

## **DIVORCE**

Marriage is not only a contractual relationship between two people, but usually involves a significant emotional component as well. A divorce involving a short-term marriage with no children and no assets can usually be resolved efficiently and with little or no complication. A divorce involving a long-term marriage, including children or complex property issues, can be confusing and emotionally challenging. If there are children involved, the issues of child support and custody become paramount and can have a far reaching effect on both parents and children alike. The fair resolution of a dispute involving substantial community assets and/or debts is also important to your financial well being, both now and in the future. Our law firm has the experience needed to protect your interests, the creativity to think "outside the box" to resolve your issues and the compassion to walk beside you as you travel the road of uncertainty and start a new chapter in your life.

## **CHILD SUPPORT**

It is undisputed that divorce and child custody have emotional implications on the family. Financial implications can be almost as crippling. Louisiana has a unique formula for the determination of Child Support amounts and we have the knowledge needed to assure an equitable and fair resolution of all of your Child Support issues.

## **SPOUSAL SUPPORT**

**Interim Spousal Support (ISS):** Temporary support that can be awarded a divorcing spouse during and for six months following the granting of the divorce. ISS can be extended after a showing of good cause. The court may award a party an ISS allowance based on the needs of that party, the ability of the other party to pay, and the standard of living of the parties during the marriage. It terminates upon divorce. If a claim for final spousal support is pending at the time of the divorce, the ISS terminates when final spousal support is awarded or denied, or one hundred eighty days from judgment of divorce, whichever occurs first. The obligation to pay ISS may extend beyond one hundred eighty days for good cause shown.

**Final Periodic Spousal Support (PSS):** Permanent spousal support that is subject to subsequent modification and termination by the court due to changes in circumstances or remarriage or cohabitation. A divorcing spouse must be free from fault in the breakup of the marriage in order to be awarded PSS. In order to be eligible for PSS, the court considers these factors: (1) The income and means of the parties, including the liquidity of such means. (2) The financial obligations of the parties. (3) The earning capacity of the parties. (4) The effect of custody of children upon a party's earning capacity. (5) The time necessary for the claimant to acquire appropriate education, training, or employment. (6) The health and age of the parties. (7) The duration of the marriage. (8) The tax consequences to either or both parties.

**Contractual Spousal Support:** ISS or PSS that is agreed to by the parties. It is not modifiable by the court except based on the terms of the agreement between the parties to the agreement.

## **CUSTODY & VISITATION**

Divorce is traumatic not only for parents but for children, too. When searching for the right visitation schedule or deciding where and with which parent the children should live, each party should have an attorney who is knowledgeable of the applicable state standards, as well as being sensitive to the concerns of both adults and children. We will help you efficiently reach a fair settlement of these often divisive issues, with the interests of the children and their parents as my number one priority.

**Joint Custody:** A custody arrangement whereby both parents consult with each other in making decisions for the children, then the domiciliary parent makes the final decision. The domiciliary parent's authority can be challenged on major decisions and overruled by the court.

**Shared Custody:** A custody arrangement whereby the child(ren) spend close to 50 percent with each parent. Louisiana Courts have found that 43 percent of the time is not sufficient to create shared custody. A shared custody arrangement requires the usage of a different child support calculation using Worksheet B.

**Sole Custody:** A custody arrangement whereby the parent with sole custody has authority to make the major and minor decisions for the children. Visitation in joint and sole custody matters can often times be similar.

**Parenting Coordinator:** A family law attorney or mental health professional appointed to assist and determine visitation issues between divorced or divorcing spouses.

## **OTHER AREAS OF FAMILY LAW PRACTICE**

- **Grandparent visitation and/or custody**
- **Tutorships (Guardianships)**
- **Interdictions**
- **Complex Community Property Partitions**
- **Pre-nuptial Matrimonial Agreements**
- **Post-nuptial Matrimonial Agreements**
- **Interstate Child Custody Disputes**

The Uniform Child Custody Jurisdiction Act and the Uniform Support Enforcement Act provides the applicable law for these types of disputes.

- **International Child Custody Disputes**

The Hague Convention may provide the applicable law for international disputes.