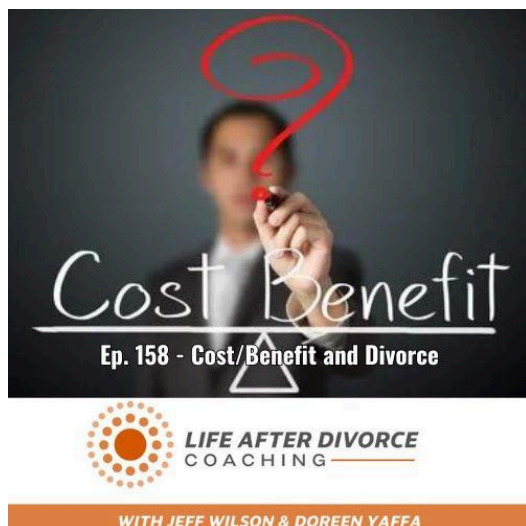


Ep. 158 – Cost, Benefit and Divorce



Jeff 00:00

Hello, everybody out there.

Welcome to Episode 157 (*158).

Today we're going to be discussing cost and benefit. What is the cost? And what is the benefit? And how to look at it, look at it when you're going through divorce. So if you're ready, let's get started.

Doreen 00:26

Are you ready to create a life that's better than ever before? We are Doreen Yaffa and Jeff Wilson and we are here to give you the strategies you need to create the life after divorce that you deserve, and desire. As partners, both in marriage and coaching, we use our expertise as well as our own personal experiences to help you make the next chapter of your life, the best chapter.

Jeff 00:58

Hello, Doreen. How are you?

Doreen 00:59

Good.

Jeff 01:00

Yeah, you do look good today. Wow. Anything new? What's going on?



Doreen 01:07

Everything is good. Everything is good. Yeah.

Jeff 01:10

Getting close to our little trip to Italy.

Doreen 01:13

Yes, we are. I will be working when I'm there. But, you know, I think we're, what, five, six hours, certainly be looking at my emails and got some time scheduled for meetings and various things. But I love the fact that we can go away and still be extremely productive in our in our businesses.

Jeff 01:33

Work from anywhere. I won't even really call it work.

Doreen 01:36

I mean, you know, it depends if I have hearings and things but obviously, yeah.

Jeff 01:40

I'm coaching from anywhere.

Doreen 01:41

Yes, for sure. So let's talk about cost benefit. I love this subject.

Jeff 01:46

I mean, we use it a lot in our coaching because we have you know, we always try to look at things, are they really worth the aggravation? Are we were they worth what you're going through? And it's all about cost benefit. But first, I'm going to talk about the definition of what cost benefit? Because a lot of people see cost benefit is something they use in business. Okay. So cost benefit analysis is a systematic approach to estimating the strengths and weaknesses of decisions. So it's used to determine options, which provide the best approach to achieving benefits while preserving the savings. So they're saying if the benefits are outweigh the costs.

Doreen 02:30

We just I just did a video on this for one of my SM channels. And I think I was I was basically focused in on that. Everything has a cost and a benefit. But when you're going through divorce, particularly, there seems to be with many of the clients and emphasis on the dollar cost, you know, the financial cost or the you know, the dollars, the value from a monetary standpoint, and not looking at the cost emotionally, physically, to your children. Do all of that. And so, you know, I think that cost first of all comes in many different ways. So I



think it's important to to, to keep that in mind. Now as we're recording this there is a young girl walking a young girl walking across and I'm sure, that our dogs are going to go crazy.

Jeff 03:43

Obviously, we're recording this at home.

Doreen 03:46

Yes. And so I apologize for that. But anyhow, as a side note, we have two beautiful babies. We have Zan who is a Frenchie, and then we have Coda who is an Australian Shepherd and they they are adorable. So while you protectors, right, anyhow, but no going back to the show. So everything is you know, when you're looking at your divorce, and you're looking at with your lawyer with your legal team to get through the process. It's super important that you when you get to the point of really negotiating your case. And let me just say that takes time to get there. People want to get through the divorce so quickly, and I get that nobody wants to be in pain, right? It's our human nature to get out of pain.

