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Pennsylvania Divorce | Guide to the PA Divorce Process

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Intro | Why did we write this?

When new or potential clients come to our office to discuss their divorce, they have dozens of questions and a lot on their minds. Kids, money, property, emotions and fear of the unknown can fog up a relatively concise first meeting. Often, our potential clients present with many of the same, easy to answer questions about the divorce process in Pennsylvania generally.

Seeing the trend, our office put together this easy to read Pennsylvania divorce guide to help walk you through those procedural questions. We know most are not as inclined or excited as we are to sit with [Title 23 of the Pennsylvania Consolidated Statutes](#) and peruse the subsections for answers, so we have broken down the process into this quick reference guide. This helps to clarify in layman's terms what happens during the divorce process and cut down on the amount of information you require from a first meeting with us or your current divorce lawyer.

With this understanding in your back pocket, you can focus on getting into the specifics of what you need to know for your unique case. Bearing this in mind, please understand that this information is not to be considered legal advice. This is also not a DIY divorce manual as every case is vastly different and requires the particular knowledge of a skilled Pennsylvania divorce attorney. This guide will give you the correct knowledge of the divorce framework to ask better questions and get the most out of your time.

The outline of the guide follows the general flow of the divorce procedure in Pennsylvania; however, any case could begin at a different phase of the process. Also, these portions can be separate actions, e.g. divorce is separate from custody, is separate from support. They will have different case numbers and go through different branches of the court such as the Family Master's. Be sure to explain any previous or current case work when you have your first appointment with us – bringing paperwork for any domestic relations cases will provide us with a clearer picture of where we can go. Even if you aren't sure what the documents mean or whether or not you feel they are important, bring them to your meeting so we can determine where to start.

Our office takes great care to provide the best experience possible for clients. We know this is a difficult time for you and your family and information is the best way to stay in control of the outcome. Having a good rapport with your attorney and knowing the process are critical in supporting the best interests of you and your children. If you have any questions about the content of this guide, feel free to contact our office to meet with one of our attorneys.

This document and its information is not, nor is it meant to be, legal advice. You should always speak with a lawyer for advice regarding your situation. Michael Kuldiner represents clients in Bucks County, Montgomery County, and Philadelphia Pennsylvania.

1. Prenuptial and Antenuptial Agreements

The [premarital agreement](#) has received some better “PR” lately – not just for celebrities, this document is an agreement signed prior to marriage that sets forth specific terms in the event that the parties seek a divorce. The agreement stipulates how the dissolution of the marriage will occur and covers customized areas of concern such as dividing property, any trusts or estates, etc. If you have signed a prenuptial agreement, we must know of this prior to commencing work on your case. This document can be deemed unenforceable if certain conditions are met, so be sure to procure any copies.

2. Grounds for Divorce in Pennsylvania

Since the 1980s, no-fault divorce has dramatically changed the ease of obtaining a divorce. Pennsylvania sets forth the grounds that must be proven in order to be granted a divorce, which are still inclusive of fault-based grounds.

The language “3301(c)” and “3301 (d) divorce” are the most common terms we hear in connection with divorce cases in Pennsylvania. Filing under 3301 (c) means the marriage is irretrievably broken, more than 90 days have elapsed since the action was started, and affidavits have been filed by both parties which affirm that both consent to the divorce. “D” divorce, known as “irretrievable breakdown”, includes the fact that the parties have been separated for two years. Sometimes this is referred to as a “two-year divorce”, (so do not take this to mean that your divorce will take two years!).

There are other aspects to the two-year divorce, which can vary based on the situation. Whether or not the other party wants to be divorced and complies with signing the paperwork can alter the path of the process. Let us know if you think the other party is willing or able to sign divorce paperwork – it could mean a different approach to filing.

