

"The List", by Tom

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If you are attempting to follow The List simply to try and get out of paying child support, you're wasting your time. Please reconsider. If you are attempting to follow the list just to "stick it to your soon-to-be-ex", PLEASE DON'T. That's also a waste of time.

If, however, you are attempting to follow The List because your soon-to-be-ex is genuinely abusive, cruel, crazy, or otherwise an unfit parent, then we would encourage it. But please keep your children in your mind and your heart. Think of their feelings and what's truly best for them.

WHY ARE YOU HERE?? This is not a silly question. You are about to learn a whole new meaning of the term,"rebuttable presumption," and why it applies exclusively to you in Family Court.

Trust me, you're in for the fight of your life. If you're not prepared, you can bet the other side will rebut you right out of fatherhood and into poverty. Your children, with your current and future finances, will be out of your life forevermore.

Your goal therefore, demands a strong offense. This requires dedication, support, "pro-active" planning, and lots of research. In other words, **PREPARATION IS EVERYTHING!**

The following list is neither conclusive nor is it exhaustive. For that matter, not all of it will apply to you. Nevertheless, its intent is to get you to think, ask hard questions, and above all, to be prepared. Copy it. Print it. NEVER let your STBX see it.

Whatever you do, **NEVER LEAVE YOUR MARITAL RESIDENCE** unless ordered by the court!! If you do, your STBX is free to do unto you as you are about to do unto her. It'll be a mistake that'll cost you dearly.

If you're not THOROUGHLY prepared, the other side will find your weakness and work you over. Their primary purpose is to "soften you up" and get you to give up custody WILLINGLY!! THEY HAVE METHODS!! They'll even recruit your attorney and get you to sign documents you'll later regret. If you're not prepared, and if you fail to choose your attorney wisely, *there will be nothing left of you when they're done.*

If your STBX files first, she's already plotted her next 10 moves against you. This is not where you want to be. If she files first, you can expect:

1) a restraining order that evicts you from your house and prevents you from contacting your kids.

2) to pay temporary child support, temporary alimony, community debt, and/or bills accumulated by your STBX during these

proceedings. This can be 1 to 3 years. You'll be bankrupt well before trial.

3) to pay court costs and other fees, in addition to expenses mentioned above: GAL; Custody/Child Evaluator; Psychological evaluation; Your STBX's attorney fees.

EXPECT HER TO LIE. EXPECT THEM TO BELIEVE HER. EXPECT NO FAIRNESS. EXPECT TO NEED MOUNTAINS OF EVIDENCE TO PROVE YOUR CASE.

Their goal is to "bleed you dry" and beat you into submission. You'll never see the last of their dirty tricks. It behooves you therefore to be very prepared very early.

NEVER BE IN A POSITION WHERE YOU HAVE TO PLAY "CATCH-UP."

If you've got "skeletons" in your closet, prepare accordingly, ahead of time. Do likewise with your STBX's skeletons. Gather all incriminating info while you can. Never give her the opportunity to cover her tracks.

For starters, develop an EARLY GAME PLAN to win custody. Execute your play according to YOUR timetable. Pick your shots. Make them count. Timing is everything. Keep the other side off balance. This is very important.

Lay out a trap-line for your STBX. Perpetually work on setting her up for the fall. You know her weakness. Bait her!! Give her every opportunity to make a mistake. Spring your trap in front of the camera and in front of witnesses. Document everything.

Everything must be [documented](#) in a WELL-WORDED journal. What you write must be factual and correct. At trial, your journal will be a valuable source of events, dates, and patterns of behavior. Your journal should also contain surprises to keep the other side off balance. Most importantly, your journal will discredit fabricated testimony and lies you can expect from the other side.

Along with your journal, gather supporting evidence with photos and videos. Put a trace program on the computer and a recorder on the phone. Don't be afraid to record phone calls. Make it your business to know where your STBX goes in cyber-space. Above all get witnesses, especially professionals involved with your STBX & kids. You may want to hire a PI. A visit to your local spy shop will be very worth while. Think of it as an investment.

Your journal, together with supporting evidence, will help you. More correctly, they will help your attorney. Remember, your attorney is only as effective as the information you give him. If he gets little from you, you can expect little in return.