Jeff 04:34

Is that one of the top questions you get as an attorney?

Doreen 04:37

How long is going to take and how much is it going to cost me and, you know, let me just go into the weeds for a minute. It depends, depends on a lot of things. So first of all, having solid representation, legal representation, there is a cost to that. And you know, one of the things that's I can understand how sensitive If people are to fees, right, we call it fee fatigue. In our office when the clients, you know, feel the pain, nobody wants to pay lawyers to do their legal work, right? It's like, but there's a cost and a benefit to that. Having proper representation, and being patient, within the process letting us do what we know how to do best. You know, I've been practicing over 30 years, my lawyers collectively, you're putting all the experience together, we're looking at, you know, basically 65 plus years of combined experience, that's a lot of experience. So trust us, right, it takes time to set up a case, that's the cost. So when you're when you're starting to negotiate your case, or even small parts of your case, because you may have some temporary issues going on, and you're negotiating those and you want to get through it quickly. My advice is to slow down, let your lawyers do their job, and really think about cost benefit throughout the entire process and when you're settling your case. So does that make sense? I'm saying is it's not just about the money is not just about the legal fees is not about what you're going to get by way of money or what you're giving up, or how much support you're going to pay or how much support you're going to get. There is a cost also. And a benefit. That is not quantitative, quantified, I'm sorry, in in dollars. And, for example, getting to a resolution sooner than later and not holding on to a particular position. If you can look at it and say, Yeah, I'd like to get more. But it's not that much more and being done with the case, has such a huge benefit. So the cost is my time the cost is my



emotional sanity, the cost is that the children are still involved in the case, you got to look at the whole thing. And then make a decision. I like to have my clients put down the cost, emotionally, the cost per time, the cause for your children, all of those things. But if you want to put a value, let's put a monetary value to it.

Jeff 07:11

It kind of reminds me of a joke. Okay, you're gonna tell lighten up the subject. Sorry. Why is divorce expensive?

Doreen 07:19

Because it's worth it?

Jeff 07:21

Yeah. So that's kind of a cost benefit, right? You don't like that joke. But you know what, and even if you've already when you decided to go into the divorce, there are some strategies relating to cost benefit that help you approach the divorce in different ways.

Doreen 07:38

Yeah. Yeah. So that we can talk about that. So anyhow, I'm sorry for going on.

Jeff 07:42

She did go in the weeds.

Doreen 07:43

I did go into the weeds.

Jeff 07:44

That's okay. That's okay.

Doreen 07:46

All right. So let's talk about those. So the first thing would be, I would say the type of procedure. But it really is the process, right? So there's various options to get through the divorce, right? There's the litigation process, what I call traditional litigation, there's Collaborative Law, there's Cooperative Law, there's a combination of various processes, it's mediation, it's not necessarily that you're going to go down one route. I don't know of any case, in my 30 years of practicing, that I've ever had one process, we're going to only litigate. Well, first of all, the courts don't permit that most courts require you to go to go to mediation, and several times before temporary relief, at least in Palm Beach County, where we do a lot of work. We practice, you know, primarily Palm Beach County in Boca Raton, Florida and the surrounding areas. But you also have to go to mediation before trial that is standard, just so you will be engaging in various processes, which you don't want to do is you don't want to



take the expensive route, expensive and money and expensive in time and expensive and emotion if you can avoid it. And that'd be pure litigation or just focused on litigation.

Jeff 09:05

So how can you use the cost benefit analysis to decide the process?

Doreen 09:13

I think it's, you know, there is no one size fits all right, my way of approaching cases and the philosophy of our firm is we're ready to litigate, but we try to settle our cases. So what that means is, look, I'm a board certified marital and family litigation attorney, my team are litigation, lawyers and a team. However, we settle most of our cases, right? Because first of all, most cases settle. So this is no magic. Unique to my firm, but we only about 5% of the cases actually go to a trial trial at the end. There's lots of little hearings in between temporary relief hearing motions and various things. But um..

