

## PREFACE

This is my divorce system. I'm very proud of it. I have worked on it since I was a small child. That's right—a small child. My father was a lawyer. I remember his teaching me, from the cradle, important legal concepts such as “Get your fee on the front end.”

While attending law school, I found out about a lady named Roberta Ramo from out West who developed a “systems” approach to practicing law. This seemed like an intelligent thing to do. So, of course, no one at the law school I attended appeared to know anything about it. I found out by reading her manual “How To Create a System” that lawyers didn't have to think of everything every time, that instead they could organize what they were doing so that pieces of paper or magnetic media would remember what to do.

I found out later that all lawyers have systems, some of which are the organized, computerized, efficient systems that Roberta Ramo envisioned. Some lawyers have systems by default, which are largely chaotic and depend on a lawyer remembering everything every time. Most lawyers fall somewhere in between.

You should find this book arranged in the natural order of the divorce experience. It starts with Clients (that's who we work for) and follows through with Interview (where we find out what our clients say happened). It proceeds through Trial (where we find out what actually happened) and ends with Prenuptial Agreements (where our clients try to avoid making the same mistakes again).

Lastly, this divorce system is *my* system. If you blindly use my forms, you will get in trouble. If you blindly use anybody's forms, you will get in trouble. I practice in Memphis, Tennessee. If you practice in Brooklyn, New York, you are going to have to change the state on all these forms. If you practice in Nashville, Tennessee, you are going to have to change the city in all these forms. Even if you practice in Memphis, Tennessee, you are still going to have to change the forms you use because your name is not Larry Rice.

As you use this book, disregard your mother's warning, "Don't mark in your books." You should mark on, write in, tear out, and paste in this book. Include your jurisdiction's rules, your judge's preferences, and the insights from your experience. The more you change this book, the more it becomes not *my* divorce system, but *your* divorce system. Your divorce system is very valuable to you. When you feel like it is your system, take a big marker and put your name on the cover of this book.

Every jurisdiction is different in the practice of divorce law. In the West there is community property. In the East there is equitable division. In California, there is a presumption of alimony after a certain period of marriage. In Georgia, all divorces are tried to a jury. In Tennessee, divorces are almost always tried to a judge. While each jurisdiction differs in the technicalities of what it is looking for, there are more things in common every day. The community property tradition and equitable distribution tradition are moving closer to each other toward a partnership analysis of divorce. Almost every state has adopted some form of Orders of Protection to give additional judicial protection against family violence. Just because this system was developed for my practice in Memphis, Tennessee, does not mean it is of no value to a lawyer in Seattle, Miami, New York, San Diego, San Juan, or Nome. Different jurisdictions may look for different technicalities, but our basis for dealing with clients is almost identical. *We want to help them before they drive us crazy.* Trying a divorce case falls under the same rule across the entire legal system. *The judge has to be convinced of our case before the judge is bored by it.* Use what is of value to you, and change the rest.

Finally, there are some illustrations in the following forms that are ludicrous. They may make you laugh when you run across them. Our office policy is to take our work seriously, but not ourselves. Laughter is one of the best ways to dump the load of woes we collect in our practice. If the levity offends you, sue me.