

THE NEED FOR SPEED

Why Courtroom Expertise Is Essential

By Paul Nelson, Esq



Top Gun: Maverick just opened in theaters to positive critical raves as well as blockbuster-status box-office returns. This is, of course, the long-awaited sequel to 1986's *Top Gun*. Directed by the late Tony Scott, *Top Gun* is, 36 years later, still remembered for its stunning pre-CGI flying scenes, its top 40-rich soundtrack, its topless beach volleyball scene and, of course, the immortal line: "I feel the need—the need for speed."

Speed is essential in warfare. The World War II-era

term *blitzkrieg* literally means "lightning war." But it's also just as critical in another, perhaps more familiar battlefield, the courtroom. One of the rights enumerated in the U.S. Constitution is the right to a speedy trial. Likely you have heard the phrase, "Justice delayed is justice denied." In the law, speed is everything.

A divorce is like any other legal proceeding. The faster it concludes, the better for all involved. (This is certainly true if you're footing the bill for your

legal representation.) As virtually all family law attorneys charge by the hour, the fewer number of hours they must invest in your case, the better it is for your bank account.

Completing your divorce speedily will also benefit you psychologically. A divorce can't help but be emotionally taxing. It's better to "rip the bandage off" quickly than to prolong emotional agony. Once you've filed for divorce, there are three critical ways to accelerate the process.

1 Quickly assemble all relevant documentation.

As part of your divorce, you'll be asked to complete what's called a Preliminary Declaration of Disclosure. This document is to include a full schedule of assets, debts, income, expenses, and supporting documentation as to your financial and property holdings, such as tax returns, bank statements, investment statements, etc. If you and your spouse have a prenuptial agreement, include this, too.

2 Hire your experts early.

Determine what evidence you will need to make your case, then secure the services of high-quality third-party experts to testify on your behalf. Why is time an issue? First, leading experts are always in demand. The people you want may not be available when you need them, so the sooner you begin your search, the more time you'll have to find credible substitutes, if necessary. Second, it may take time for your experts to sift through the available information; this is particularly true when talking about forensic accountants. A rushed analysis is likely to be incomplete, if not erroneous. Finally, there are only so many top professionals to go around; better to snag the stars before the other side does!

3 Propose a settlement.

Know in advance what you want to get out of your divorce and put it in writing. Be specific. Think: House. Business. Vehicles. Investments. If you have children, what should the custody arrangement spell out? Include an argument supporting your case, especially if there's a chance your requests and/or demands may seem one-sided. The ultimate goal, of course, is to propose an offer your spouse will find attractive enough to accept with only minor alterations so you can close the case, avoiding trial. Then you'll be free to begin your new life. Heck, maybe even take in a movie.

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