Jeff 09:59

Well what I'm talking about is looking at from the spouses side, yes, saying what is the cost? What is the benefit for an example? Maybe a benefit to me might be keeping the divorce out of the courts in mediation, absolutely keeping the cost down. So you have, you may have benefits of cost and benefits of, of, you know, keeping it out of court or faster, you know, so a lot of the process is looking at as the person going into the divorce, you can use your cost benefit to choose with your spouse, which process serves you better,

Doreen 10:38

Yeah, but you may not be able to choose with your spouse, because not all couples are in a, in a relationship when they're getting divorced, that they're going to talk to each other or trust each other who, okay, and there's, unfortunately, at least in many of the cases that I've handled throughout the year, there might be one particular spouse that's dealing with true emotional issues, probably, you know, diagnosed and diagnosis is with various, you know, narcissistic behaviors, borderline personalities, substance abuse, injuries, cognitive challenges, or damage as a result of illness or disease. So there's a lot of different factors that go into it. So sometimes you can choose with your soon to be asked what process is best. And people would choose if they were in that boat to settle their case, right. But litigation is important as well, in many cases, because you have to leverage someone to settle a case many times. So the cost is, have your ducks in a row ready to go to litigation, right? Go down that route, but then also try to settle the case. And that is expensive, right? Because you're going to parallel courses. But that's a way good firms operate, right? Because you can't show weakness to in a lot of cases, you have to be strong and ready to go. Now there are some cases, like I said, where people come in, and they're just they're both in agreement, we're not going to litigate, we're going to try our hardest to try to resolve this case. And they will step out of the complete litigation process. That might be in collaborative law, which I also do



collaborative divorce. But you have it's very complex. I wouldn't say very complicated, but there's an agreement, and there's experts that are hired and you know, there's a whole understanding of processes and behind the scenes, and if the process fails, then all the lawyers are basically they are not permitted to represent that party in court, then meaning now you have to hire a new a new legal team. So anyhow.

Jeff 12:48

Well, what about you know, I know you have some great stories about this. But what about dividing the property? Using cost benefit to divide the property? Is that chair really worth it? What is it going to cost me to keep that chair or, or like the house for an example?

Doreen 13:04

I think that cost benefit comes into play with dividing property, because for some people, they get emotionally attached to things. And that's a dangerous position to be in. Because there is a value, that is a fair market value. And then there is an attachment emotionally to things. Or it might be a spite factor. He wants the house. So I want the house kind of thing. Right? So now we're fighting, arguing over who's going to get the house and the courts can make that decision for you. Or if you've asked the court to partition the house, that's a legal terminology, which means to sell, the court could sell the house, nobody gets a house. So what I'm saying is that be very aware of why you want a particular property, or why your ex wants a particular property. And carefully try to separate your emotional attachment from the value.

Jeff 14:13

It seems like emotional, the higher the emotions, the higher the costs.

Doreen 14:18

Oh, for sure. The more somebody is engaged in emotional attachment to a particular piece of property or or any issues in the divorce, the more expensive, which is the cost the case is going to be.

Jeff 14:32

And the expense doesn't always necessarily need to be dollars and cents. It can say no, you know, emotional costs could be you know, arguing and fighting.

Doreen 14:45

Listen, if you're in the middle of a heated divorce, and let's just take a horrible hypothetical for a minute. You get a diagnosis that you're going to, unfortunately you've got, let's say a terminal illness and you're going to the The doctor says you have six months? Do you think you're really going to have an attachment to a piece of property? Probably not? Probably not, you're going to want to be on with your life, enjoying your time and not working on trying to



resolve who's going to get the home. Right? So the cost benefit is something very real, that I think a lot of lawyers should try to maybe work a little closer with their clients on and understanding why they really want something because, you know, I have a case that's going on right now in which we've resolved most of the issues. But it's getting down to that nitty gritty. And we are spending a lot of time on the nitty gritty. And it's, you know, there's also this theory that people are holding on. And so they become more challenged and resolving things as you get closer, they don't want to let go. They don't want to let go. They don't even know that they want to get.