3. Legal Separation

In Pennsylvania, there is no law surrounding this notion. In short, there is no such thing as “legally separated”. You are either married or divorced under the law. Separation has its own set of concerns and should not last too long if possible. The longer you and your spouse are “separated” and not seeking counseling, the more prolonged and confusing the eminent divorce will be. Throughout that period of time while separated, you were married in the eyes of the law. This can make equitable distribution a nightmare; division of any large purchases, retirement accounts, custody arrangements become much more convoluted and add a lot of unnecessary bitterness to the equation.

Let us know if you have been living “separate and apart” for a period of time – this could be useful at a later point in the divorce process even if you haven’t reached the two year mark. Filing under “d” before the expiration of two years will at least ensure the clock starts ticking in the event that your spouse does not consent to the divorce. Even if you are under the same roof, it is possible to be considered living separate and apart – this should also be brought to our attention.

4. Annulment

An annulment is not the same as divorce; it is difficult to obtain and thus a very rare occurrence. The difference between an annulment and divorce is proving that the marriage was never valid in the first place. There are certain grounds that must be proven to be granted an annulment which should be discussed up front at your first consultation. For example, if you and/or your spouse were underage without parental consent, the marriage could be voidable.

A caveat of obtaining an annulment: proving a marriage was not valid therefore eliminates any property rights or shared assets that accrued over the relationship.

5. Residence Requirements

To file for divorce in Pennsylvania, you or your spouse must be a resident of Pennsylvania for at least six months prior to the filing of an action. You do not have to file for divorce where you were married and you do not have to be living in the same county in Pennsylvania to file for divorce. You and your spouse can decide which county is easiest/cheapest/most efficient. Proof of residency includes voter registration, license, etc. The court rarely asks for the proof but a case can and will be dismissed if the residency requirements are not met.

6. Filing

It is often asked if there is any advantage to filing first. Short answer – no. Longer answer – there are no legal advantages to being the Plaintiff. Your case and the facts will not be treated any differently and with no-fault divorce, there is virtually no reason to feel compelled to be the first to get something filed against your spouse.

The procedure for filing a divorce complaint in Pennsylvania requires you to fully disclose any relevant information to your attorney. Living situations, custody demands, support, alimony, and so forth should all be clearly communicated to your attorney. Your divorce lawyer will help you make those decisions and construct the complaint with counts. You can have as many counts as are necessary and relevant; not every case will have a custody count if the couple doesn't have kids, and not every case will have a claim for spousal support if the plaintiff has a much higher salary than the defendant.

The counts are decided at the advisement of your attorney. We don't expect you to know which counts you need – just tell us the facts and we will compile the full divorce package for filing with the Prothonotary. If you have never seen the word, "prothonotary", this is the extension of the court that files and handles documents in the Bucks County Courthouse. Other counties may have a clerk, but the job is the same. You will receive time-stamped, filed copies from us once we get them back from the court to ensure you remain in the loop on your case.

Once your 3301(c) divorce is filed, there is a 90 day "cooling off" period. This is a time for you and your spouse to obtain counseling and perhaps withdraw the case. Once that has passed, the remaining affidavits and waivers may be processed.

7. Discovery

Discovery is the process of obtaining any information required to fully and truthfully complete the divorce process. This is not a necessary component of every divorce, but is often requested to ensure that both parties are fully apprised of each other's status financially, physically, emotionally, and so forth. Interrogatories are often served with 30 days to respond. They can be a few questions to several dozen pages of probing queries into your life. A Request for Production of Documents can also require a respondent to provide copies of paperwork such as tax returns or bank statements.

Having an attorney lightens the burden of these requests. Considering the 30 day timeframe to respond and the intensity of the questions, lean on a divorce lawyer to assist in completing everything properly.

8. Domestic Violence and Abuse

All too often, divorce cases start out with requests for information on a PFA or protection from abuse order. Domestic violence still plagues many households, and the divorce process can fan the flames. If there is domestic violence in the home, we have to discuss the nature of what is going on and the safety of your family right away. A PFA can be filed and if granted by the court, the abuser will be forced to stay away from the home.

If you are up against claims of abuse and are being accused of domestic violence, it should be presented to us at your first consultation. False accusations will likely continue throughout the divorce process as a mechanism to get you away from your family – we need to collect any and all proof to shut down any mudslinging.

