

# What We Know

## ARTICLES & INSIGHTS

### ABOUT THE AUTHOR



[Lynn Wilson McNally](#) is a partner in the firm and member of the firm's Family Law practice group. She is a Board Certified Family Law Specialist and certified Family Financial Settlement Mediator by the North Carolina Dispute Resolution Commission. She represents individuals in matters regarding separation, divorce, child custody, child support, alimony, equitable distribution, domestic violence, termination of parental rights, legitimation and other matters pertaining to family law.

## Making a fresh start

January 9, 2012 | by

It's the new year; and for many people, including myself, it's time to make those resolutions in an attempt to make life easier, better, healthier and happier.

Forward-looking and positive resolutions are helpful, and necessary, for individuals who are in the throes of a [separation or divorce](#). These folks may feel largely helpless, like they are at the mercy of the lawyers, the legal system and the opposing party. Feelings of lack of control can make it very difficult to stay positive and to bring about a resolution to the matter at hand.

In an effort to help you regain your power in this process, I want to offer the following five New Year's Resolutions for your consideration:

- 1. Educate Yourself.** Make it your business to know your business. Create a comprehensive list of assets and debts, including the names and contact information of creditors and account holders. If your name is associated with the asset or debt, or you otherwise have access to that information, gather it and keep it in one, organized place. Pull your credit report and ensure that you know where your obligations lie. And finally, create a comprehensive monthly budget and start tracking those expenditures.
- 2. Pick Your Battles.** People who are separated or divorced likely do not communicate well with each other. Acknowledge that you communicate differently than the other, and resolve to let the little miscommunications slide. If you turn each phone call or email into a battle, your energy will be zapped, and your focus will be turned away from those core issues that truly matter.
- 3. Pick Your Team.** Don't do this by yourself. You need a team of good professionals who can help guide you through the process. Attorneys, Certified Public Accountants, Financial Planners, Realtors and Mental Health Professionals are almost always indispensable.
- 4. Take Care of You.** In addition to having good friends and family who you can lean on through this process, consider working with a therapist (see "Pick Your Team" above). Do not underestimate the emotional toil that this process can take on you, and make sure that you are caring for your basic needs – those needs don't just include food and

shelter.

5. **Make Business Decisions.** Separation and divorce are emotional issues for the parties involved. If you are going through it, make sure that you have objective guidance from your lawyer, and make sure that lawyer constantly counsels you on the financial effects of particular actions. If you have to pay a lawyer \$5,000 to roll the dice in court over a \$2,000 issue, the right decision is usually to avoid court.

Throughout the year, you'll see me revisit some of these resolutions in more detail in my posts. I hope you will find some of these tips helpful, and that you can adopt them as your own.

Happy New Year!

---

#### CONTACT US

919.250.2000  
mail@smithdebnamlaw.com

#### RALEIGH OFFICE

The Landmark Center  
4601 Six Forks Road, Suite 400  
Raleigh, NC 27609

Phone: 919.250.2000  
Fax: 919.250.2100

#### CHARLESTON OFFICE

171 Church Street  
Suite 120C  
Charleston, SC 29401

Phone: 843.714.2530  
Fax: 843.714.2541