

# NAVIGATING THE LEGAL TERRAIN OF DIVORCE

Patricia Heim gives women guidance on a lonely path.

BY DOREEN PFOST  
Contributed photo

## Planning to See an Attorney about Divorce?

Here are steps Patricia Heim suggests you think about before you pick up the phone.

- 1. Do some research before retaining an attorney.** Ask friends for recommendations; read the websites of the attorneys or law firms you're considering.
- 2. Before your first meeting with an attorney, write out all of your questions.** The first consultation typically follows what Heim calls a general outline, but you may have questions particular to your own circumstances.
- 3. Pull together as much financial information as you can, including several years' tax returns.** The more complete your financial picture, the better able your lawyer is to help evaluate your situation.
- 4. When emotions run high, it's far too easy to post something inappropriate on social media,** and such indiscretions may be especially harmful in custody cases. Facebook, Instagram, Twitter: "Get off everything," says Heim. "Just stay away from them." Close your social media accounts, at least temporarily, and change your email passwords.
- 5. If you decide to file for divorce, you may want to change any powers of attorney for finances or health care if they name your spouse.** As Heim notes, the unexpected can happen at any time, regardless of your age, and "you don't want your future ex to have that kind of control."

**When a marriage ends,** the first steps toward divorce can feel like the beginning of a long and potentially frightening journey without the benefit of a guide or even a map.

Attorney Patricia M. Heim has made a career of helping clients find their way on a path that is often marked by feelings of disappointment and regret but that can ultimately lead to a fair and just outcome. A senior member at O'Flaherty Heim Egan & Birnbaum, Ltd. in La Crosse, Heim leads the firm's family law practice, which includes divorce, custody and placement, child support and related issues.

Heim has practiced law since the 1970s and remembers a time before Wisconsin's family law treated marriage as a partnership with





Attorney Patricia Heim, O'Flaherty Heim Egan & Birnbaum Ltd.

two more-or-less equal partners. Previously, Heim notes, "There was no such thing as assuming property would be divided equally."

### Emotional and financial

While Wisconsin's marital property law now means women are treated more equitably than before, finances are still a major concern to women who contemplate divorce. As Heim observes, "Divorce

is emotional, but it's also financial." When a woman first visits an attorney, she may be wondering whether she'll be able to support herself after divorce. "It's a rare situation, even today, that the woman is making more than the man," says Heim, and that's especially true of older women.

Heim works with clients to develop a clear-eyed assessment of their financial situation as well as a "likely outcome or range of outcomes." That kind of knowledge empowers a client to decide how—or even whether—to proceed with a divorce.

For women with children, finances—important as they may be—are outweighed by questions about custody and placement. Mothers

want to know how much time they will have with their children and whether arrangements they reach with their spouse will be the best thing for the kids. Again, Heim works with clients to evaluate possible outcomes.

Regarding the range of outcomes in both custody and financial matters, Heim says she sometimes emphasizes the negative end of the spectrum, just to ensure that clients have realistic expectations of what a fair outcome could look like. For Heim, it's rewarding when she's able to "help a client achieve a fair resolution"—one in which she has discussed expectations with the client and has been able to achieve those expectations.

### A zealous advocate

Still, Heim says, "I talk a lot about fairness, but that doesn't mean I don't zealously advocate for my client." Being a good advocate, however, does not mean demonizing the other spouse; nor does it necessarily mean going to court. Heim notes that although she enjoys trying cases, it's not always the best way to reach a good outcome. "You're much better off as a family if you can come to a resolution," she says.

And being better off as a family is arguably, though perhaps ironically, the destination most people try to reach when embarking on a divorce, especially when children are involved. Heim says she knows she's succeeded in that regard when children grow up and get married, and both parents can attend the wedding and be civil to each other. "That gives me a lot of satisfaction," she says. **(crw)**

*Doreen Pfost is the author of This River Beneath the Sky: A Year on the Platte. She lives in Elroy.*

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