Type and/or otherwise arrange journal notes well in advance of trial. Reserve plenty of time to review your journal with your attorney. You must bond with your attorney, and he must bond with you. Both of you must be "reading from the same page" between now and trial. Be sure save your original journal draft. You may need it.

YOUR JOURNAL IS THE TEMPLATE OF YOUR CASE!! Guard it carefully. It contains secrets the other side would love to have.

Above all, BEWARE of so-called "neutral third parties," like the GAL or Custody Evaluator. These thugs are anything but neutral. They will specifically target their report and/or testimony to discredit everything you've written. To guard against subpoena, address each page to your attorney. Remember, the primary purpose of your journal is to rebut and/or otherwise discredit the lies and fabricated testimony that'll come from the other side. **THIS IS OF THE UTMOST IMPORTANCE!!**

Never sign anything the custody evaluator asks you to sign - even if it's a scrap of paper that states you agree to XYZ conditions. This is a trap. Anything you sign becomes a bona-fide legal document that will be used against you in court.

PLOTTING DATA (patterns of behavior) from your journal:

It's very important to have supporting evidence to back up your documentation. Photos and witnesses are ideal. However, you can't always count on people, nor can you count on having a camera when you need one. Therefore, you must build your case with what you have: YOUR JOURNAL!!

If done properly and consistently, your journal becomes the heart and soul of your case. It is filled with important data. This data shows your STBX's pattern of behavior over time. In other words, you can scientifically predict how your STBX will behave based upon the data you've collected. Remember, when plotting scientific data of any nature, you can expect surprises. Remember, surprises are what keeps the other side off balance.

Data from your journal can be plotted on a graph, a pie chart, or bar chart. For comparison, it's a good idea to use all of the above.

Plotted data are much easier to interpret, both for the judge and your attorney. Plotted data show large blocks of evidence at a glance; ie, parenting history/behavior. This helps rebut the built-in bias of the system, and scientifically supports your bid for custody.

Keep in mind, a single "judgement error" will NEVER get the judge's attention. However, a "PATTERN" of well-documented judgement errors, supported by evidence, will make a difference.

Remember, neither the judge nor your attorney want to sift through endless streams of relatively "meaningless" journal data. Consider your audience. It's up to you to make things as easy as possible for them both.

SET YOURSELF UP TO WIN!! Pay attention to detail. Follow through on leads. Don't get side-tracked!! Use only what works for you.

BECOME A "CHILD ADVOCATE."

1) Get involved with a network of parent educators.

2) Make time for play dates and/or parties. Invite parent-chaperones who will observe you as a Superdad in fine form. Make sure mothers are invited. Ideally, they should be solidly married, above reproach, and will not be disparaged for having an affair with you.

These are great sources for collateral witnesses.

2) Enroll yourself and/or your kids in classes/counseling/treatment as necessary: Parenting classes; Co-parenting classes; Anger management; Counseling for kids caught-in-the-middle; enroll in a Children's First program; Alcohol/drug treatment. Read contemporary books and literature on the above subject matter. Take the initiative. Become informed. Do whatever it takes. Don't wait 'til it's too late.

3) The most important witnesses are court-appointed professionals, so-called "neutral third parties." They include; the home study evaluator, the forensic evaluator, the custody evaluator, the psychologist, the play therapist, and the GAL. Tread lightly with these people. They are anything but neutral. These thugs are "GOD" in determining custody decisions. Keep in mind, the judge is gonna rule whatever they recommend. They live by one fundamental principle, "Dads be damned."

Whatever you do, NEVER agree to any form of binding mediation. You'll be giving up all your rights to further litigation. You'd just as well sell your soul to the Devil.

From the beginning, you must "attempt" get these witnesses on your side. They are the "tie-breaker." Truth be known, it's their job to insure the race isn't even close, much less a "tie." Nevertheless, do your best. Be sure to document everything.

- a) It's their job to not like you.
- b) It's their job to fabricate lies about you.
- c) It's their job to soften you up and trick you into giving up custody before trial.

Remember "rebuttable presumption?" Some state's statutes declare both fathers and mothers have an equal right to parent their children. In this phase, that right is summarily taken from you. In other words, the game is rigged. It should come as no surprise, gender discrimination is rife within the Judicial Branch of Government.