If you truly have committed an act of domestic violence, you may be required to obtain counseling and further measures to ensure the safety of your family. Violence and abuse are obviously not tolerated; be sure to remain truthful and cooperative throughout any proceedings in this regard.

9. Injunctions and Motions for Special Relief

The time during the pendency of the divorce can be difficult to navigate. Separated, but not technically divorced, many find themselves skeptical and leery of their estranged spouse. These feelings are sometimes warranted – a spouse can easily abscond with the family checking account balance or liquidate assets before they can be distributed (meaning, take the money and run). Valuables can be sold to friends for safekeeping until the process completes, and items can be removed from the home with ease.

To prevent or stop these types of things from happening before the problem is resolved with a divorce decree, the court allows for motions to be filed that provide temporary or permanent relief from these threats. For example, there can be a temporary freeze on assets or accounts to prevent a spouse from taking all of the money. A motion for exclusive possession of the marital home is another example of injunctive relief. These can also be *ex parte*, whereupon your spouse is not present in the proceedings and the results are temporary. Depending upon the nature of your concern, we can determine if it is advisable or plausible to get this kind of relief.

10. Contempt

Many conflicts or failure to comply with orders can be discussed and resolved; this could include minor infractions or slip ups with a custody agreement for example. When repetitive failure to comply with a court order occurs, a party may be held in contempt. We would explore every option to first induce compliance before resorting to the courts, but if the behavior is ongoing and intentional, it could mean fines or jail time. Other serious violations can involve PFA orders that require a party remain a certain distance away or refrain from entering your home – these are threatening and should be discussed with your attorney right after any violation occurs.

11. Equitable Distribution of Marital Property

Property division is often the most arduous aspect when parties cannot communicate with one another. Pennsylvania is not one of the “50/50” states, where all marital property is split without much other thought as to value or entitlement. In Pennsylvania, we are to closely assess and value of both assets and liabilities, then determine who is responsible for what and in what proportion.

Factors involved in equitable distribution include:

- The length of the marriage.
- Any prior marriage of either party.
- The age, health, station, amount and sources of income, vocational skills, employability, estate, liabilities and needs of each of the parties.
- The contribution by one party to the education, training or increased earning power of the other party.
- The opportunity of each party for future acquisitions of capital assets and income.
- The sources of income of both parties, including, but not limited to, medical, retirement, insurance or other benefits.
- The contribution or dissipation of each party in the acquisition, preservation, depreciation or appreciation of the marital property, including the contribution of a party as homemaker.
- The value of the property set apart to each party.
- The standard of living of the parties established during the marriage.
- The economic circumstances of each party at the time the division of property is to become effective.

Additionally, tax ramifications for each asset are considered as well as any expenses incurred to effect the sale or transfer of an asset. These can be explained more thoroughly based upon your case; certain thresholds in capital gains can alter the tax implications.

With respect to life insurance, the court can direct that existing policies be maintained. The court can also direct that a policy be purchased. We can help you understand your individual policies and beneficiary designations as well as how to update them after the divorce is finalized. These will be addressed officially in the Marital Settlement Agreement (see number 26 for more on this.)

Most importantly, be open and forthright with information about assets and liabilities. Student debt, or any increased values of property can play major roles during this phase. Hiding or inflating information for the sake of some kind of financial gain will be caught at some point in the process, if not by discovery, by a judge. Do not surprise your divorce lawyer in court with some new information on a 401K plan you attempted to dust under the rug.

12. Debts

Under Pennsylvania law, you are not liable for the debts of your spouse which were acquired before the marriage. If your spouse had a credit card with a 10K balance before you said “I do”, that is not yours to repay. Any debts incurred by your spouse for the purpose of “necessaries” can be collected upon by creditors. Judgment can be entered against him or her and if they cannot get anything from the judgment, they can get it from you. Generally, this part is best handled on your own because the courts do not have as much insight into the nature of your finances as you do. Since that is usually a daunting task, we will help you sort and negotiate which debts will be paid by each spouse.

