**Current Client Divorce Referral Letter #1 w/ Special Report: How to Avoid an Expensive and Acrimonious Divorce and Discount for Client and 3 Referrals**

[Letterhead]

Dear \_\_\_\_:

I hope this letter finds you in good spirits. I’m writing today to [provide you with an update on your divorce case and to] offer you [a/another in my series of ] Special Report[s] on surviving divorce: **How to Avoid an Expensive and Acrimonious Divorce**. I hope you find it [and the previous materials I have sent you] interesting and helpful. I want to [keep you well-informed about your case and] pass on to you the tips and strategies for coping with divorce that I have learned in my years as a divorce attorney. My goal is for you and your family to emerge from your divorce in the best possible position, both personally and financially.

**[An Update on Your Case**

Insert update if desired.]

**My Special Report**

Before you read my Special Report, let me tell you what prompted me to write it. As a divorce lawyer, I have seen families emotionally damaged and financially ruined simply because both parties refused to compromise. For example, here’s a cautionary tale of a divorce gone wrong that, unfortunately, is all too typical when spouses cannot let go of their anger.

**A Lose-Lose Situation: the Divorce No One Wants**

*Divorcing spouses Tim and Linda are locked into a fierce battle over their property division. Linda believes she should get 60 percent of their property as well as alimony because Tim cheated on her and because that’s the only way she can maintain the lifestyle she enjoyed during her marriage. Tim thinks that Linda should be entitled to no more than 50 percent of the property and no alimony because she has recently returned to work and can support herself.*

*In addition, each is determined to get the family home and furnishings. Linda believes they should go to her because she “made the house a home” and carefully chose everything, including a valuable art collection. She simply can’t abide the thought of Tim living in their home with his girlfriend. Tim believes the home and furnishings should go to him because his earnings paid for them.*

*They fight about these issues every time they see each other, causing their children great distress.*

*Before the trial, the judge orders them to mediation, but they are so angry, they refuse to talk to each other, so an impasse is declared.*

*They spend a lot of money preparing for a trial. They each hire expensive experts to appraise their home and other property. They pay their lawyers large trial retainers. They borrow from friends and family.*

*The trial begins. They say awful things about each other, all taken down by the court reporter.*

*In the end, the judge splits their property 50/50 and orders Tim to pay Linda alimony. The judge also orders Tim and Linda to sell the home and split the proceeds equally. The judge awards half the contents of the home to each and orders that they take turns choosing items.*

*Each is frustrated and hurt. Neither got what he or she wanted.*

*By the time their home is finally sold, Tim and Linda need to spend most of the proceeds paying off debt. Their children’s college fund is depleted.*

*Their anger festers, fueled by their disappointment at the outcome of their divorce and their memories of what each said about the other in court. They don’t cooperate well as parents. Their children suffer academic and behavioral problems.*

I prepared this Special Report to help you and all my divorce clients avoid the pain, frustration, and financial disaster that Tim and Linda experienced**.** It explains the significant role grief plays in divorce; warns of mistakes that can derail settlement negotiations; and offers advice for defusing anger and improving communication between divorcing spouses. Please feel free to pass it along to anyone you know who is thinking about or going through a divorce.

**A Legal Services Coupon for You**

As a special thank you for choosing me as your lawyer, I have also enclosed a Legal Services Coupon. This Coupon entitles you to a $\_\_\_ discount off of any legal services I provide. You can apply it to my fee for your divorce or use it for help with any other legal matter handled by my firm. To apply the Coupon toward a current balance, simply send it to us with your next invoice. To use it for a new matter, call my assistant [name] at [phone number] to set up an appointment. You can use the Coupon any time until it expires on [Date]. Bring the Coupon with you when you come to see me.

**Referral Discount Coupons for Friends and Family**

In addition to the Special Report and the Coupon for you, I have enclosed three Referral Discount Coupons. The Coupons are good for a FREE \_\_\_\_-minute consultation with me and $\_\_\_ off the cost of any legal services I provide. Please give the Coupons to friends or family members. They will thank you for saving them money and, perhaps just as importantly, the time and stress of searching for a lawyer they can trust.

To redeem the Discount Coupons, your friends or family members simply have to call the number on the Certificate before the Coupons expire on [date].. My assistant, \_\_\_\_, will help them schedule an appointment with me.

**In Closing**

I hope you find my Special Report interesting and valuable. If you would like more information on this topic [or if you have any questions about the progress of your case], please call me.

Thank you again for giving me the opportunity to represent you. And thank you, in advance, for handing out the Referral Discount Coupons. I’m very grateful for you help in expanding my law practice.

Best regards,

[Signature]

P.S. If you would like additional copies of my Special Report to give to you family, friends or colleagues, along with the Referral Discount Coupons, please call me. I will be happy to send them to you.