With that in mind, you might consider hiring a private custody evaluator. The idea is to bring conflicting opinion/testimony with you to court. This is one sure way to minimize a GAL's highly biased testimony/report.

Additionally, make sure to get documentation/history of any violence, both physical and/or verbal/psychological. Is your STBX any threat to herself, to you, to your kids, or to anyone else? Evidence of this nature is critical to rebut an already biased GAL report/testimony.

I've heard of ONE (1) favorable recommend from a GAL. This dad was a school teacher. He was thoroughly professional and very well connected. Additionally he graduated with "honors" from parenting classes and had become a state-certified foster parent. In other words, he had credentials the rest of us don't have or can't get. The GAL liked this dad because he was "one of them."

In family court, the average "Joe Six-Pack" has a 90% chance of losing. That's why your journal and witness list are of the utmost importance.

Here's another example. Risky? Hell yes! But the results are what counts.

Both Parties agreed, together with the judge, to allow the final custody decision to be handled by a custody evaluator. Dad's attorney was familiar with this evaluator and requested that she hear testimony. Stbx's attorney also agreed with the request.

The evaluator met with both attorneys prior to taking testimony. She strongly advised that the Parties settle ahead of time. (Note: This is why you never agree to binding mediation.)

At this critical moment, Dad's attorney revealed the existence of a detailed journal together with a substantial body of evidence. He suggested the Parties walk away with dignity and share custody between them. As a result, Dad's STBX agreed to sharing both physical and legal custody without the evaluator deciding for them.

Dad's guess is that his attorney had spooked his STBX in prior courtroom encounters. She gave up without a fight, certainly not because she wanted to. Of that, Dad is sure.

The lesson here is that Dad's attorney had taken the initiative to thoroughly study the journal well in advance. As a result, Dad's attorney was convinced that the journal would tip the balance in an occasion such as this.

Thus: a detailed journal + a good attorney + strategy = Victory

There was another dad that "bought" his STBX out. He got the house, the kids, and everything for \$70K. Still another dad got out of paying alimony for a mere \$11K. I realize this sounds like a lot all at once. But over time, it's a bargain. Remember, let your attorney handle the negotiating process.

MOVING ON: Your WITNESS LIST must be exhaustive. Other than court-appointed professionals, people that see you with your children and/or otherwise know you personally are going to be your best witnesses. Remember, not everyone will support you, nor will they be available when you need them.

Potential witnesses include: Extended family; neighbors; day care, school professionals; parent volunteers; medical professionals; adult activity leaders.

"Cardinal Rule" No 1..... **KEEP YOUR MOUTH SHUT!! LOOSE LIPS SINK SHIPS!!**

This is war. You must approach this as a top-secret military operation.

1) Thou shalt not raise any suspicions. DO NOT TELEGRAPH YOUR INTENTIONS.

a) Thou shalt not tell anyone what you're up to, ESPECIALLY YOUR STBX.

b) Thou shalt not share information with anyone about anything.

c) Thou shalt take care of business like nothing's going on.

2) Thou shalt not get side-tracked. This is "crunch time." Manage your time wisely.

3) Thou shalt maintain thy Poker Face. Get prepared for the long haul.

"Cardinal Rule" No 2..... **NEVER LET YOUR GUARD DOWN! WATCH YOUR BACK!!**

Have minimal contact with your STBX. NEVER be in a position where she can allege domestic violence of any kind. It's best not to be alone with her. Always have a witness with you.

1) Be very careful when you are alone with your STBX.

a) She can file false domestic violence charges "at will," and have you thrown in jail.

b) She can get a restraining order "at will," and have you kicked out of your house.

2) "Thou shalt ALWAYS bite the bullet." At the same, "Thou shalt ALWAYS be building thy case."

a) Thou shalt not argue. Thou shalt not fight. Thou shalt not provoke thy STBX.

b) Thou shalt go the extra mile to be civil. Thou shalt be Mr Nice Guy.

3) Never engage in any form of business with your ex, no matter how much the deal "appears" to be in your favor. It will be a trap you'll regret 'til your dying day. Remember, there ain't no free lunch. You can always expect a pay-back down the road.

