

Fact Pattern for Standards and Ethics Webinar

Wife is age 45 and is having an affair with a coworker. The affair has been going on for two years, however her husband just found out about it very accidentally. She received a text and without thinking, asked her husband to tell her what the text said. The text was from her coworker and was extremely personal in nature leaving no doubt that she was having an affair. Both have decided that the divorce is the best option for them.

Husband is age 46 and owns his own truck- he sells and delivers bread to grocery stores. Although he has been working very early morning hours, he has the flexibility and will change his work hours to accommodate his children's school schedule post divorce.

They have been married for 15 years and have three children that range in age from 3-9 years old.

The wife works from 4 PM until midnight most days and also has a part time job one day a week as well. She has been caring for the children during the daytime hours. This arrangement was determined to be best for the children during the course of the marriage as there was no need for daycare. The wife is requesting two afternoons and two overnights per month as her scheduled time with the children. The wife informed the coach from the very beginning of the process that she is very against having to pay any form of child support. She indicates that she will always provide anything that her children need but believes child support is "wrong." The wife told her coach that her life will not be worth living after the divorce. This is because she does not believe she will have enough money to survive if she has to pay any amount of child support.

The wife's attorney is not aware of the comments that her client has made to the coach. The attorney believes her client should be encouraged to schedule more time with her children, thus lessening the child support amount that would be owed. The wife's attorney speaks for the client during the team meetings.

The husband believes he is a model father and has been a model husband. He would like his wife to have more scheduled time with the children and is worried she may "disappear" from their lives over time. He has a great deal of anger toward his wife due to her affair. The husband believes that as his income has been higher than his wife's for years, that he should receive 90% of the assets, as it because of his hard work that these assets were obtained. He also will be caring for the children for the majority of time. The husband's attorney believes his client and although he knows the law, agrees with his client to a certain extent. During the settlement meetings, the husband's attorney speaks for his client as well. The husband is not being entirely forthcoming in terms of voluntarily providing all of the necessary financial documents due to his belief that their financial security has been based on his hard work alone.

The financial neutral believes that the wife needs someone to advocate for her since she is willing to do whatever her husband wants her to do. The wife does not want to make any waves and believes she is capable of making her own decisions. She appreciates the information that the financial neutral has provided but believes she knows what is best for her.