

South Carolina Divorce Roadmap

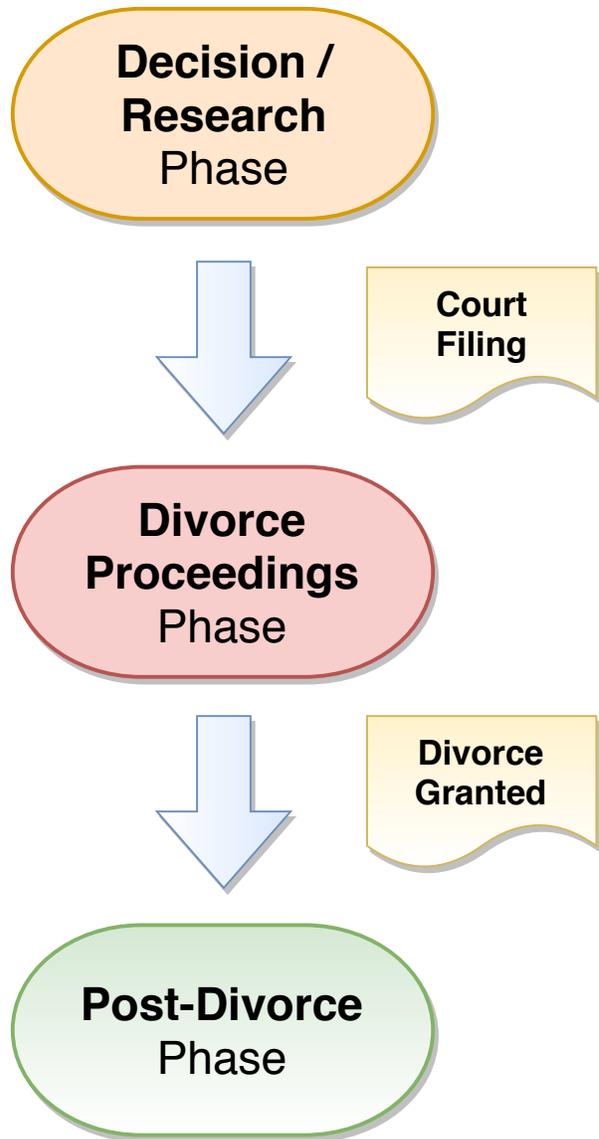
3 Phases Of The Divorce Process

Each phase has it's own unique characteristics. All 3 phases must be carefully considered in your divorce.

Often, the divorce proceedings phase gets all the attention.

Don't underestimate the power of the first phase.

The roadmap will help you understand where you are in the process, what's coming next.



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SC Divorce Roadmap

Decision / Research Phase

Reconcile?

Learn

Plan

Advisers

Housing

Timing

Divorce Type

Documents

Action

The Decision / Research phase is far more important than it would appear. The decisions you make and the actions you take early on will set the tone and impact the rest of the process.

If you are served divorce papers, you may not have much time for this phase. Many of the decisions will have been made by your spouse already. You may be tempted to slip into reaction mode, don't let that happen. Be proactive too.

If you are the one considering filing, take your time and get it right. Divorce is never easy. If you make mistakes in this phase, it can be even harder.

Reconcile?

If there's any chance of saving the marriage, this is a good time to try.

Learn

Learn as much as you can about the divorce process, just like you're doing now.

Plan

Form a plan for your divorce taking into consideration all the topics mentioned in the roadmap.

Advisers

Put together a team of advisers. You will need help with law, accounting and emotional support.

Housing

One of the 2 of you will have to move out. Who will that be? Where will they move? On what budget?

Timing

There are tricky timing considerations that your lawyer can tell you about for your situation.

Divorce Type

There are different types of divorce in South Carolina. Which one will you pursue?

Documents

You will need to round up an annoying number of documents. Be prepared...

Action

When your plan is ready, the next step is to take action.

SC Divorce Roadmap

Divorce Proceedings Phase

Hearings

Motions

Temporary Orders

Affidavits

Depositions

Alimony

Property Division

Child Support

Custody

Mediation

Documentation

Agreements

Visitation Schedules

Trials

Divorce Decree

After filing with the court, your divorce enters a new phase. There will be procedures and requirements mandated by the court. These vary depending on your situation. If you don't have minor children many will not apply.

Motions

Requests to the court for a ruling or order. Many of these will be in writing in family law.

Hearings

A legal proceeding where an issue of law or fact is tried and with evidence to help determine the issue.

Temporary Orders

Form a plan for your divorce taking into consideration all the topics mentioned in the roadmap.

Affidavits

A written statement of facts made under oath to be used as evidence.

Depositions

A verbal response under oath collected by attorneys during the discovery process.

Alimony

Alimony or spousal support is where one spouse pays the other money for a period of time.

Child Support

Payments for one spouse to the other for children until they reach a certain age, often 18.

Custody

The care and control of a thing or person, usually children in family law.

Visitation Schedules

Schedules of when parents agree to have their children during a divorce or custody dispute.

Agreements

You will need to agree on property, custody, child and spousal support or else the court will decide for you.

Divorce Decree

The paper that dissolves your marriage. When you get this you're done, almost - see the next phase.

Property Division

You will need to find a way to split up all your possessions and financial assets.

Mediation

A neutral person who facilitates creating agreements. It may be required by the court.

Documentation

You will need a crazy amount of documentation during your divorce, mostly financial.

Trials

You do not want a trial in family court. They cost a fortune and you may not like what the judge decides.

These are topics which may come up in your divorce.

Ask your lawyer to go over some sample timelines for your divorce based on your unique circumstances. Divorces are so different, each will have its own sequence of events.

SC Divorce Roadmap

Post-Divorce Phase

New Will

New Relationships

Conflict Resolution

Modifications

You're almost done, just a few more things to consider:

New Will

Your old will will need revising. If it mentions your spouse, that part will be invalid.

New Relationships

Consider a prenuptial agreement for your next live-in or marriage relationship.

Conflict Resolution

If there are disputes over the divorce decree, you will need a channel where you can resolve those.

Modifications

If your situation or your spouse's changes, you may need to modify child support, alimony, etc.