"Cardinal Rule" No 3..... **BE THE BEST DAD YOU CAN BE! DO WHATEVER IT TAKES!**

1) Get involved with your kids as much as possible.

a) Assume the role of primary caretaker well in advance.

b) This'll set you up for primary, if not 50/50 shared primary custody. This is your goal. Never lose sight of that!!

2) Make everything you do in the best interest of your kids. Always go the extra mile.

Give your STBX a day off every week. "That's OK, Honey. I'll take care of this. Why don't you go shopping?" Take advantage to document parenting time, and snoop around when she's not home.

The following sites offer charts to document parenting time and other relevant issues. Use them to help plan what you need to do.

<http://www.ParenTingtime.net/>

<http://www.DeltaBravo.net/> (this site)

<http://CustodyIQ.com/>

"Cardinal Rule" No 4..... **GET CONNECTED! STAY INFORMED!!**

- 1) Familiarize yourself with Family Laws, Administrative Rules, and court procedures.
 - a) You must understand the court process and how the family law system works.
 - b) It is your responsibility to know anything and everything that applies to you.
 - c) Mastery of your state's Family Code will confer advantage to you in the courtroom.

As a father, you have rights. However, the goal of the judicial junta is to deny, and/or otherwise undermine those rights; ie, "rebuttable presumption." You've gotta be prepared.

- 2) Read books on winning custody. Read only those that work for you.
- 3) Get connected with a dads support group. This helps you stay focused. It's the most important thing you can do.
 - a) With networking, your proactive effort becomes leveraged exponentially.
 - b) Whether you gather or share, information is the a perquisite to constructive action.
 - c) Hang out with winners. When things heat up, you'll need their support.
 - d) AVOID losers and "nay-sayers." They'll drag you down.
- 4) BEWARE of your limitations. Find out what works for you and what doesn't.

You'll never survive if you do this alone. As discussed above, court-appointed professionals are not what they seem. They are wolves in sheep's clothing. They have no conscience.

"Cardinal Rule" No 5..... **HIRE THE BEST FATHER FRIENDLY ATTORNEY YOU CAN FIND.**

BEWARE OF WOLVES IN SHEEP'S CLOTHING. BEWARE of attorneys who "claim" to know everything. They talk the talk, but don't walk the walk. Remember, you want results, not a compromise. Take your time. Shop around. Ask hard questions. Make your choice carefully.

Your attorney's specialty should be representing fathers in family court. HE MUST KNOW WHAT TO EXPECT. He shouldn't expect a large retainer. He should tell you his win/loss record as well as your chances of winning. He should tell you his billing policy. He should be well-connected. He should know judges and court-appointed professionals; GAL's, custody evaluators, psychologists, etc.

It's no secret. Attorneys are 99% of the problem. So.....

- 1) Be prepared, well in advance, BEFORE you choose an attorney. Know what to expect.
 - a) Above all, watch for "RED FLAGS."
- 2) Your attorney works for you. You must know ahead of time what you want and stick to it.
 - a) Never allow your attorney to dissuade you from your ultimate goal.
 - b) Never display "eager-to-deal."

c) Never allow your attorney to drag the process out unnecessarily. For starters, get a trial date set ASAP. Don't haggle over "little things." Stay focused. Keep the pressure on.

Be prepared to tell your attorney everything, especially the truth. Be prepared to follow his advice.

3) NEVER "assume" that your attorney will know everything.

a) Most of your knowledge will come from your support network; ie, experienced fathers who have tenacity and know the ropes.

4) Never expect your attorney to do "everything."

a) Manage your case actively and personally.

5) If your attorney advises you to take the "high road," find another one ASAP.

a) THIS IS WAR!! If you're gonna lose, go down fighting dirty.

6) Find a para-legal who's father friendly, one who's experienced with family law.

a) As you know, some nurses know more than doctors. The same hold true for para-legals and attorneys.

b) Find one you can count on. This is an important Plan B resource.

7) Speaking of Plan B, ALWAYS have a back-up for everything. You never know when you'll need it.

a) If you have doubts, NEVER think twice about getting a second opinion.

b) For that matter, never think twice about getting a different attorney.

8) As things progress, assess your chances of winning; best case versus worst case scenario. BE REALISTIC!!

a) If you have a "reasonable" chance of winning, then go for it, and go early.

b) If you have "serious" doubts about winning, then settle early. Cut the best deal you can.

