

10 Things You Should Tell Your Divorce Attorney

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1. *If you signed any type of pre-marital or marital agreement.* You need to tell your attorney if you (or your spouse) signed any type of agreement that defines or limits your rights and/or obligations during your marriage such as, a pre-nuptial agreement (an agreement made prior to your marriage), a post-nuptial or mid-marriage agreement (an agreement made after your marriage) or any other agreement where you (or your spouse) waived and/or defined your rights or obligations such as, waiving your interest in property.
2. *A list of all of your assets and debts.* This includes all of the assets and debts in joint names, your name and your spouse's name, both individually and jointly with a third party, and your children's names. You should also advise your attorney of any pre-marital assets or debts that you or your spouse still have.
3. *All of your household income.* This includes all of your income (earned and unearned), as well as your spouse's and your children's income, including trust fund income, royalties, deferred compensation and "perks." You also need to let your attorney know of any and all unreported income.
4. *DCPP (formerly DFYS).* You need to let your attorney know if the Division of Child Protection and Permanency has ever been involved in your family and the details of their involvement.
5. *Medical issues including mental health issues.* You need to let your attorney know of any medical issues you, your spouse or your children have, including mental health issues such as, bi-polar disorder or drug or alcohol abuse or addiction.
6. *Domestic abuse.* Though it may be difficult to talk about, you should let your attorney know if you are the victim of domestic violence or the abuser.
7. *Injuries.* If your spouse has injured you such as, given you a sexually transmitted disease, has broken bones or has injured you in any other way, you should let your attorney know as you may have a personal injury lawsuit against your spouse. If you do not include this lawsuit as a cause of action in your divorce complaint or counterclaim, you will be barred from instituting this claim after your divorce is concluded.
8. *Hidden assets.* Tell your attorney if you have hidden assets. It will most likely be discovered in discovery and will damage your credibility should you not disclose it at the start. Additionally, if you believe your spouse is hiding assets, you should advise your attorney, providing the basis for your belief.
9. *Inheritance and gifts.* If you and/or your spouse inherited money or assets during the marriage, you should advise your attorney. If you or your spouse received a gift from a third party during the marriage such as money or property that has substantial value, you should tell your attorney.
10. *Incriminating evidence.* If there is any incriminating evidence such as, videos, photos, social media postings, letters, emails, texts messages or voice mail messages of you or your spouse, you need to advise and show your attorney. Although New Jersey is a "no fault" state, this evidence may be relevant as to the issues of custody, parenting time, support and credibility.