



BG

BRUCE GALLOWAY
LAW OFFICES

Do You Have A Single Fee Divorce?

If Not, How Do You Get One?

You need to know upfront whether you have a divorce case that you both can handle on your own. If you do, we can handle everything for a single fee with us, no matter how many children, how much property, or debt is involved.

- Attempting to handle a complex divorce case without legal advice or extra work will hurt you, your finances, your future and your children if you have them. Bruce Galloway Law Offices will help you find the solutions needed to make your complex case uncontested. That usually requires paying an additional fee or hourly fees and a retainer.
- Some people need protections only the courts can provide. They must contest their cases.
- If you have a straightforward divorce, reaching an agreement among yourselves can save you money and emotional hardship.

107 North 2nd Street, Ozark, MO 65721 • 417-582-2690

The choice of a lawyer is an important decision and should not be based solely upon advertisements.



BRUCE GALLOWAY
LAW OFFICES

The Complex Cases that are not subject to a single fee:

- ❑ **YOU OR YOUR SPOUSE OWN REAL PROPERTY** (farm, home, strip mall, etc.) in another state. You need a lawyer in the other state to handle the property. However, if you know the value of that property, we can still handle all your other property for a single fee.
 - ❑ **YOU OR YOUR SPOUSE OWN INTELLECTUAL PROPERTY** (patent for an invention, copyright to literature, a trademark, etc.) You need an expert to value that property. However, if you know the value of that property, we can still handle all your other property for a single fee.
 - ❑ **YOU OR YOUR SPOUSE HAS A PENSION.** You need to have that valued by an expert. We may arrange that for you, but there is an additional fee. A pension is not an IRA or 401(K). Your case is not complex if you have an IRA or 401(k).
 - ❑ **YOUR OR YOUR SPOUSE OWN A BUSINESS** that was formed after your marriage. That needs to be valued. We can arrange to have that valued by an expert, but the fee is extra.
 - ❑ **YOU HAVE A CHILD** born within 7 months of the marriage, but another man is the father and the current spouse has not adopted the child.
 - ❑ **YOU HAVE A CHILD** born during your marriage but the father is someone other than your spouse.
 - ❑ **YOU AND YOUR SPOUSE HAVE A CHILD** born more than 6 months before your marriage. While we will handle these cases, an additional fee is required because that child must have a judgment that deals with the child.
 - ❑ **YOU OR YOUR SPOUSE IS PREGNANT.** You will have to wait until after that child is born.
 - ❑ **YOU OR YOUR SPOUSE ARE THE WARD OF A GUARDIAN OR CONSERVATOR.** We will put your divorce agreement into writing and file it with the divorce court, but the ward must have a separate lawyer when the agreement is drafted. The divorce documents would be filed only after the probate court gives the OK. A separate retainer must be paid for a lawyer to represent you or your spouse or both in probate court and an hourly rate; court expense fees are usually charged as well. If the probate court requires the documents to be changed, an extra fee is required.
 - ❑ **ANOTHER PERSON HAS GUARDIANSHIP OVER YOUR CHILD.** A custody decree giving any spouse custody over a child that is a ward of another usually does not supersede letters of guardianship over a child. Also, to be uncontested, the guardian would need to agree to be served with papers by mail but otherwise have no participation in the case. The case must truly be uncontested.
 - ❑ **YOU OR YOUR SPOUSE HAVE A MEDICAL OR MENTAL HEALTH CONDITION** so severe that a guardianship or conservatorship is needed. A lawyer would need to open a probate guardianship or conservatorship case and get a judgment that makes the spouse a ward. Whether it is contested or not depends upon whether the incapacitated spouse contests it. We handle those cases, but they can be contested. The ward will need representation to negotiate a divorce.
 - ❑ **YOU OR YOUR SPOUSE FILED FOR BANKRUPTCY** and the debts are not yet discharged. We will help you after the bankruptcy is finished.
 - ❑ **YOU OR YOUR SPOUSE ARE PRESENTLY UNDER INVESTIGATION/PROSECUTION OR PLED GUILTY TO A SEXUAL CRIME AGAINST A CHILD.** We will not accept cases like this unless you both agree that the person who pled guilty will have no contact with the child.
 - ❑ **YOU OR YOUR SPOUSE ARE UNDER INVESTIGATION/PROSECUTION OR PLED GUILTY TO PHYSICALLY ABUSING OR NEGLECTING A CHILD.** We will not accept cases like this unless a licensed clinical social worker—hired by us and paid for by you—believes the custody plan appropriate.
- This list is not comprehensive. Rather, it reflects the sort of scenarios we have encountered. If you have a question, just ask. Contact us at 417.582.2690.**

For all divorces:

1. Provide the value of each spouse's monthly income.
2. Provide copies of vehicle, trailer, and boat titles (or receive their VINs otherwise.)
3. Provide copies of the deeds for real property.
4. Provide the last 4 digits of credit cards, bank accounts and loans. Alternatively, provide the last statements.
5. Provide the payoff of the mortgage.
6. Provide present balances or values of debts and assets.
7. Provide a value of a business.
8. Provide a list of assets and values of property in a trust that the spouse controls or owns. (We request that all trusts in which a spouse has an interest be provided).
9. Discuss whether a spouse wants a different last name.

For divorces with children involved:

1. Provide the cost of medical, dental and vision premiums for the children.
2. Provide the cost of daycare.
3. Provide how to divide the cost of the expenses not covered by child support:
 - a. Extracurricular (school sponsored activities.
 - b. Non-school activities (i.e., ballet, karate, YMCA Summer Camp.)
 - c. Orthodontic expenses.
 - d. Medical, dental and vision expenses not covered by health insurance.
4. Provide times and locations for when and where the child is dropped off and picked up for regularly scheduled visits.
5. Provide the dates and times for exchange of the child over the school breaks and holidays.

Where not enough information is provided, expect our staff to contact you for completion.

Sometimes, the agreement will have unlawful provisions like these:

1. Require a spouse to pay rent, where the lease is not identified or is shorter than the period of time the rent payments are due.
2. Require a spouse to keep the other on their medical, automobile, or home insurance policies. (Most, if not all, insurance companies will not let you insure a former spouse).
3. Require the spouses to live together.
4. Keep the names of both spouses on deed and titles.
5. Emancipates a child that is still a dependent.

If the lawyer sees something like this, then the whole agreement will be reviewed.