

## **Family Law: Choosing the Right Lawyer is Everything**

A recent documentary entitled “Divorce Corp” is exposing many of the hidden and dark secrets of family law in the United States.

The film, released on January 10, highlights several of the major issues facing family courts in states across America, including being by many accounts an “unregulated mess in which children are ripped from their homes, insulting judges play God with parents’ lives, and unlicensed custody evaluators are more like extortionists.” Most people do not realize that, when hiring a lawyer to handle their divorce or child custody case, their first decision is actually the most important one.

When you hire your lawyer, you aren’t just hiring someone who has expertise in the field you need. You are hiring someone with connections, viewpoints, agendas, and someone trying to get their hand in the \$50 billion dollar a year industry. In fact, as the article at the bottom of this page points out, more money flows into the family court system than all of the other American court systems *combined*.

So what then, should you do about this? In my opinion, having a lawyer you can truly trust is the biggest possible step you can take in assuring that you will get the justice you deserve. Most often, it seems, people have lofty expectations of a court system in which judges are given wider discretion than in any other law code in our country. They do not realize that the mantra “the best interest of the child” is a way to ensure that judges are allowed to use discretion in most of their decision-making processes. While those in charge of the laws, the Texas state congress, and in their oversight, the Texas Supreme Court, have attempted to curb this discretion in recent years, that will be discussed in my next article.

The point here is that, the single most important decision you make in any family law case is deciding who you are going to hire to represent you. With something as important to people as their family, and in particular, their children, it is important to truly believe in and trust the person who is representing you. And it is not just about credentials. As one expert, Wendy Feldman, points out, “Family court gets a bad rap not because of the judges or laws, but mainly because of the lawyers. It takes a special type of lawyer to handle these cases.”

In fact, I would argue, many in the family arena do not belong there. They would rather treat your family case as an assurance that they will get a larger part of that pot rather than ensure that your rights are as protected as possible. However, part of being a professional, such as a doctor, is the realization that the information and knowledge gap is so large, the trust factor can easily be taken advantage of, and ethics codes may not do enough to deter many lawyers. As Ms. Feldman notes, “most cases can be mediated, but rarely is this ordered. But that often has to do with the lawyers, not the courts.” While many courts in Texas have attempted to remedy this issue by mandating mediation before any case can be finalized, it does not mean lawyers have not figured out ways to ensure they keep the money flowing.

That being said, this article is not written to deter you from making a big decision and hiring someone to handle your case. Rather, the main point to be taken away is that you should not choose just any lawyer, but rather a lawyer you are comfortable with and someone whom you know is going to take care of you.

Thank you to Hollie McKay and Fox News for providing the article on which this entry is based. The link to that article is listed below.

<http://www.foxnews.com/entertainment/2014/01/09/documentary-divorce-corp-exposes-corruption-in-family-courts/?intcmp=features>