9) NEVER expect fairness from your STBX, much less fairness from the Family Court system.

a) Realistically, your chances of winning are 3 in 100.

b) If your ex is a junkie, a whore, a 3-time convicted felon, or any combination of the above, she'll win custody 97% of the time. These numbers are realistic.

This gives you some idea of what you're up against. Remember, you are at the mercy of Family Court thugs. The system is designed to degrade you and to bankrupt you. They'll force you spend your money any way they can. Like the "dog" that you are, they have tactics that bring you to "heel." THEY DON'T LIKE YOU!!

"Cardinal Rule" No 6..... **NEVER GIVE, OR SIGN ANYTHING TO YOUR STBX IN ADVANCE**

You know your STBX better than anyone. You know what's important to her. You also know her weakness. Between now and trial, you will find that your STBX is "her own favorite charity." Her greed will soon become evident. Learn to exploit that to your advantage. For

now, find out what she wants.

At this stage, your STBX's "wants" are potential bargaining chips that can be exchanged later for things of importance to you, like property division/alimony.

Above all, never give her your children. They are not bargaining chips!! They are non-negotiable!! This is not open for discussion!! Stick to your guns!!

1) **NEVER** give, nor agree to give, anything to your STBX unless:

- a) the judge orders it.
- b) you get something of significance in return.
- c) you get it in writing.
- d) you get it from your attorney.

Remember at this stage, ANY conversation, agreement, or discussion **MUST** go through your attorney. No matter how much you hurt, never let your STBX back into your comfort zone.

2) Keep a list of everything you give to your STBX. Use items on that list as bargaining chips later on.

During the course of your marriage, giving freely to your wife was second nature. You never thought twice about it. Today however, she is something other than your "wife". Nevertheless, she still expects this "arrangement" of giving to continue. Worse yet, court professionals think this way too. You've gotta be careful.

For example, if you give her "this" today, tomorrow she'll ask for "that." She'll nickle and dime you for every "little thing," one piece at a time. It'll never end. Before you know it, she'll have all your "bargaining chips" and you'll have nothing. **BEWARE** of this trap. You need to terminate this practice immediately. There's a time for property division. That time isn't now. **NEVER GIVE YOUR STBX ANYTHING!!** Stick to your guns.

Remember, bargaining chips are very important. Individually, they may seem insignificant. Collectively however, and when "cashed in" at the right time, they **WILL** make a difference. If a bargaining chip has value for her, then it **CERTAINLY** has "value" for you. Never forget that.

Nevertheless, "IF" you must give her anything, make her sign a receipt for it. Think of it as an "advance" in property settlement. Be sure to list the item's "replacement cost." That receipt is now a bona-fide "document." Use it later as a bargaining chip when you divide community property. When the time is right, you can make her pay dearly for all those "little things" she took in advance.

"Cardinal Rule" No 7..... **YOU FILE FIRST!** This is of the utmost importance.

For starters, you are forever the *plaintiff* and she's the *defendant*. That's a good thing. You get the opening shot. You design the

playing field. You've got the momentum.

- 1) The secret is:
 - a) do not relent.
 - b) Maintain the upper hand.
 - c) Set the rules of the game.

Remember, there's no guarantee that you'll prevail on every issue. But it's much better than starting the game on her terms.

- 2) A good lawyer is essential.
- 3) It's extremely important to you know what you want and that you are in a position to direct the outcome.

HOWEVER, file ONLY when you've got a solid game plan, and ONLY when you're ready. In other words, you pick the fight, when and where, on your terms. You want "home court advantage."

Surprise is everything. If you catch her off-guard, your STBX will be playing "catch-up" 'til trial, and beyond. THAT'S THE WHOLE IDEA!! If you're thoroughly prepared, and follow-through on details, she'll never catch up.

Remember, if you get temporary custody at this stage, and if you've done your homework, and if everything goes according to plan, your chances for permanent custody are virtually assured. All this of course, depends on your attorney, your journal, the thoroughness of your strategy/game plan, and your commitment to active case management. Meanwhile.....

Get complete information on your STBX and children: Full names, aliases, maiden and nick names, other names used; dates and places of birth/death; Social Security numbers; Driver's License numbers; etc.