13. Credit

Before you close any accounts or make any moves to separate yourself from your spouse financially, consult with us first. A Pennsylvania divorce attorney will tell you what the possible outcome could be from making this move. A judge will not look kindly upon a primary earner who took money from a joint account that was used for utilities and expenses of operating the family home. Ending utilities and services at the home of your ex and children will not make the judge happy – fair warning and arrangements should be attempted well beforehand.

Ultimately, the goal should be to quickly and agreeably get your finances separated. If your spouse stops paying on a shared credit card, it will still hurt your credit whether you’re divorced or not. Creditors do not care about your marital status after the fact. You can take your ex to court to try and get him or her to continue repaying their court ordered portion of the debt, but the creditors will not delay their collection efforts.

14. Bankruptcy

If you have filed for bankruptcy prior to divorce, the repayments can be addressed in an agreement. The trustee is an impartial recipient that distributes funds to creditors. We will address those payments in the MSA. Also, bankruptcy does not absolve a payor from paying support. He or she will still be liable for payment of alimony and/or child support. If your spouse files for bankruptcy at a later time and you have concerns about how it will affect your case, we can consult with outside bankruptcy counsel as to how it may affect your case. If you have filed for bankruptcy, your bankruptcy attorney is your resource to understand how your payments to the trustee will proceed as well as your credit standing.

15. Taxes

There are a few areas within the divorce process where taxes become a topic of discussion (or argument). One is determining whether or not a divorcing couple can file joint tax return. The determining factor is when the final divorce order was signed. If it was signed within the same year, the couple can file joint returns and reap the benefits of any savings. Additionally, support payments are not tax deductible for the person paying and are not considered taxable income for the recipient.

Another area of concern surrounds the distribution of plans or division of any savings plans, accounts, or funds. Early distribution fees and taxes should certainly be considered before lobbying to divide any assets. We often work with financial planners to ensure that any concerns over a client's portfolio are addressed in the best way possible.

16. Spousal Support & Alimony

Financial security of the kids can be handled with child support, but usually there can be difficulty for the spouse who was financially dependent during the marriage. Over the course of the marriage, a certain lifestyle evolves – perhaps a spouse was a homemaker while the other was the primary earner. For this reason, spousal support, alimony pendente lite and alimony exist in Pennsylvania.

These three types of support have different meanings. Spousal support is intended to provide a reasonable living allowance to the lesser earning or dependent spouse and payments run the course of separation through finalization of the divorce. Alimony pendente lite and spousal support are similar, as both allude to payments that are temporary. The main difference is that APL is only effective from the time a divorce action is commenced, whereas support can be awarded post-separation. Alimony on its own refers to support payments that are paid after the divorce is finalized for a period of time or indefinitely as determined by the court.

Calculating spousal support or alimony in Pennsylvania is a rather simple calculation.

No children: 40% of the difference between the paying spouse's net income and the payee spouse's net income.

Children: 30% of the difference between the paying spouse's net income and the payee spouse's net income, less the child support payment which is calculated with the child support guidelines and discussed in greater detail in the next section.

Discussing incomes with a Pennsylvania divorce attorney will make it more clear as to whether or not you or your spouse are entitled to support. For households with a dramatic difference in salaries, spousal support can be a greater expense – we can help negotiate those cases. Keep in mind that child support cannot be negotiated.

17. Child Support

As we all know, divorce is tough on children. Financially, your children should not have to struggle for the resources they would normally have received if you remained married. The Pennsylvania child support program is a highly effective program, built on the guidelines, with a high percentage of obligors making their payments statewide.

The first matter that will be addressed is locating the parent when initiating a support action. Often, this can be the most difficult aspect of a case. If you cannot locate your spouse or ex-spouse, we can work with our resources to locate and commence an action.

Once we file a support action, a support conference is scheduled. We will gather all of the information and paperwork required to illustrate the needs of the children – educational, medical, or extracurricular needs can be presented.

