

# SMB SCOTT M. BROWN & ASSOCIATES

## NEWSLETTER

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November 2014

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### Untying The Knot

Divorce. Maybe you're the one who wants it. Maybe you just got hit with a ton of bricks. Or maybe it's mutual and both parties made the decision to go their separate ways. Either way, sooner rather than later, you're going to have to face the music... even if it's not your favorite song.

Let's look at scenario number one. You want the divorce. You've tried, put in the time and energy, thought long and hard about what's right for you and what's best for your family. For whatever reason, divorce is the only solution. First things first, talk to your spouse (that is, if talking is still an option). Try and communicate openly about what you feel and why this is your last resort. By sharing honestly you may be able to ease some of the pain for your spouse and, in the long run, for you too.

If communication is a thing of the past (yet another reason why divorce may be your only viable option) then get the ball moving and set up a preliminary meeting to speak with a knowledgeable divorce attorney. In your initial meeting, you will share your goals and set up a timeline. As your attorney/client relationship develops, you will see just how integral this person is to the outcome of your case.

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### Family Law Q&A

**Q: How does the divorce process begin?**  
**A:** A divorce begins with the filing of a document called the Original Petition for Divorce with the court of proper jurisdiction. The person who files for divorce is called the Petitioner; his or her spouse is called the

The right attorney will confidently guide you as the process unfolds. Your attorney will communicate what to expect and keep you thoroughly informed on the progress of your case. Above all, your attorney will fully represent your needs so that when all is said and done, you can move forward with ease.

Scenario number two. You didn't see it coming. And, even if you did, it doesn't make the hurt any less present. Your spouse wants out and you still want in. What do you do? How do you cope? You likely have an array of questions running through your mind. Will I see my children less, or worse, could I lose custody of my children? How will I afford all these expenses on my own? Where will I live? Where did I go wrong? The list goes on and varies from case to case.

So, what's the one thing you should know right off the bat? You're not alone. Beginnings and endings are a natural part of life. Take your time to feel what you feel, whether it's sadness, anger, confusion or frustration. You're entitled to your feelings and you'll likely feel better once you acknowledge and address them. Slowly, but surely, you'll start to come to terms with it. When that happens, it's time to reach out to a compassionate divorce attorney whom you can trust.

There's no question about it - you'll need adequate legal representation to ensure your rights are protected and your wishes respected. A skilled divorce attorney can eliminate unnecessary stresses and alleviate those dreaded emotions that often come hand in hand with divorce.

Remember to trust in the fact that one day you will heal and move on with your life. Choosing the right attorney is the first step in that process. Lastly, scenario number three. After much consideration, you and your spouse have jointly and cooperatively decided divorce is the only solution to your marital troubles. If you're in this position consider yourself fortunate, as this is the least common of the three scenarios.

Respondent. Once a Petitioner has filed for divorce, notice must be given to the Respondent. This can be accomplished several ways, but is most often accomplished by having the Respondent served with a copy of the Original Petition for Divorce or having the Respondent sign a Waiver of Service.

**Q: How long does it take to get divorced?**

**A:** In Texas, a divorce cannot be granted until the Original Petition for Divorce has been on file with the court for at least sixty (60) days. If the Petitioner and Respondent agree to all issues in the divorce (child support, custody and visitation, division of property and debts, etc.), a divorce in Texas can be granted on the 61st day after the Petition is filed. The process can be much longer if the parties cannot reach an agreement with respect to all the issues. In this case, the divorce may take several months to be finalized. In certain situations, the 60-day waiting period can be waived.

**Q: Where do I file for divorce?**

**A:** To file a suit for divorce in Texas, either the Petitioner or Respondent must have been a resident of the State of Texas for six months before he or she files for divorce. Further, the suit must be filed in the Texas county in which either the Petitioner or Respondent has lived for the 90-day period preceding the filing of the Petition.

To start, you'll both need separate legal counsel. Even if you think you are on the same, cordial page you still have separate needs that deserve separate attention. Likewise, being on the same page now doesn't mean you'll be on the same page a week, month or year from now. People change, feelings change, and circumstances change. It's a fact of life. Separate, adequate legal counsel is the best and only approach.

Finally, no matter which scenario you fall under, if you have children put them first. It is crucial to reassure your children that they are still loved and that this is in no way their fault. Never turn your children into pawns to get what you want or worse, to hurt the other parent. At the end of the day, your life and your child's life will be better for it.

If you need an experienced and compassionate divorce attorney who will listen and advocate for your needs, Scott M. Brown and Associates are here for you. Scott M. Brown and Associates is the leading family law firm in the Houston area, including Brazoria County, Galveston County and Harris County. We can handle all your family law needs from divorce to custody. [Contact us](#) today at 979-319-5388 or 800-729-9142. We want the best for you, and your family!

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## Meet the Attorneys



Scott M. Brown



T.J. Roberts



Blair Renee Parker

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**Contact** [Scott M. Brown & Associates](#) today.

Our team of experienced attorneys and professional staff is looking forward to helping you with your legal issues.

***"We cannot guarantee results, but we CAN guarantee effort."***