

How to Choose a Divorce Lawyer

07/07/20

For many, divorce becomes one life's most difficult transitions. Separation of income, assets, and, for those who are parents, spending time with children dramatically changes following a divorce. Unfortunately, a divorce or a contested custody case is as real as it gets. Selecting the right attorney to help get you through this painful chapter and begin the next stage of life is a critical decision. When you select and retain your legal representation, your family lawyer may become more than your legal advocate, but a trusted confidant and, at times, a sounding board.

As the leader of the family law team at Wilentz, among New Jersey's largest and most successful law firms, I have observed too many people who suffered the consequences of not taking enough care to retain an appropriate lawyer to handle their divorce. This post is provided to inform individuals about finding the right matrimonial lawyer – someone who can guide clients in understanding their priorities, their options and their legal rights. As an added benefit, a matrimonial lawyer can offer advice informed by years of experience that can help clients to control the intense emotions that often accompany divorce, and stay on track with a plan to achieve goals as efficiently as possible, and with minimal interruption in day-to-day life.

Experience in family law is the most important criterion in selecting a matrimonial lawyer. An experienced family lawyer will know the law and recognize the common issues, and should have an effective system for helping clients to prioritize their goals and zealously advocate for them. Too often, litigants who failed to carefully choose their matrimonial lawyer will seek out a new lawyer prior to the conclusion of their divorce. Oftentimes, this is because litigants do not properly vet their lawyer. The following list was prepared as a guideline for those who have decided upon divorce and seek the appropriate lawyer to represent them in their case.

Guidelines for Choosing a Matrimonial Lawyer

1. **Personal Referral:** An incredible start may be when trusted confidants personally recommends a lawyer who has guided them through their own divorce. In fact, the majority of my new clients come by way of referrals from former clients. However, keep in mind that every case is unique and presents a new set of facts that need to be considered within the law before a strategy is created to resolve your case, either via settlement or at trial. Therefore, it is advisable to schedule a consultation with those referred to determine if that lawyer has the credentials to handle your particular case and demonstrates a communication style that works for you.

2.

Be Wary of Internet Advertisements: Some lawyers advertise themselves based upon various awards and recognitions and through digital ads and social media platforms such as Facebook. A divorcing party should be mindful to research credentials and experience of any lawyer that advertises as the "best" in online or social media ads.

3.

Concentration in Family Law: It is an asset to have an attorney who has experience in family law and a strong reputation in the jurisdiction at issue. Family law is a complex and nuanced area of law, and

anyone going through a divorce would be well advised to find a lawyer that focuses exclusively on family law cases and regular participation in the related jurisdiction.

4.

Every Divorce Case is Unique: If you are involved in a high-net-worth divorce action where substantial assets such as businesses, pensions, financial portfolios, properties, art and other high value assets are at stake, seek a matrimonial attorney with experience representing high-net-worth parties and who understands how business valuation and appraisals are handled. If your situation will lead to a contested custody action, seek an attorney with experience handling similar custody action cases.

5.

Bar Association Participation: It is an asset to have an attorney who has experience and a strong reputation in the jurisdiction the matter will be handled. The court personnel, adverse counsel, experts and evaluators can all have a significant impact on the divorce, and retaining an attorney with positive working relationships allows for greater predictability and strategy decisions. This extends to private mediation and arbitration should you choose to remove the case from the Courthouse and place it on a mediation/arbitration track with a lawyer or retired judge. Don't be afraid to ask the lawyers you interview if they have experience in the jurisdiction.

6.

Strong Rapport: After confirming that a lawyer has the experience and credentials to manage a divorce action, determine your level of comfort with the lawyer. To me, apart from losing a child, a divorce is the most difficult thing one could experience in life. Are you confident that your lawyer is accessible? Easy to communicate with? Truly cares about your well-being and that of your family? If you feel discomfort or anxious about communicating with your lawyer, it may result in a constant source of additional stress for you. Beyond credentials, a level of comfort is essential for successfully navigating the road ahead.

7.

Reputation: A lawyer with a reputation as trustworthy, credible, well prepared and reasonable is desired in any legal matter, including divorce. A large law firm with a long history of successfully representing clients is demonstrative of its strength, durability, and commitment to excellence. At Wilentz, we have over 100 years of experience serving individuals in all manner of personal law. Our lawyers practice at the forefront of landmark cases in their chosen area of law, and our firm has a long tradition of judicial experience, including alumni who currently serve, or have served, as Superior Court Judges and as Justices on the Supreme Court of New Jersey.

8. **Benefits of a Full Service Law Firm:** A divorce case may benefit from the knowledge of additional areas of law such as real estate, criminal law, bankruptcy, business law, personal injury, commercial law, estate and trust, tax law, etc. A larger law firm with other legal teams may provide a tremendous benefit to a divorce action. At Wilentz, our lawyers practice in nearly every aspect of law. Oftentimes, their perspective provides useful feedback for my clients as their situations involve other legal disciplines (e.g., real estate).

If you have questions about this legal alert or any family law concern, contact [Joseph J. Russell, Jr.](#) or any member of the [Wilentz Family Law team](#).

Attorney

- Joseph J. Russell, Jr.

Practice

- Family Law