The net incomes of the parties will be reviewed and a conference officer will make a recommendation as to the amount that should be paid. The guidelines are fairly straightforward and available to review [here](#).

18. Medical Insurance

Before dropping your spouse or your children from your policy, contact your attorney to see if it is appropriate or possible. Most likely, you will want to wait at least until the divorce is finalized. Even after your divorce is finalized, you may want to keep your children on the policy if you are paying child support. This will reduce steep costs of any unexpected medical bills coming your way if you pay child support – or any bills of your ex if you pay alimony.

COBRA rules have applicability to divorce – we can talk about this further if you need to apply for a continuation of coverage under your ex-spouse's plan. With the new changes in healthcare laws, it is important to stay informed as to your options and rights. Above all else, we at least need to confirm or reevaluate how we can get your children's coverage squared away.

19. Children and Divorce

We do not set out to provide advice on how you should parent or have any specialization in child psychology; however, we have seen and lived through the effects of divorce on children. No matter how much parents tout their integrity and preach their parenting skills, divorce can be a painful process that taps into raw emotions. When custody comes up, visitation schedules, and child support payments, it is easy to get lost in an argument or bad-mouth the other parent.

Always remember that you have a tiny, perceptive audience that is yearning for queues and information on how they fit in to this equation. When you can no longer maintain any rapport with your ex, learn to back away and resort to written communication. We are here to help clients communicate their needs as efficiently as possible and can help you when it comes to hostile situations. Do not enlist the "help" of your children to provide information or retaliate against your ex. They should play no part in your divorce – now more than ever they need your love and reassurance.

Once you can communicate, do so. Allowing your children's lives and yours to fall into the hands of the court is a costly and damaging road for everyone involved. If that does happen, and it is all too common, we are your resource for providing the evidence, the information, and the presence to prove to the court how you can protect the best interests of the child. This is the courts, and everyone's, primary concern in custody matters.

20. Custody and Visitation

Section 19 being said, this is often the most contentious part of a divorce or separation – while parties are not living together, parents want to maintain normalcy for their child. There are several types of custody which include the notion of visitation. It should be noted that usually, if one parent is the primary caregiver, the children will stay with that person to keep some normalcy. While the law does not favor the mother or father, there are conditions that often lean towards the mother's favor. There are many factors that can influence those decisions, but first we will explain the types of custody.

Temporary custody: until the court can schedule formal hearings to analyze the case, this type of custody can be ordered as a preliminary situation during the pendency of the action.

Sole custody: “custody” encompasses both legal and physical custody, meaning the ability to make important decisions for/about the child and having them in their possession, at their residence. Sole custody means that one parent has all of the controlling elements of custody, and the other parent is not entitled to contribute to those decisions or have the child living with them.

Split custody: this is the term for when a child is living with both parents at two different residences, but each parent has full physical custody of a child. This type of custody can be influenced by the preference of a child once he or she reaches a certain age or exhibits a certain level of maturity to influence the decision.

Joint custody: this form can be divided into subcategories – joint physical, joint legal, or a combination of both.

Joint legal custody is when the child lives with one parent at a primary residence, but both parents share in decision making. This is often the case where a parent moves away from the child’s primary residence.

Shared physical custody means that the child has two residences, and spends at least 35% of their time with the other parent.

There can be a combination of these types to facilitate whatever is in the best interest of the child, such as the child retaining residence at one location with parents living there on and off.

Joint custody agreements are scrutinized by the courts to always nurture whatever is in the best interests of the child. Parents who are continually disagreeing about major decisions for their child such as education or religion, will likely have any attempted agreements shot down by a judge. More difficulties are not what they are looking to enforce.

The court looks at the following as factors in determining custody:

- the parent: is there a willingness to share custody? Will either cooperate in making it work?
- the parent: is one of the parties truly fit to accommodate their child?
- the child: how is the relationship with the child and either parent?
- the child: does the child have a preference? (Within reasonable age and maturity level).
- the parent: does the parent have the ability to stabilize the child’s school and social life?
- the geography: how far away are the parents from one another?
- the parent: does one parent work long or unpredictable hours with lots of travel?
- the parent: how old is the parent and how many other children does he or she have?
- the parent: does the parent have the financial resources to accommodate the child?

