. Set realistic expectations

Most individuals would love to leave a divorce with a majority of the marital assets or sole custody of the children. Unfortunately, in most circumstances, that result is highly unlikely. In a “typical” divorce, both parties will leave with less of the marital estate than they sought and/or a parenting plan they do not love. The court must determine an “equitable” resolution, not necessarily equal. Having realistic expectations of how your case is likely to resolve will allow you to enter into settlement negotiations with a level head.

### 4. Get a therapist

Believe it or not, getting divorced is a highly emotional experience. An attorney can lead you through the legal process, but are ill-equipped to address any emotional implications of the process. A professional therapist will be able to assist you in processing the end of one stage of your life and prepare you for starting the next chapter.

The New Year is the perfect opportunity for renewed energy. Direct that fire towards resolving your outstanding divorce matter. With the New Year, get to the new you!

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