WILENTZ
ATTORNEYS AT LAW
WILENTZ, GOLDMAN & SPITZER, P.A.

New Jersey Divorce Attorneys

Results achieved in prior matters are not meant to be a guarantee of success as the facts and legal circumstances vary from matter to matter.

Nobody plans to need a divorce attorney. Going through a divorce can be as financially draining as emotionally taxing. When the end of a marriage is combined with the loss of child custody, an order to pay child support and alimony, and property loss, an individual is often left feeling rejected, angry, and unsure of the next chapter in life.

The experienced team of divorce attorneys at Wilentz, Goldman & Spitzer, P.A. understand the sensitive nature of divorce proceedings and how much is at stake. Our lawyers are skilled at negotiating an amicable settlement, but ready for litigation when necessary. Understanding that every case is unique and must be approached individually, we are sensitive to the specific needs of our clients and work closely with them to resolve all issues concerning alimony, child custody, child support, and equitable distribution of property during a divorce proceeding.

We are immersed in the practice of divorce law and its real-life implications and are devoted to protecting our clients' interests during a divorce.

Filing for Divorce in New Jersey

The divorce process starts with a complaint filed on your behalf by your divorce attorney, which states the parties, the disputed issues, and the requested relief. The filing party is called the plaintiff. The case is then assigned a docket number by the Family Court and the divorce complaint is served on the defendant. The defendant will be given the opportunity to file a responsive pleading to the plaintiff's complaint. Within twenty days of the responsive pleading, both parties must file a Case Information Statement ("CIS"), setting forth earned and unearned incomes, expenses, assets, and debts. While the parties will obtain additional information about the finances through the discovery process, the CIS is an important document that divorce attorneys, mediators, and the Family Part Judges will rely on to evaluate settlement, argue motions, and render a final decision after trial.

The discovery process may include interrogatories (questions answered on paper), depositions (questions answered orally while under oath at risk of perjury), and the exchange of relevant documentation. Relevant documentation is exchanged through a Notice to Produce and may include bank statements, titles to real and personal property, retirement account statements, credit card bills, and the like. Parties may also find it necessary to work with financial experts, such as real estate or pension appraisers, or forensic accountants, to determine the value of assets such as property, businesses, retirement plans, cash flow, and the marital lifestyle.

If custody is an issue in the divorce, the parties will be required to attend parent education classes and custody/parenting time mediation at the Courthouse. If custody remains in dispute, the parties may retain a joint or independent mental health professional to perform an evaluation and render a report recommending the parenting arrangement that is in the best interests of the children.

Court appearances made with your attorney may include Case Management Conferences ("CMC"), where the Family Part Judge assigned to your case will establish the issues in dispute, set deadlines for discovery, and make certain that the case is moving toward a settlement or, alternatively, trial. Family Law Matters that do not

settle after the first CMC will eventually go before an Early Settlement Panel ("ESP"), comprised of one or two neutral attorneys who are well versed in Family Law, and who will provide the parties with a recommendation for settlement. The recommendation is confidential and non-binding to the parties. The parties may elect or be ordered to attend economic mediation with a retired judge or licensed attorney. Mediation is also confidential and non-binding on the parties. In the event that financial or custodial issues arise that require the Trial Court's immediate attention, counsel for the parties may file an application with the Court for relief pending the outcome of a trial. This application is called a Notice of Motion. If the issues may pose irreparable harm, the application may be filed on an emergent basis as an Order to Show Cause.

Divorce Mediation and Arbitration

The overwhelming majority of divorce/matrimonial cases do in fact settle before trial, typically through the use of complementary dispute resolution processes like mediation and arbitration. Once the settlement is reached, both parties will briefly appear in Court for an uncontested divorce hearing. If both parties cannot agree upon a settlement, a pre-trial conference and trial date are scheduled. There is also a possibility for trials to be held on only a limited number of issues if some but not all of the issues are resolved by agreement.

Contact A Wilentz Divorce Lawyer Today

Nobody plans to be in a situation in which a divorce attorney becomes necessary, but our Family Law team makes it their mission to guide each client through the legal process with minimal stress and disruption to their everyday lives along the way. If you are interested in filing for divorce, or if you have been served a complaint, do not delay. Speak with one of our experienced family lawyers as soon as possible to ensure your best interests are preserved.

To speak with an attorney about your legal options, please call: 732-352-9871.