All of these are up to the courts to discern. Ideally, we encourage our clients to make a good effort at resolving custody issues outside of the court. If the other party is not fit or capable of maintaining a custody schedule, we can fight to ensure the best interests of your child are met. If parents can speak with each other at all, we can get a custody arrangement together without drawn out conferences and litigation.

21. Visitation

Visitation is merely the act of having restricted, planned periods of time with your child. This does not speak to your rights over legal decisions or the ability to have the child in your physical custody outside of the designated times. Setting up a visitation schedule is important to help the child maintain a relationship with his or her parent; however, can present issues when the other parent is not reliable or has a difficult living situation.

We can help assess and recommend the best most suitable visitation schedule based on the circumstances. We can speak from experience of many cases to inform you as to what will work and what will not work. For parents who are very far away from each other, we can help with the process of working out travel expenses and time frames. Fewer visits but for longer periods of time might be the best approach. A parent should never obstruct his or her children from visitation with the other parent; the courts are very unlikely to forbid visitation, even if you think the other parent is awful, incompetent or even criminal (supervised visitation is possible). Everyone needs to help make it work for the sake of the child.

22. Relocation

To clear up an initial concern – no parent can relocate without the consent of another parent/party that has custodial rights (e.g. grandparents). A parent cannot simply abscond to a new residence just because he or she has custody rights. There must be agreement between/among all parties and paperwork filed with the court.

For parents who wish to relocate with their child, this form requires you to spell out all of the pertinent information, which we can explain fully. Reasons as to why, when, where the relocation will occur as well as school district information are some of the components.

If a parent objects to the relocation, we would file a counter-affidavit to try and prevent to this relocation. That form would explain why the move is not in the best interests of the child and any other familial concerns that would result from the relocation.

23. Parental kidnapping

Sometimes, a parent will become frustrated and spiteful of an “unfair” custody agreement. When this happens, he or she may decide to keep your child from you and violate the order. When a parent violates a custody order, you should be on the phone with a custody attorney. It doesn’t have to be a dramatic violation, either. This is a cause for concern in any case as the child’s life is being disrupted by the unexpected and spiteful behavior. Additionally, a parent who takes and keeps a child from the other parent may face criminal charges.

24. Child Support

Generally, couples have difficulty handling expenses and agreeing about money. Factor in divorce, separation, and dividing a household and the subject can be bitter. Allowing an attorney to handle support matters alleviates the emotional strain and useless arguing. The rules are concise and only on certain occasions can they vary.

In theory, child support should be simple when reading our state guidelines. A handy [schedule of support amounts in PA](#) should provide a frame of reference as to what a parent may expect to pay or receive. Based upon the net income of both parties and number of children, the amount is proportional to each parties’ income. The idea is to most closely duplicate the child’s standard of life while you were married.

It’s the enforcement that usually creates an issue. Pennsylvania has a very effective system of collecting child support, with certain penalty triggers taking immediate effect upon first missed payment. It is monitored by the PACES system and can track the offenses from first day after missed payment to years behind (e.g. parent cannot be located). There are resources available to assist in locating the parent who is obligated to pay support.

While the rules are rigid, there are occasions where a deviation up or down can occur. The amount of custody time may contribute to an increase or decrease in deviation from the guidelines. We can explain how that works and if that applies

to your situation – you may be able to have a reduction if the children spend a certain percentage of time with you (and you are the payor spouse). The logic is that you are already spending money on the same living expenses accounted for in the support amount – it's a bit like double-dipping if you have to pay monthly and during custody. Or an increase can be awarded if a parent spends very little time with the children.

Child support cannot be bargained away – there is no waiving child support in exchange for the beach house or other item. A parent can work out an agreeable “deal” to pay for education costs or other expenses rather than a monthly support amount that goes to living costs. These are options that need to be discussed with an attorney and may not apply to everyone. When you meet with us, make sure to think about every possible expense such as child care costs so we can run calculations on how much support you may be due or owe.

