BowTieLawyer

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From No Fault to Yo' Fault

The clever title to this blog was proposed by an attorney friend of mine that handles some family l
practices extensively in other areas of law.

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We were recently discussing how "No Fault" cases get derailed. While Mississippi is technically no
state, there are provisions for an Irreconcilable Differences divorce. (commonly referred to as "No
prior.)

He was asking what happens? The parties, after getting over the initial shock of divorce, decide th
and agree. They think they can agree to the divorce and resolve their differences. After all, they
along for 9 years, have two kids and bought a house. What could go wrong? Perhaps they searche
looked at divorceyourself.com. A very risky idea!

Well, the old adage that the devil is in the details is never truer than in divorce. The No Fault idea
when the fellow realizes he will have to pay 20% of his income towards child support, plus health i
alimony. Yikes! He realizes it's cheaper to keep her. (sorry for the clichés) The wife gets squirrely
that her half of the retirement account is consumed by balancing the equity in the house, or that t
cannot be realized without significant tax consequences.

Parties to a divorce don't realize child support is until 21, not 18. They don't know the types of cus
to things that are not allowed or legal. They agree to "legal terms" that do not exist in Mississippi l
saw it online. And lastly, one of them is finally convinced to see an attorney by a close friend or fa
when they do and realize the consequences of what they were about to do and back out, the other s
and backs out too. All of a sudden an *easy deal* becomes complicated, expensive and adversarial.

Want to keep your situation from going from No Fault to Yo' Fault? Do your homework, have an a
attorney that practices family law, keep the peace, and be smart.

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