P.P.S. Be sure to put your name on the Discount Coupons before you hand them out, so I will know who to thank for the referrals.

[Side 1]

**Legal Services Coupon**

**For my valued client**

**[Attorney]**

**[Address]**

**[Phone, email]**

This coupon entitles you to a **FREE \_\_-MINUTE CONSULTATION** with me on a new matter and a **$\_\_\_** **DISCOUNT ON MY LEGAL SERVICES,** which can be applied to a new matter or your current bill.

The next time you have a legal question or need the help of an attorney, please call me.

I appreciate the trust you have shown in me in the past, and I look forward to another opportunity to earn your trust in the future.

I can help you with these legal matters:

-- [Describe practice areas]

***Expires: [date]***

[Side 2]

To get your **FREE CONSULTATION** (a [$$] value) and your **$\_\_\_ DISCOUNT ON LEGAL SERVICES**, just call my office (###-###-####). My assistant, \_\_\_\_\_\_, will help you schedule an appointment. Bring sure to tell \_\_\_\_\_ that you have a Legal Services Coupon and bring the coupon with you when you come.

***Expires: [date]***

[Side 1]

**Referral Discount Coupon**

**[Attorney]**

**[Address]**

**[Phone, email]**

Congratulations! You have been referred to me by one of my valued clients.

This card entitles you to a **FREE \_\_-MINUTE CONSULTATION** with me. During this meeting, we can discuss any legal matter that is troubling you. I will listen to your problem, answer your questions, and explain your options. This free consultation is a [$$$] value.

In addition, if you decide to enlist my help, this card entitles you to a **$\_\_\_** **DISCOUNT ON MY LEGAL SERVICES**.

I can help you with these legal matters:

-- [Describe practice areas]

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***Expires: [date]***

[Side 2]

To get your **FREE \_\_-MINUTE CONSULTATION** (a [$$$] dollar value) and your **$\_\_\_ DISCOUNT ON LEGAL SERVICES**, just call my office (###-###-####) and tell my assistant, \_\_\_\_\_, who referred you. She will help you schedule a time to meet with me. Bring sure to bring this card with you to the consultation.

Even if you are not ready to schedule a consultation, please call my officer to receive a free copy of my Special Report: **How to Avoid an Expensive and Acrimonious Divorce**.

Your Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Referred by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

***Expires: [date]***

###### How to Avoid an Expensive and Acrimonious Divorce

***A Special Report by***

***[Attorney]***

***[Contact Information]***

Divorce trials tend to be bitter, costly, and very, very personal. More often than not, both spouses are disappointed in the outcome.

A settlement is almost always a better alternative. Even if you don’t get everything you want, at least you have some say in the agreement and you know what you are getting. If you go to trial, you let a complete stranger decide your future based on just a few hours of testimony.

To be sure, some cases need to be tried, but these are few and far between, and almost always involve significant amounts of money.

This Special Report gives you some tools and practical advice to keep you out of the courtroom and at the negotiating table where you can hammer out a settlement you both can live with.

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# Understand How Grief Affects You Both

###### The Stages of Grief

Divorce is the death of a relationship. Like any death, it causes grief. Only the death of a spouse is generally reported to be more stressful.

Settling a divorce is hard work. You and your spouse will need to gather documents, prepare budgets, value your assets and liabilities, divide your property, and make decisions about parenting your children. Grief can make it difficult to move ahead with these tasks.

Grief is a process characterized by six stages.

1. In the ***shock stage***, you may feel paralyzed and unable to act while you process the idea of ending your marriage.
2. In the ***denial stage***, you may put off doing the work necessary to settle your divorce thinking that the divorce is never going to happen. You may think that dragging out the process will give your spouse time to come to his or her senses and give up on the divorce.
3. In the ***anger stage***, you may dwell on how your spouse has wronged you and feel a need to vent to anyone who will listen about what a horrible person he or she is. You may find yourself opposing proposals from your spouse, even when they make sense, because you want to punish him or her. You may also find yourself making unfair demands.
4. In the ***bargaining stage***, you may hope to change your spouse’s mind about the divorce by promising to change yourself into the ideal wife or husband. You may be overly generous to your spouse in negotiations in hopes of getting your spouse to believe that the divorce is a mistake.
5. In the ***depression stage***, you may be disengaged from the negotiations and may not care how things are resolved. You will probably find it hard to follow through with tasks and make decisions.
6. In the ***acceptance stage***, you recognize that your marriage is over and that you must move forward to create a new life for yourself. When both spouses are in the acceptance stage, negotiations are most productive.

###### Moving through the Stages

Grief is a normal part of life; you will survive it. But you must be patient with yourself and with your spouse who is going through the same process. The process cannot be speeded up. The only cure for grief is time. Understanding that you are experiencing a normal process with a predictable outcome is the first step in dealing with it.

