

Internet Divorce Concerns

Internet divorce seems to be the latest phenomenon in our do-it-yourself society. It makes sense, these days more and more people meet and date on-line, why not get divorced that way too? The advantages seem obvious, but what about the disadvantages? Those, unfortunately, are not always so clear.

The obvious disadvantage is you don't have the benefit of legal advice. In the event that a critical legal issue arises, you could unwittingly give up some or all of the things to which you are entitled. Questions such as-

Am I entitled to a portion of my spouse's pension plan? What if he was contributing to the plan before we met? What if she's retired and what was a pension is now her income?

My spouse stands to inherit a lot of money, am I entitled to any of it?

How do we divide the proceeds of the marital home? What if my spouse and children want to live there?

My spouse ran up excessive debt while we were married. Am I responsible for it now that we're getting a divorce?

Am I entitled to alimony? How much?

The answers to these questions are not easy and depend heavily on the individual circumstances. While you may feel now that you don't care and just want the marriage to end as easily as possible, I guarantee you won't feel the same way in 5 years. An attorney can not only advise you on important rights and legal issues, he or she serves as an unemotional voice of reason in what can be a very emotional time.

Many people believe that an internet divorce will be less expensive than hiring an attorney and if all they are looking at is attorney's fees, they're probably right. However, the cost of an internet divorce is much, much more than just attorney's fees. If not addressed, or not addressed properly, items such as pension and retirement plans, alimony, marital debt, medical insurance, uninsured medical expenses, and college expenses can cost a party to a divorce thousands of dollars unnecessarily. And few people would know how to find hidden accounts, real estate and property placed in trusts and future inheritances.

An additional problem with internet divorce is that every state has its own specific forms to file and they will not accept generic forms. You must submit all of the required forms and they must be filled out properly or the entire filing will be sent back to you, often with little or no explanation as to why. A good lawyer not only knows what

the proper forms are and how to complete them, but also knows the court system in which he or she works, including the fine points of scheduling and working with the clerks.

Internet services are also unable to advise you of the consequences of your actions. I once saw an Agreement where, in lieu of alimony, the husband agreed to pay the mortgage on the wife's condominium. It seemed to be a fair deal to both parties, until the wife decided to move. Then the husband stopped paying because his wife no longer lived at THAT condominium. Due to the wording of the separation agreement, the court agreed with him. A good lawyer would have recognized the potential problem and changed the wording.

The divorce rarely ends with the filing of the Separation Agreement, or even the final judgment. Specific documents and motions need to be drafted to divide pension and retirement account and often deeds need to be drafted to transfer real estate. If these items are not addressed properly in the separation agreement, preparing these documents can become difficult and expensive.

If you have been married for less than 5 years, there are truly no assets to divide, no marital debt, no children, and no real estate, an internet divorce may be a viable alternative. If this applies to you, be sure to choose a reputable site which has the specific forms for your state and offers support if you have questions on how to complete the forms. As with any legal document, it's still a good idea to have a lawyer review it before you sign.

While internet divorces may seem like a simple and inexpensive way to end a marriage, no divorce is ever truly that simple. An uninformed or emotional decision made at the time of a divorce can have life long and, potentially devastating, consequences. Even where both parties agree to all the terms of a divorce, knowing that your rights are protected and the agreement and paperwork are drafted properly can bring peace of mind during a turbulent and emotional time.