Jeff 16:04

It's a realization.

Doreen 16:05

So they'll start nitpicking about those some of the little details. I told I tell you about the case off, and I'm sure the chair, I had this case, it was a big case in Palm Beach. Very early in my career, you know, I probably was out maybe, I don't know, five years or so. And they were multi millionaires. But you know, in Palm Beach, like I'm talking probably 50 million at the time, we're going back, you know, I've been practicing 30 years. So go back, do the math. And they were arguing over a chair. Everything else was resolved a chair. But this was an antique chair, it was one of a kind, it was all these things. And they had, they were collectors of antiques, and they both wanted the chair. And we actually went before the judge, and we were ready to go to trial because it was contingent on this one chair settling. In other words, a lot of lawyers have positions that were either gonna globally settle the entire case, not just piecemeal an issue and settle it. And that's very common place, you know, for lawyers. And so this whole chair was holding up the entire settlement agreement and the judge, it was..

Jeff 17:18

Cutting the chair and a half.

Doreen 17:20

No, we we made we made one of the one of the lawyers made an argument about that just in kind of like tongue in cheek, but the the, the judge asked us to leave meaning did a recess, called a recess and said, I am not going to have a trial about a chair, if you're telling me that the entire case is resolved, except for this chair. And it still was a three hour struggle after that. Well, but we did resolve it. And, you know.

Jeff 17:50

Well, it's basically going down to the costs of, you know, disputing the cost of arguing the cost of the mental anguish, you know, that, you know, the benefit, I'm sure does not outweigh the emotional cost to you or to your spouse, your whether it's a future co parenting relationship, or the children in your family. I mean, I know that the emotional costs can be



high. And you have to look at the decisions that you're making during even an argument. Is this worth it?

Doreen 18:24

No, no, you know, there's no question that divorce is very emotional process, right? It's, it's probably up there in one of the highest emotional processes, you'll ever go through stages in your life. And it's difficult to take an analytical perspective, when you're going through it, because you're so emotionally involved in it that you sometimes can't see it. You lose sight of it, because you're so in it. And that's where your lawyers come into play. And many times we'll play devil's advocate with you. Not because they're not going to argue your case, articulate your position at a very high level and do an amazing job, whether you're dealing with the other side or in the courtroom, but because they're trying to get you to understand really will have you thought about it this way. And you know, there is the cost benefit, also analysis of understanding the law. And what will happen in a courtroom, we pretty much know that a case that's take the home is going to settle between here and here. Right? We pretty much no, also if two parties are fighting over who's going to get the house who might have that advantage because we understand the case law and the case law tells us the roadmap, the legal authority that will guide the judge in making a decision. Right, right. But there is gray area, in law. In family law, there's a lot of gray area not in every issue, but who gets the house is a gray area. So but we know more or less where it's going In the fall, right? So ask your lawyers. What is my upside? What is my downside? Because you want to do cost benefit analysis as you're going through the process. Understand what are my chances of prevailing of this temporary for here, for this hearing for temporary relief? How much is it going to cost me? How many months is it going to take me to get there, many of these judges are very, very busy, and you're not going to get hearing time for many months down the road, there's going to be depositions are going to be discovery, there's going to be cost and getting prepared for the hearing. So you know, you have to really look at it very carefully and ask the question, meaning ask your lawyer the questions, you know, that I just said, but let's turn more to the coaching side of it about the cost benefit, because everything that we want in life, whether we acknowledge it or not, really is associated with the cost benefit, right? Yeah. Even deciding, for example, to stay in a marriage. There's a cost benefit analysis, right? There's no perfect human. So there's no perfect marriage, or relationship. But when you're looking at difficulties, challenges in your relationships, there's a cost benefit analysis cycle, he's not perfect, or she's she did this, but on the other hand, she's amazing. And she does all these other things that are great. It's when those the cost benefit starts sliding on the on the fat, yeah, where the cause a lot higher than the benefit that people lose interest in their marriage, and they start questioning, why am I here? Because the cost benefit just isn't there. That's why I never hold well, I personally don't I try not to hold personal opinions when I deal with clients. I know, as coaches, we call it. We don't jump in the pool with you. We try to keep a very neutral position, you're not going to hear us saying things I go, yeah, you know that? That sounds horrible.