While the grieving process has been neatly divided into stages, the actual process is not so orderly. You should expect to shift back and forth through the various stages until you finally arrive at acceptance. The same will be true for your spouse.

###### Grief Disparity

You and your spouse will go through the grieving process at different rates. Chances are that you will be at a different stage than your spouse at any given time during your divorce.

Grief disparity hampers settlement negotiations. The further apart you are in the grief process, the more unlikely it is that you will be able to negotiate productively and reach a settlement. Patience is the solution. Since the only cure for grief is time, the only cure for disparate stages of grief is time.

If you and your spouse are truly miles apart in the grief process, the best solution may be just to wait before attempting to work out the details of your divorce. Your lawyers or a mediator can help you establish some temporary arrangements to protect your children and finances and to limit conflict until you are both in a place where you can begin fruitful negotiations.

###### Getting Stuck and Unstuck

Sometimes people get stuck in one stage. They will be unable to overcome their anger or depression, for example. When this happens, the best solution is to work with a qualified therapist.

If your lawyer believes you are stuck, he or she may refer you to therapy. It’s important to give it a try. If one of you is stuck, negotiations will prove difficult. When one spouse is simply unable to accept the inevitability of the divorce, the odds are high that the couple will end up in court asking the judge to decide how they will raise their children and divide their property.

# Take the High Road in Dealing with your Spouse

###### Vow to Do the Right Thing

Divorce is an emotionally charged process because of the long personal history you have with your soon-to-be former spouse. When children are involved, an already emotionally charged atmosphere is even more volatile. As a result, even the most innocuous or insignificant of circumstances can spiral out of control on a moment’s notice.

Remember at all times that what you say, what you do, and how you react to your spouse, if seen or heard by your children, will have a life-long impact on them, and on *their* future relationships with you, your spouse, and others.

Vow to do the right thing, whether or not your spouse chooses to do so.

###### Change How You See Your Relationship

Now is the time to shift your concept of your relationship with your spouse from friends and lovers to business associates. The “business” is the successful rearing of your children and the successful negotiation of a satisfactory arrangement to end your relationship as spouses.

Treat your spouse as you would a business associate or co-worker whom you might not like, but with whom you must work. When emotions flare, back off, walk away and allow time for things to settle down. Save your sarcasm, cynicism and biting humor for stories you tell your friends. Repeat to yourself frequently: “This is just business now.” You will be happier and your children will think well of you for it.

###### Treat your Spouse with Respect

If you’d never had any children together, then it might not matter what you did to your husband or wife during the divorce. You could spend every dime the two of you’ve got making each other miserable. But think about it: you and your spouse are going to be parents forever. That means you are going to have a relationship forever. Do you want your spouse as an enemy forever?

You say he is a good dad or she is a good mom. Then put your anger aside and give your spouse credit for being a good parent. Think about what happens when you work at making him or her angry or tell your spouse that a negotiated settlement isn’t going to happen. That’s your anger talking, and just who exactly is that anger going to end up hurting? If it hurts your spouse, then it hurts his or her ability to parent, and that hurts your children. Surely, this is not what you want.

Even if you have no children, do you really want to waste time, emotional energy, and all your money on fighting? You have much more important things to do with your life. You don’t want to emerge from your divorce without the resources to do them. You don’t want to devote years of your life obsessing over past hurts and injustices.

###### Defuse Anger

Anger is the most visible and pervasive of the stages of grief in a divorce. There are a number of reasons for this.

* Anger is the default position. When anything goes wrong during a divorce, the most common response is anger.
* Anger is infectious. When faced with an angry individual, the most common response is to become angry in defense.
* Anger is a common response to chaos, frustration, and uncertainty. The typical divorce has liberal quantities of all three.

Since anger is a normal response to numerous conditions that exist in divorce, developing techniques for dealing with it will mitigate its effects. When your spouse is angry, the normal response is for you to become angry yourself. Understand that two angry people will delay the divorce process. Consequently, the best response is no response.

The expression of anger requires energy. The angry party needs to be acknowledged. If the energy expended does not serve to meet the need, the individual will stop expending the energy. You may be skeptical that this approach will work. However, give it a try; you have nothing to lose. It will be difficult not to defend yourself or respond in kind, but you may be surprised at how well this approach works.

# Don’t Make These 10 Common Mistakes

The sooner and more completely you and your spouse can separate your feelings about the split from what you both know is a fair result, the smoother and faster your path to settlement.

Here are some frequently-made mistakes that will make settlement more difficult or perhaps impossible.

