

Family Law Newsletter

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IW Family Law Group Welcomes Jenny Berk

Isaac Wiles family law group welcomes Jenny Berk as the newest member of their practice. Jenny comes to Isaac Wiles after an impressive seventeen years at the Franklin County Domestic/Juvenile Court serving as Legal Assistant to the Honorable Jim Mason and the Honorable Dana Puisse. In her current role at IW, she will be a Legal Assistant, supporting attorneys Fred Isaac, Danielle Skestos and Matthew Rinear.

Jenny brings a comprehensive knowledge of the various processes



(cont. from previous column)

In the meantime, during the negotiation process, there are no “rules” to follow regarding what happens with your assets and debts, support, parenting time, etc., like you would have if you had filed for divorce and asked the court to set some rules. So, if negotiations go south and one party decides to play tough with the finances, parenting time, etc., there is no help in sight unless you file for divorce and enlist the court’s help.

Divorce

If you file for divorce in most states, you can enlist the court’s help from the very start to set “temporary orders” for the parties to follow. These are the “rules” you will live by while the case is pending. These rules include child support, spousal support, payment of debts, custody, and parenting time. When I counsel clients between dissolution vs. divorce (or legal separation, discussed below), I usually advise them to file for divorce if they need one of two things:

- (1) The court’s assistance in setting “rules” because they can’t get the other side to agree (or behave) on money or child-related matters while they sort things out; or
- (2) The proverbial “light at the end of the tunnel.” That light is a trial date, a known date in the future when, if agreement cannot be reached on all issues, the court will give the parties their day in court, a decision and final termination of the marriage.

A wise attorney once told me that in every

and nuances involved in family law matters combined with a client-focused attitude. "We are happy to have a veteran like Jenny on board with us to further strengthen the high caliber of skill and integrity our family law team demands," said Partner, Fred Isaac.

In her free time, Jenny enjoys playing tennis, reading, walking her dog and hanging out with her husband, Bruce, and their three children.

Weighing the Options for Ending Your Marriage

By Joanne Beasy

There is no question that many married couples have struggled in the last twelve months with the impacts of the Covid-19 pandemic. Job losses, unexpected home schooling, lockdown restlessness and severe illness or death of loved ones have created acute stress for persons living together in a single household. In some cases, these stressors combined with previously existing conflicts have led married couples to explore options for ending their marriage.

If you are considering dissolution, divorce, or legal separation, you have likely come to the realization that your marriage is not as good as you once believed. It's important to carefully weigh your options and decide which path makes the most sense for your marriage and your family.

Dissolution

If you *dissolve* your marriage through a dissolution, it means you have reached agreement on **everything**. This includes agreement on asset & debt division, child custody, parenting issues, child support and spousal support before you file anything with the court. Once you reach an agreement and file with the court, you then have a final hearing to dissolve the marriage a short time later. In most states, for instance, in Ohio, you can have your final hearing 30 days after you file. Not only is this method quick from file-to-finish, but to some, it brings mental and emotional peace because they did not "go through a divorce."

A dissolution pitfall is it can take a long time to negotiate and agree on

divorce there is a rabbit and a tortoise – one party is moving quickly towards the finish line, and the other one is slowly approaching it. If you are the rabbit and you want the marriage over soon, for whatever reason, but your spouse is a tortoise, filing for divorce ensures you will get to the finish line someday. And, if you reach an agreement and settle all issues, you can usually schedule your final hearing sooner than the trial date and end the case quickly.

The downfalls of divorce? It can be more expensive to pay your attorney to appear at court and argue for you on various matters and deal with discovery (requests to produce documents, having to appear under oath and testify at a pre-trial deposition). It also looks and feels adversarial, even if you file for divorce and reach an agreement soon thereafter.

Legal Separation

In a legal separation you typically prepare all the same paperwork that you would for dissolution or a divorce, but in the end, you are still married. So why do all that work and remain married? The two primary reasons parties don't terminate their marriage, but seek only legal separation, are health insurance and religion.

If you are legally separated, you can remain on your spouse's health insurance. With the crushing financial impacts of Covid-19 and rising costs of health insurance, staying on a spouse's group or low-cost plan may be a realistic and necessary solution. As to the other reason, religion, some people feel strongly that they cannot break their religious vows of marriage and choose the legal separation route instead.

If you are considering terminating your marriage or legally separating, the best advice I can give potential clients or clients, is to be patient as none of these processes happen overnight. Untangling your assets and debts, figuring out support issues, negotiating custody issues, and establishing the two of you as parents who parent separately takes much more than a day. Also, understand every case is different; the terms of a friend's final agreement may be far different than yours for a host of reasons.

Please contact one of our family law attorneys to discuss questions related to dissolution, divorce, or legal separation.



Columbus Business First recently recognized Isaac Wiles Family Law Group in the "Top 10" firms recognized in their annual "Largest Central

everything if one party is emotionally not ready to end the marriage or if one party is a bully or unwilling to compromise.

Ohio Family Law Practices".

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