Jeff 22:05

I can't believe she did that.

Doreen 22:06

Yeah, we don't do that. Because there's a lot of reasons why we don't jump in the pool with you. But I think it's really important that you, you know, you try to yourself look at things from a neutral perspective.

Jeff 22:19

Well, I also think that jumping in the pool will validate your thoughts, but those are only your thoughts. So we may have different thoughts and whatever they're talking about. So if they're talking something, agreeing with their thoughts, maybe a little bit too much.

Doreen 22:35

Well, and you know, we're in talk about, of course, we always talk about the primitive brain, but the primitive brain, which is your child brain, which is our survival brain doesn't want us to spend a lot of energy, which is cost, right? The cost part of it, it wants to get the biggest the fastest result for the least amount of pressure.

Jeff 22:52

Which all the benefits.

Doreen 22:53

And wants all the benefits.

Jeff 22:55

Without doing any work.

Doreen 22:55

Exactly. You know, which is sometimes challenging with the clients, because it's like, why is it costing me so much? And why is it taking so long, because it's a cost to get you there, right, and to do it in a way that will protect you and get you the best overall benefit.

Jeff 23:13

So it's almost like when you set a goal, you cannot. It's just like setting a goal. You can't achieve any goal. Without the hard work. You have to have the failures, you have to have the hard work to achieve anything in life.



Doreen 23:28

You can read, you know, let's say 50 books about how to lose weight or how to get in shape. But unless you get in the gym, or go out there and do some work on it, meaning lift the weight, do the exercise, whatever it is, is that gonna make a difference?

Jeff 23:44

So reading is not an exercise.

Doreen 23:45

I know a lot of people get stuck in self help. But that's another episode. I love self help. Obviously, we're coaches, right? So we love that stuff. But you know, are you doing what you need, but from a cost perspective to reach your goals, you have to control that desire to quickly fix something or to not put the work in. Because look, I'm going to say this and maybe it's going out on a limb, limb. But I honestly in my heart of hearts coming from you know, experience, know that you can do and have most of what you want. Not gonna say 100% Because if you want to be an NBA, basketball player and you're five foot two, likely you don't have the physical gift to get there. Not that it couldn't, it's impossible, but I'm gonna say probably it's mostly impossible. But most things in life you can have it. It just takes hard work direction and dedication. That is the cost to get there and you have to make a decision in your life. Am I willing to understand the cost to get me the benefit, which is x and then reverse engineering.

Jeff 25:03

Yeah but on the other side of it's not worth it to you. And the benefits don't excite you, the benefits don't motivate you, the benefits aren't there. And you know, it's time it's time to move on to something else in your life

Doreen 25:17

In business we call that our why, yes, you have to have a very strong, why to go from the cost to get the benefit. For example, you're married to somebody and you have made a decision, you do not want to be married to this person anymore. You the cost is you need to go through the divorce process, whatever process you're going to use, or it's, there's no other way to get through it. Your spouse is not going to wake up tomorrow and say, You know what, listen, everything you want, I'm going to agree to No, they're not going to do that very, very rarely. So you got to have that cost benefit analysis to get there. And that's just going to cost you time and money. Right? There's no, there's no easy way around it. So I really just, you know, my my thought today is for the listeners going through divorce, thinking about divorce, or even post divorce is really think about, what am I doing? Why do I want this understand your why? And write it down, I cannot emphasize the power of writing things down, as opposed to just letting them be thoughts in your mind. When you think something and then you write it, and then you look at it, you put it down, you go back and you see it again. And you really get



zeroed in on your why. And you you know, massage it and really and then you say oh, that's it. That is what's going to get you through because you will have failures, you will have challenges getting from the cost to the benefit, whatever it is, okay. It's going to happen. It's inevitable. So the why is what gets you there.