Get every document you can think of. Leave no stone unturned. Some documents will be difficult, if not impossible to get. If/when you get stuck, move on. Do your research well in advance, BEFORE you separate. If you are thorough, you'll reap huge dividends at trial.

Store ALL documents in a safe deposit box in your name only. These include:

- 1) Tax returns for the last several years.
- 2) Marriage license; pre-nuptial agreement.
- 3) Documents from your STBX's previous marriage/divorce.
- 4) Birth/death certificates.
- 5) Passports, green cards, immigration documents.
- 6) DMV record(s); criminal history.
- 7) Thorough background check on your STBX. Hire a PI if necessary.
- 8) School records; college/high school diploma(s); transcript(s).

- 9) Medical and life insurance policies; will(s).
- 10) Deeds; titles; leases; contracts.
- 11) Bank statements; stocks, bonds and securities.
- 12) Retirement, pension, IRA, 401K, Keogh.
- 13) Credit report.
- 14) Family photos; heirlooms.
- 15) STASH YOUR CASH!!

Make sure you have passwords/access codes to ALL computers, bank accounts, credit cards, etc. Try them out. Make sure they work. Reset computer passwords with new software.

Get the following for your children:

- 1) Recent photos of your children, in clothes they typically wear.
- 2) Documentation of their physical descriptions.
- 3) Social Security, Student Body, and State ID cards.
- 4) Medical history, related info, and documents.
- 5) Immunization records.
- 6) Health history and/or special needs.
- 7) History of behavioral issues.
- 8) History of prescription medication.

CONTACT INFO for STBX and children: friends; extended family; service providers, doctors; school, counselors, day care; etc. If your STBX runs off with your kids, you'll need to track them down.

STBX's previous marriage and children:

- 1) Is she getting alimony and/or child support? How much? Paid by who?
 - a) Can she get alimony re-instated from her previous ex?
- 2) What was the value of her property settlement? What did she bring into your marriage?
- 3) Were any of her past debts serviced during the course of your marriage?

Remember, issues like these can, and do make a difference in property settlement. More importantly, this info might show "bad faith" or "intent." In other words, is your STBX using marriage as a means of embezzlement or early retirement? Are you her next target?

STBX's school & job info:

- 1) Level of education/continuing education.

- 2) Current level and duration of employment/unemployment/underemployment/non-employment status.
 - a) Salary history and benefits package.
 - b) Career path.
 - c) Job skills.
 - d) Anticipated raises and/or promotions.
 - e) Anticipated career/job change.

- 3) Document willingness, or lack thereof, to become employed, better employed, or otherwise permanently self-sustaining.
 - a) You want to minimize potential alimony and child support as much as possible.

INVENTORY:

Take inventory of everything you own. List the difference between "cash value" and "replacement cost." There is a difference!!
Back-up your written inventory with videos, pictures, and appraisals. Store everything in a safe place.

COMMUNITY ASSETS: Are they greater than you think? Where did it all go?

Before, or during your marriage, did your STBX set up any form of "asset protection" where she is named beneficiary? Remember, assets could be in her name or under an alias. Perhaps a friend, a relative, a bank, or an attorney has assets "buried" for your STBX under an alias, or within a corporation? These are all good places to hide marital assets:

- 1) Real estate.
- 2) Stocks, bonds.
- 3) LLC's, corporations, trusts.
- 4) Businesses; ventures. partnerships.
- 5) Off-shore holdings; bank accounts; investments.

WASTING MONEY:

During the course of your marriage, did your STBX, or did your STBX force/insist that you:

- 1) Give/piss away monies, assets, or property of any kind?
- 2) Did she waste money on herself? eg: college, clothes, jewelery, or cosmetic surgery?
- 3) Did she spend money on an outside relationship?
- 4) Did she waste money on a home business?
- 5) Did she forge your signature on any checks or documents?
- 6) Did she waste money on failed drug/alcohol treatment?

Remember, issues like these make a difference in property settlement.

ASSETS:

Make a thorough list of assets, equity, debt, monthly income, and expenses. List everything, including names that appear on each document. Don't forget student loans and day care. Your list must include: current values; dates of acquisition and purchase price; payment and income history (paid by/earned by who?). Your list must be exhaustive!!

