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OUT AND ABOUT

Divorce has become a sad reality of modern life, but according to Attorney Gordon N. Shayne, preparation can help minimize the toll it takes on everyone involved. "The style that I want to emphasize is one of facilitation and avoiding the courthouse. I want clients to know how important it is to develop goals and incorporate those goals into a successful settlement. Avoid the courthouse; avoid the judge making an arbitrary ruling. Empower yourself instead."

So how do you accomplish this in the midst of coping with one of life's major stressors? Whether you're a stay-at-home mom or a professional, three simple steps can make a big difference in the outcome, says Gordon. He suggests that clients contemplating divorce keep a diary or record of what's happening in the home, such as negative parenting exchanges, disputes with the other party, and questionable or irregular financial activities.

Many of us may not realize that testimony is considered admissible evidence in court. Whether or not the judge considers the testimony credible may be contingent upon supporting documentation, Gordon says. "The court has an obligation to weigh the integrity of the party making the negative claims," Gordon states. "So if the client can produce examples and dates, the judge may be less inclined to think the spouse is making things up as they go along."

Documentation is especially important in cases involving domestic violence. Gordon cautions clients not to accuse the other party unless they have a police report or witness, or legal

documentation that the domestic violence incident(s) occurred and was reported to the proper authorities.

The second step to empowering yourself is to be aware of family finances. Whether or not you are the party responsible for paying the bills and/or bringing home income, make sure you start looking for financial records and obtaining copies, Gordon recommends.

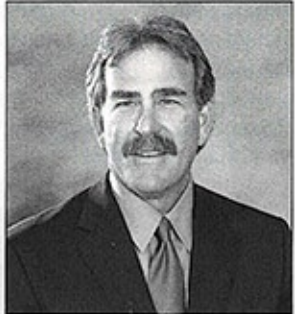
Marital assets belong to both parties, not just the one in whose name the asset is registered, so no one has the right to abscond with the bank account or any property until the court divides the assets. Once the other party has been served with a notice, an automatic injunction goes into effect that prohibits either party from transferring, removing funds, or closing bank accounts. In essence, financial freeze can provide protection of marital assets while the couple works things out or decides to finalize the divorce or legal separation.

Finally, do your homework and hire a reputable family law attorney, Gordon suggests. While attorneys can practice more than one type of law, you'll want to find someone who is licensed in your state and has a wealth of experience in

family law. Gordon advises that there is a tremendous benefit to working with an experienced family law attorney who has been practicing for many years. An extremely qualified family law attorney will know what to anticipate in and out of court, and can better advise you on strategies, tactics, and possible rulings from a judge, than someone who only handles a divorce case every now and then, or has very little courtroom experience.

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By Cynthia Bullock



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While Colorado is a no-fault state in matters of divorce, misconduct is considered relevant when there is a harmful impact on children, such as cases involving domestic violence or the abuse of alcohol or drugs. If misconduct is a factor in your particular situation, be sure to ask the prospective attorney about their experience in these types of cases.

Gordon, who practiced both criminal and family law in Florida for many years, has been licensed and practicing law in Colorado Springs for more than a decade and he is a member of the El Paso County Bar Association, Colorado Bar Family Law Section, and American Bar Association and Family Law Division. While some may consider family law to be depressing or sad, Gordon feels that it is the perfect fit for him. "I like helping people through transitions in their family life. Big victories are infrequent, but family law has more positive outcomes, such as reuniting kids who have been separated from siblings or their parents, getting children help, and creating a final resolution to a problem."

Previous clients seem to agree. When Gordon recently ran into a client he helped more than two years ago, she expressed gratitude for the help he gave in resolving the conflict and tension in her life without the cost of going to court. This woman now enjoys peace of mind that she might not have realized without Gordon's professional assistance, he says.

Another previous client who utilized Gordon's services in a different state almost 20 years ago, tracked him down so she could send him a picture of her son in a military uniform. Her message to Gordon was, "You're responsible for helping me raise my son." Gordon remembers the boy, who was only 2 years old during his parent's tumultuous divorce.

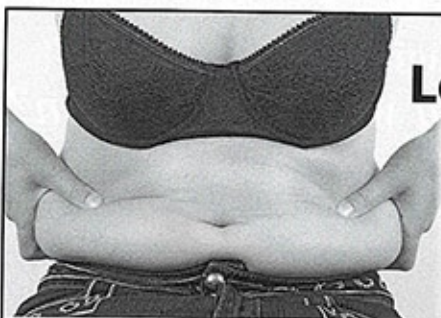
Remembering his clients, even those from many years ago,

doesn't surprise his wife and Office Manager Sherry Shayne. "Gordon has somewhat of a photographic memory. He recalls all the details, including the children, financial information, and who has what," she says. "And even though he may wheel five expandable files full of information into the courtroom, he doesn't have to refer to any of it!" Gordon says he is equally appreciative of his wife's talents, and credits her with having a calming influence on people going through the process. She also helps him cope during his more difficult cases.

When asked what trends he's noticed in Colorado Springs' family law cases, Gordon replies, "While the divorce rate continues to go up every year, I'm seeing more people stay together longer in dysfunctional marriages. They may be afraid of the financial consequences of divorce or may stay together for the sake of the kids. And I'm seeing more 'empty nester' divorces and divorces among couples nearing retirement age."

Gordon's law practice is also attracting clients who are more knowledgeable about their rights. He credits this spike in awareness to the Internet, but cautions: "There's a lot of information out there, some good some bad. The Internet site a client visits may not cover state law, and only state law can be applied to a domestic dispute."

The Law Offices of Gordon N. Shayne is located at 2 N. Cascade Avenue, Suite 310. While the office is open Monday through Friday beginning at 8 a.m., Gordon would like readers to know that he and his wife, Sherry, are available 24 hours a day, seven days a week via their after-hours hotline. For additional information, call 719-442-6649 or visit the Web site at www.shaynelaw.com. Gordon and Sherry will also answer e-mail inquiries directed to gordon@shaynelaw.com or sherry@shaynelaw.com. **WE**



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