Jeff 27:06

On the other side of that, too, if you're going through a difficult situation. And the benefits just are not there. The costs are just way too high. Put it away a bad marriage. Okay, then I think you know what the answer is? Move on, if you're in a marriage, that's not serving you right now. It's it's been bad. And you know, it's coming to an end, because the costs far outweigh the benefits of staying in the marriage, right? You know what to do them?

Doreen 27:37

Well, and you can't just it's not a numbers game either. So what I suggest people do is, again, I love the writing exercises is put your cost and your benefit your pros and your cons, let's say if you're talking about marriage for staying or leaving, yeah, right. And then not only listing them because it's not a list like this, the the pros is like five and the cons are is you know, 10. And so 10 wins. No, you have to value each one, you have to value it, I like to use up to a five system. So if for example, if something is five both ways, so zero is neutral, positive five would be the best case scenario. And negative five would be the worst. And I just tally them up. I just tally them up. And then that's the way for me to really know it. So you dig into each one of you that have that you put on your list on each side. And you give a number to it.

Jeff 28:36

I was working with a client last week. And they had probably five items that they really loved about what they were doing. One item that they didn't like, right, but the five items totaled up to be about maybe 25, where that one item totaled up to be 50. So Well, yeah. However it was. It's such a big, the other five didn't matter. So it was much more of a major thing.

Doreen 29:05

And let me just for those that are thinking about divorce, or even in divorce, still thinking, is this the right decision? Because you will question it, you will be second guessing the divorce the whole way through and even after the divorce is over.

Jeff 29:20

That's the, that's the primitive brain questioning it.

Doreen 29:23

You're just always thinking about it, you know, because maybe you go on a date and it's after the divorce, you're like, well, this was horrible. My husband wasn't so or my wife wasn't so bad. But for those that are contemplating divorce, one of the things I like to ask my clients is,



I want you to presume that he or she is not going to change. So whatever it is that you have an issue with. That is what is going to continue.

Jeff 29:50

Right. What's your question you usually ask?

Doreen 29:53

Wait, I'm not there yet, so when you answer that, when you say okay, I want you to assume that yours, this person, your spouse is going to continue to do X. Okay, that thing that really, is that pushing button for you? Can you live with that? Is that okay with you? And can you be at peace with that? That is one of the ways you can make a decision to stay or leave. Okay. And maybe that takes a lot of work. Because maybe what is happening is something that you might be able to accept if you can work through it a little bit. You know, I'm not going to give a hypothetical right now. The other thing I really don't. The other thing I say is if you met this person today, your spouse, and you knew everything you know, about him or her right, which we don't have the benefit of when we meet people and get married. We know some things we don't know everything right, but we know some things. Would you marry him again her? And if the answer is no, then you've probably if you answered no to both of those questions, you probably know your decision. Right? So okay, yeah. Cost Benefit.

Jeff 31:08

Cost Benefit. Well, that was a great episode.

Doreen 31:11

Yeah. Thank you. Like I did it myself, right.

Jeff 31:17

I hope the listeners liked and if they did, I would love to hear from them.

Doreen 31:20

Yeah, of course, of course. And yeah, as always, you can check us out on our website, which is life after divorce coaching, but it's lad-coaching.com. And check it out, come in and have a discovery call with us or, you know, do a little mini coaching session, see what it's about because I'm telling you coaching will change your life. All right, everybody.

Jeff 31:46

Bye bye. See you next week.

Jeff 31:56

You have the vision of what you want your life to look like after divorce, but maybe you just don't know how to get there. So if you're ready to take control of your life and want to find



out more about our coaching, visit us at lad-coaching.com. That's LAD as in lad-coaching.com.

Doreen 32:19

Until next time, have an amazing rest of your day. And remember, yes, you can have an amazing life after divorce.