Note: Any debt acquired during your marriage is a community debt. A student loan however, is more complicated. In essence, you are taking an "asset" with you and leaving a debt behind. If you anticipate paying child support and/or alimony, you could argue the increased income is a direct result of this asset. It is therefore simultaneously captured thru the debt, ie; your greater income potential would not be possible without the accompanying debt. Obviously, the other side will argue for higher support and leave you with your mountain of student loan debt at the same time. In other words, they want it both ways. Chances are, the judge will agree.

Real estate: Purchase price; equity; down payment; mortgage balance; monthly payment; maintenance; improvements; etc. Get your house appraised. Apply for refinancing. The numbers won't be equal. Such differences can be significant in property settlement.

Also include: Vehicles; boats; RV's; condo time shares; business/partnership interests/equity; credit cards; stocks & bonds; bank and investment accounts; jewelry and other items of value; etc.

Don't forget: Debts; gifts; inheritance; any type of "windfall;" lottery winnings; etc.

Meanwhile, **STAY FOCUSED FROM THE BEGINNING.**

1) DIG IN AND FIGHT DIRTY. THIS IS WAR! THERE ARE NO RULES!

- a) If you take the "high road," you will lose.
- b) If you compromise, you will lose.

2) Once you file, keep the heat on. NEVER let up on your STBX.

- a) It's up to you to maintain momentum and keep pressure on your STBX "CONTINUALLY." Your attorney can't possibly do this for you. This is your fight, and yours alone.

3) Filing first sets the tone for the entire process.

- a) The chances of winning or losing depends "SIGNIFICANTLY" upon who files first.
- b) Filing first gives you distinct advantage. You control the high ground.
- c) NEVER compromise your position nor your advantage.

4) As D-Day approaches:

- a) Entice your STBX to voluntarily leave, WITHOUT THE KIDS. Bribe her if necessary.

b) While she's gone, clean out the house, take the kids, and file your court documents.

5) The moment D-Day arrives, you become "THE TERMINATOR."

a) You instantly change from Dr Jeckyl to Mr Hyde. No more Mr Nice Guy.

b) NEVER show mercy. Take no prisoners.

c) This is war!! NEVER LOOK BACK!!

6) File your family court documents with the court clerk. Be sure the clerk date-stamps your documents. Then:

7) Go immediately to ex parte.

a) Get a temporary restraining order against your STBX.

b) Get temporary orders for "exclusive occupancy" of your house. That means your STBX gets evicted from your marital residence.

c) Get orders granting you temporary sole custody of your kids. Say she is unfit and a risk to the kids due to _____ (you think of something).

d) Get temporary orders for supervised visitation.

e) Get orders for temporary child support and temporary alimony.

8) Give copies of your restraining order to the school, daycare, your employer, etc.

a) Notify anyone involved with your kids that you have a restraining order against your STBX.

9) Change all locks and alarm codes on your house and car.

a) Change passwords on everything, especially on bank and credit/debit cards. Deny your STBX access to any form of money.

10) Get a vicious dog that barks at your STBX.

a) That'll keep her from snooping around when you're not home.

b) Reward him to reinforce that behavior.

11) Get a new, unpublished phone number. Route all mail to a new PO Box.

12) Have your STBX's mail stopped.

a) Return her unopened mail to sender.

13) Remove your STBX's name from your health, life, vision, and life insurance policies.

14) Remove your STBX's name as beneficiary from your retirement accounts.

a) Remove your STBX's name as beneficiary from your will.

15) Inform companies with whom you do business that you want new passwords on your accounts; insurance, bank, etc. Instruct them

that passwords must be used before releasing information or changing anything.

16) REMOVE your half of the cash from any joint accounts.

- a) Close all joint credit card accounts.
- b) If any accounts are in your name, but where she is authorized, cancel her.

17) Remove your name from the title and insurance for any car your STBX drives.

- a) Remove her name from the title and insurance for any car you drive.
- b) NEVER ALLOW your STBX to drive any car that is in your name.
- c) NEVER be responsible for your STBX's driving behavior. From now on, she's a liability.

18) NEVER OFFER your STBX her clothes and/or personal necessities. Wait 'til she asks.

- a) Make her sign a receipt for anything she takes. NO EXCEPTIONS!!
- b) Store her personal belongings in boxes. Set them on the sidewalk where she can pick them up and leave immediately. More importantly, she'll have no reason to roam through your house.