***1. Preparing secretly*.** Whether you proceed with or without an attorney, you will need to gather financial records and take stock of your property. Some people will do so surreptitiously, thinking this will give them an advantage and help maintain control over the process. Instead, the secrecy will damage the trust that exists between you and your spouse, for your advance preparation steps will eventually be revealed.

***2. Failing to discuss the coming divorce*.** If you are the initiator of the divorce, you should be direct and honest about your plans. Instead, some people wait for their negative feelings or actions to be found out. This cowardly approach usually increases the cost of the divorce, for the non-initiator then feels the need to have all actions and documents examined by an attorney.

***3. Making nasty comments*.** If you have children, your relationship with your spouse will not end after your divorce. It will only take a different form, and cooperation will remain important. Avoiding the adversarial path will pay dividends later.

***4. Confessing past sins*.** Revealing prior mistakes and betrayals (like an affair) may ease your feelings of guilt and help you along the route to forgiving yourself, but will only fuel your spouse’s rage. Carefully consider whether your motivations are selfish before unburdening yourself.

***5. Mishandling bank accounts and credit cards*.** Some spouses withdraw more than their share from a joint bank account and run up credit card expenses. The better route is to discuss in advance how to separate accounts and handle credit cards. If you think that approach is unwise in your situation, then you could withdraw half of the money from the joint account and use it to open an account in your name.

***6. Not freely sharing financial information*.**  Lawyers can obtain your financial documents using a variety of methods, but the more you rely on them to obtain financial information, the more time consuming and expensive your divorce will be.

***7. Hiding income and assets*.**  Most income and assets leave a paper trail, or other evidence of their existence. Private investigators have many methods for uncovering this evidence, and judges will frequently punish the concealer. Don’t do it.

***8. Beginning a new relationship too early*.** Many spouses are surprised by the jealousy their spouses exhibit when a new relationship begins before the divorce is finalized. The surest way to increase the difficulty of your divorce is to get serious with someone else while you are still in negotiations with your spouse.

***9.* *Making the process harder than it needs to be*.**  Being overly aggressive, digging in your heels, acting dishonestly, and failing to trust will delay settlement, and if attorneys are involved, make your divorce more expensive. Do your best to not let your actions be driven by your feelings. If conflict is increasing when it should be decreasing, examine your own actions. Don’t automatically figure the problem is caused by your spouse.

***10. Continuing to fight*.** If you have children, you or your ex can continue to take each other to court while your children are minors to modify support or parenting plans. Continuing your battle after the divorce is final can be devastating financially and emotionally. Avoid it at all costs.

# Follow These Tips to Minimize Conflict

Opportunities to fight will arise frequently during your divorce. You can engage and turn your divorce into a series of major battles, or you can employ some of the following techniques to reduce the anger, stress, length, and expense of your divorce:

***1. Resolve to change the way you communicate with your spouse.*** The old methods have obviously not worked well.

***2. Think beforehand about what you want to accomplish and what you want to say to reach your goal.*** Maybe even write down the key phrases you want to use in discussing the issue. Use neutral words that are solution-oriented.

***3. Employ calming techniques before speaking.*** Use whatever works best for you: 3 deep breaths, count to 5, uncross your arms, ask yourself if this is a big enough issue to get angry over, try to see the issue from your spouse’s perspective, or question whether two years from now you will care about this.

***4. Fight fair.*** Focus on the issue and its solutions, not the person.

***5. Listen.*** Before you jump to conclusions, ask questions to make sure you are hearing correctly.

***6. Do not interrupt.*** Allow your spouse to completely finish a thought before you begin to speak.

***7. Empathize before responding.*** “I can see why that would upset you.”

***8. Admit your share of the problem and tell your spouse you’d rather be part of the solution.*** “I am certainly guilty of making this matter worse and want to correct that.”

***9. Restate your spouse’s complaint in your own words*** so your spouse knows you listened and heard. “So what you want is \_\_\_\_\_.”

***10. Sandwich your response between two positive statements.*** Began by acknowledging some assistance your spouse has provided, state your request, and finish with a thank you. “First I want to say that I really appreciate that you \_\_\_\_\_\_.”

***11. Hedge.*** Use softening introductory phrases like “Perhaps you could \_\_\_” or “Maybe if we tried \_\_\_\_”

***12. Reverse.*** If your spouse starts speaking louder and quicker, instead of matching the volume and speed, you should speak more quietly and slowly.

***13. Apologize.*** This works wonders. Even if you are not at fault, say you are sorry. Much can be accomplished if one spouse is big enough to apologize first.

***14. Offer to compromise.*** Trade one favor for another. “Yes, I can do that if you can \_\_\_\_\_\_.”

***15. Suggest multiple solutions.*** “An alternate possibility might be to \_\_\_\_\_\_\_\_.”

***16. Set the issue aside.*** “That’s a big one. Can we take 24 hours to come up with some possible solutions and then select one?”