25. Retaking Maiden Name

As part of the finalization process of divorce, a woman may file documents to retake her maiden name. The form is so titled, “Notice to Retake Prior Surname.” This is filed with the court and becomes your record to get things finalized with the Social Security Administration, as well as for any creditors, medical records, etc. This is not something that is decided upon formally by the court – we often take care of it all at once for most of our cases, unless it is not desired.

26. MSA & QDRO

Marital settlement agreement (MSA) sets forth agreed upon terms that will be abided after the divorce. Consider it a “postnuptial” agreement – custody, visitation, support matters, estate issues, waiver of retirement benefits or beneficiary changes, disposition of marital assets are all spelled out in this document. It is the package deal of the divorce that cuts ties on every applicable level. This is of course customizable to the specifics of the couple's life. This is a very comprehensive document and can be manipulated until both parties are satisfied. We work with our clients to help make this process as painless as possible; the more you can agree, the less time in court waiting for a judge to decide what happens to your life.

A QDRO (Qualified Domestic Relations Order) is another decisive document that pertains specifically to the distribution of deferred compensation plans, such as pensions or 401K. Once a decision is made either by the court or by the parties as to how the plan will be distributed, this Order makes it enforceable. We often help clients who may have had a divorce pending for some time, without having this resolved. Again, forcing a judge to make these decisions is very costly, but sometimes a necessary evil if the other spouse is not cooperative.

27. Sharing an attorney

Believe it or not, there are couples who amicably designed their divorce, and just need a lawyer to make it legal (filing and court things, etc.). These couples are ready to sign on dotted lines and move on – which is great! Certainly cost effective and well-intended, sharing a lawyer sounds like a good idea.

Unfortunately, an attorney cannot represent both parties' best interests; it is quite literally the definition of a conflict of interest. We cannot represent both Plaintiff and Defendant. The alternative in this line of thinking would be to have one spouse hire the attorney, and the other remain unrepresented. Sometimes this ends with the other spouse hiring an attorney, as he or she may realize that his or her rights are not being addressed. Other cases work out smoothly and depending upon the type of couple, having one attorney can be a simpler route. The couple can even decide to split the cost of paying the attorney's fees and get to the same result as everyone else (without the big invoices).

28. Social media & divorce

All we have to say about social media during divorce is to assume that everything you say, post, share, like or do will be reviewed by a judge in court. Let this be your thought before hitting submit! When would this be relevant? Hopefully never – but in volatile custody cases, or even when it comes to support matters, evidence of any damning behavior can be procured from a Facebook page and used against your case. As attorneys, you are our only source for knowledge on your case – do not chance the success of your case by questionable social media musings. We can assure you that a few “likes” are not worth the cost when it comes to highly contested divorce cases.

Conclusion | Recapping the important stuff

In summary, the divorce process in Pennsylvania allows different routes for couples to reach the same result. It is ultimately a matter of priorities, personalities, and paychecks that complicates the system.

1. Choose the right attorney – be able to talk openly so we can do our job for you.
2. Talk to each other and try to be agreeable – we know you don’t want to but try; it could save a lot of money and aggravation.
3. Focus on your kids. Let that always be your “zen” thought when things get frustrating.
4. Stay involved in the process, stay in control and informed.
5. Know that this is the hardest part, but doesn’t have to be awful.
6. Take time to step away from any tension and focus on your health, your emotions and your family. Just because it’s common doesn’t mean it’s easy – even the “simplest” divorce can wear out the mind and the heart.

If you have any questions about the content of this guide, we invite you to call or message our office. The best way to get the information you need is to come in for a face to face appointment – people tell us they walk away with a clearer understanding of what they can expect and that’s important. Call (215) 693-6191 or [chat live on our website](#). Feel free to stop by our [Facebook page](#) and Like us for articles, updates, and get to know what we are about.