



The Mental Side of Working a Divorce Case

by Alex H. Sitz III

As I begin to write this article, I grab my two-part family law binders off my bookshelf that I received from Professor Ryan's class 15 years ago, and try to recall what we learned regarding divorce law in Wyoming.

As I thumb through the pages, it discusses many of the basic tenants of divorce such as the grounds for seeking a divorce, the just and equitable disposition of marital property, and now after July 1, 2000, those ten factors set forth in W.S. 20-2-201 which delineate what a court shall consider when determining what is in the best interests of the children when their parents sadly divorce.

Those basics we learned in law school about divorce and family law were a great

foundation, but there is so much more to the practice of family law in the real world. As my practice has evolved over the years to become more focused on family law, I often describe my work to others as being a daily soap opera once I walk through the doors of my office. There is never a dull moment in the practice of family law. Whether it be helping a young mother of two children through a divorce after her estranged husband left her to be with her so-called best

friend, or working a divorce case where the couple's relationship surprisingly (sarcasm) fell apart after they attempted to have an "open marriage" where they invited others into the intimacy of their own bedroom.

The drama I describe above as a "daily soap opera" can often take an emotional toll on very fine lawyers, and it also provides a certain stigma to the practice of family law altogether where many lawyers decide this work is not for them.

So, how do lawyers approach working a divorce or family law case without letting the emotional turmoil of such cases get to them?

First, don't get wrapped up in the drama yourself. When a prospective client calls my office and after my legal assistant gathers some basic facts and runs a conflict check, I return that call and start every conversation with that prospective client: "Tell me about your case, and how I can help?" Approaching a new divorce case from the standpoint that you are merely helping that individual

attorneys to get caught up in the emotional turmoil of the case themselves. After many years of working a case in that fashion, I am fairly certain it will take both a mental toll on you as well as skew your own perspective on life.

Third, leave the emotional baggage at home when you get to trial. Let's face it—district court judges in Wyoming hear more cases involving divorce and family issues than any other types of case. They've heard that the husband is emotionally abusive and controlling, or that the wife had an extra-marital affair so often during their tenure on the bench that they likely give little to no value to those facts unless it is somehow directly affecting the children. Therefore, don't waste your precious trial time by telling the Court all the bad things about the other party. Focus more on telling the Court all the good things about your client and how he/she deserves custody of the children, and shy away from disparaging the other party. Not only do courts appreciate that sort of approach to

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through what is likely to be one of the worst experiences of his or her life helps me to distance myself from the drama that often accompanies this kind of case. I am merely helping a client through the complicated legal process of his or her case, and helping present the case to a court in the best manner I know how, but all the while trying not to become involved in the drama.

Second, always be professional in working a divorce case. I've had the unfortunate pleasure of working a number of divorce cases where opposing counsel wants to do nothing more than tell you how despicable your client is, all the while painting his clients in an angelic light. I think we can all agree that both parties have their own unique faults, but to work a case in that fashion does little to accomplish the ultimate goal of dividing marital property and deciding the custody of their children. All it really does is waste energy and allows the

a case, but one has to often remember that at the end of the day, this broken couple that just appeared in Court has to spend the next number of years trying to co-parent and raise children together even though they may be divorced. Spending your time disparaging the other throughout a trial does very little to foster that relationship amongst estranged spouses who must continue to get along well enough to raise their children together for years to come.

At the end of the day, if one is able to distance himself from the emotional drama of a divorce case, and work the case in a respectful and professional manner to both your colleagues and to the Court itself, then the practice of divorce law can actually be a rewarding experience and enjoyed for many years to come. ☺

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graduated from Indiana State University in 1998, earning a Bachelor of Science Degree in Environmental Science and he thereafter pursued his Juris Doctorate from the University of Wyoming College of Law, graduating in 2002. He was sworn into the Wyoming State Bar in October 2002.



Alex was born in Michigan, the oldest of three boys. However, he was raised in a small agricultural community in Jasper County, Indiana, where he grew up working on a family farm, and later pursued his love of sports playing football at Indiana State University. He thereafter moved to Wyoming in 1998 to attend law school and begin his legal career.

After graduating from law school, he began his career as a deputy county and prosecuting attorney for Hot Springs County, Wyoming, gaining invaluable experience in criminal law and trial practice matters. He moved to Cody, Wyoming, in 2004 to join the firm of Simonton and Simonton, where he also began working with his current law partner, M. Jalie Meinecke. He and his law partner began their partnership in September 2005 with the establishment of Meinecke & Sitz, LLC located in Cody, Wyoming.

Alex serves as a current board member for WTLA, Legal Aid of Wyoming, and for his local Little League Baseball affiliate. He also coaches little league baseball and is an active member of his local Knights of Columbus council, serving as their Grand Knight.