



## NOTICE TO ALL DIVORCE CLIENTS:

This law firm cannot be held responsible for any wedding plans that may need to be interrupted or set back because you have planned a wedding before you are divorced. **Please do not plan a wedding until after you have received your final decree from your pending divorce.** Although we may try to give you an approximate date for your divorce we do not have control of the judge, your spouse, opposing counsel, the mail or other circumstances that are beyond our control. You are not divorced until the judge has signed the Final Divorce Decree. You must understand that the order is not final **until thirty (30) days have expired** from the time the judge signs the Final Decree. Therefore, if you are planning on getting married again, you must wait until after thirty (30) days has expired from the date the judge signs your Final Divorce Decree.

If you or your spouse ARE/IS CURRENTLY or BECOMES pregnant while the divorce is pending, your divorce will be delayed. **Genetic/DNA testing MUST be administered after the birth of the child** to determine paternity. When receiving the DNA test results we can determine whether to proceed with a disestablishment of paternity or a legitimation. You should also be aware that at any point during litigation, you could be ordered to participate in either a hair follicle or urine drug testing!

Please be reminded that **social media and all other forms of communication** can be used against you in a Court of Law. Please refrain from speaking of or referring to your spouse on any media outlet source. If there is incriminating information that could be used against you on any social media outlet please remove it or delete your account pending the conclusion of this divorce. Furthermore, we ask that any **paramours/mistresses** be excluded from the divorce consultations and proceedings as they may negatively affect the outcome of your case. **No person(s) may be present during your consultation and meetings with the attorney, unless requested. Attorney-Client privilege only attaches to the communications between the attorney and client.**

The **consultation fee** will apply to any future service. We have a very low tolerance for **fraud, misrepresentations and lying**, so please do not misstate the facts of your case and any other material facts that will put our office in any compromising and/or unethical situation because we will have no choice but to withdraw from your case. **PLEASE gather any evidence you may have and forward to the attorney via Dropbox or copy all items to a flash drive. Please DO NOT forward in multiple emails. If your spouse has passwords to your personal accounts (financial, email accounts, social media, etc.), please change them immediately.**

Finally, **all payments are due before the court appearance.** If you do not make your payment before your hearing or court appearances, your attorney may choose to reset your case. Our fees are set out as installments to avoid clients having to pay huge initial retainers. Please do your part in making sure your account balance is paid promptly to avoid your case being held in a suspended status. There will be no final hearing until your account balance is paid in full.

**THANK YOU FOR CHOOSING STOKES FAMILY LAW, PLLC**



## CONSULTATION INFORMATION

- **Fee Agreement:** Please read our fee agreement in its entirety prior to paying our firm any fee. Make sure you have a complete understanding of the agreement as it sets out the scope of our representation in your case.
- **Attorney Client Privilege:** Only communications between the client and the attorney are privileged. Not communications between the client, attorney and a third party. The consultation fee will apply to any service that is rendered. ***Clients and potential clients understand that consultations may not be recorded by any method of recording, nor for any purpose.***
- **Divorce Process Overview**
  - **Typical Contested Procedure**
    - Filing Complaint
    - Issue of service
    - Filing of Answer/Counter-Complaint
    - Default Judgment or Discovery
    - Requesting Pendente Lite Hearing
    - Proceeding to Mediation
    - Parenting Plan Hearings
    - Final Hearing or Trial
  - **Typical Uncontested Procedure**
    - Drafting & Approval of Settlement Documents
    - Spouse signs the documents as drafted
    - After the documents are signed, the Complaint and Marital Dissolution Agreement are Filed together
    - After the 60 or 90-day waiting period we set the final hearing
    - Final Hearing
- **Fees → Reaching an agreement is always cheaper!**
- **Uncontested vs. Contested Divorce**
  - **Uncontested:** means that the parties agree on ALL matters and issues in the divorce and there is no dispute on anything, including the separation of personal property (furniture, equipment, cars, etc.) parenting time and the amounts of child support and alimony. When you state that the divorce is uncontested you are representing that you are CERTAIN that your spouse will execute all of the papers drafted, according to the information that you have provided to our office. ***This divorce IS NOT filed until ALL documents are executed by both parties, so the spouse IS NOT served!***
  - **Contested:** means that the parties DO NOT have an agreement on all issues. We must issue service whether by the sheriff, process server.
- **Children vs. No Children**
  - All minor children that were born during or prior to the marriage MUST be disclosed
  - If you or your spouse is PREGNANT that MUST be disclosed. Any child born during the marriage MUST be disclosed.
  - Disestablishment of Paternity: we need to discuss if there is
  - Both parties MUST take a parenting class before the final hearing or the court charges \$27.00 to file the certificate
  - Child support MUST be set pursuant to the Tennessee Child Support Guidelines
- **Real Property**
  - Real property is any property, i.e. land, home, condo, etc. that is owned by you or your spouse whether jointly or separately regardless of whether the real property was acquired prior to or during the marriage,
- **Initial Filings**
  - Uncontested: Complaint for Divorce & Marital Dissolution Agreement (Parenting plan order and final decree MUST also be signed)
  - Contested: Complaint for Divorce and Divorce Summons or Answer/Answer & Counter-Complaint for Divorce & Divorce Summons
- **Final Hearing**
  - There is no final hearing in uncontested Tipton county divorces with no minor children
  - You MUST testify at the final hearing if you are the Plaintiff in Shelby County
  - A witness MUST be present to testify if your divorce is proceeding after a default judgment.
- **Misrepresentations –** *If at any point the attorney determines that the Client has been untruthful and said misrepresentation is of a material fact or would cause an ethical conflict and/or affect the Law Firm's representation, the Client consents that the attorney and Law Firm can immediately withdraw from the case upon notice to the Client. Please see fee agreement.*