- c) Release her belongings ONLY if she signs a receipt, and ONLY if she has a police escort.

19) File charges and PROSECUTE your STBX for any domestic violence. DO NOT DROP any charges.

20) Inform your employer that you want your calls screened.

- a) If your STBX calls, call the police and file a restraining order violation. DON'T EVEN THINK TWICE!!
- b) Use your employer's receptionist as a witness.

Do all of the above. Leave no stone unturned. These measures set the tone 'til trial. Cut off your STBX's money and resources early in the game. Do anything and everything that hinders her bid for custody. THIS IS WAR! NEVER LOOK BACK!

MEANWHILE: Focus on the basics. Fine-tune your game plan. Work on strategy. Keep it simple.

Don't forget, **ALWAYS HAVE A CONTINGENCY PLAN** for everything (Plan B)

Get your financial house in order. Clean out/close out everything, especially joint accounts. Take "convenience" out of purchasing. This includes credit cards, on-line purchasing, and other "lines-of-credit" you've established over time. This vicious cycle must be broken.

Except for essentials, don't buy anything. If you must buy, pay with cash. Pay all bills the old-fashioned way. Write a check and drop it in the mail. Keep a record of bills that get paid.

"IN YOUR NAME ONLY" - Route all mail to a new PO Box. Get a new cell phone. Keep it secure. Use it for "IMPORTANT" business

only. Open savings and checking accounts at a different bank. Get a new safe deposit box to store cash, valuables, and documents. Open new Visa & Mastercard accounts. Use them only for "EMERGENCIES." Get a line of credit as large as you can. Rent a storage locker to stash large items of value. Remember your inventory? Manage it closely. Get new passwords for everything, including credit cards, PC, & ATM.

STASH YOUR CASH in your new safe deposit box. Another option is to open a "secured" Visa/Mastercard account. The bank takes \$XXXX.00 from one account deposits it in an interest-drawing "trust." Meanwhile, use the credit card as usual up to the secured dollar amount. You can deposit additional funds as they become available. This/these transaction(s) don't "appear" on bank or credit card statements. There's just less cash in your account.

MOVING ON - Convert what you can to cash. Think, "D-O-W-N-S-I-Z-E." Sell everything. Pay bills and reduce debt as much as possible. Save all receipts and bills of sale. You may need to account for everything later.

THIS MEANS: Cancel subscriptions and non-essential services. Cash in stocks and bonds. Sell the Lexus, the Suburban, the RV, and the boat. Sell your time shares for the condo, jewelery, china, and silverware. Include anything and everything you can think of. That means "boy's toys" too. You're not gonna have time for them once the proceeding begins.

Before selling your house, convert your equity into cash by refinancing. You're gonna need it. Remember, there's no guarantee that a sale will occur any time soon. For that matter, there's no guarantee you'll get your asking price. Furthermore, with commissions, taxes, fix-up and misc expenses, your equity could dwindle to something far less than you expected. It's best to cash out while you can.

The idea is to liquidate what you can ahead of time, while you have time. You won't have that luxury later. The time to sell is BEFORE you really have to. If you wait 'til the last minute, you'll be selling at a deep discount.

Keep plenty of cash on hand so there's no paper trail. You'll need this for "emergencies." For starters, earmark \$10K for attorney fees and court expenses. Expect to need more later.

YOUR JOB:

Now is a great time to consider career options. They may be offered at work, or you may have to be creative: early retirement; continuing education; sabbatical; voluntarily lay-off/termination. Collect unemployment, severance package, restructure your career path. Do anything to minimize gross pay and maximize time spent getting prepared.

Postpone raises and promotions (if possible). Get your employer to tuck away a percentage of your salary where it can't be touched. Think, "asset protection." The idea is to minimize child support and alimony payments. You can return to your career path when this is over.

You may want to cash out your retirement/401K. Your STBX is gonna get half. You may as well get the other half. Your "rainy day" is here.

I know this sounds like a lot. It is. There's a lot at stake. Remember, the war starts the moment you file. Once you file, all hell's gonna break loose. You'll barely have time to keep up with details that follow, much less play "catch-up" or track down any of the above.

Rule of thumb = Preparation means everything

NEVER GIVE UP! NEVER LOOK BACK!