

## Lezley Watts Joins Family Law Practice

A native of Oklahoma and a member of the Choctaw Nation, Lezley Watts spent her childhood moving around the country due to her father's career. She received her undergraduate degree in political science and pre-law from the University of Arizona. She moved to Sacramento to attend law school at the University of the Pacific, McGeorge School of Law and received her Juris Doctor in 2009. While in law school, she was awarded the *Sacramento Bee* Legal Scholarship and the Bureau of Indian Affairs Choctaw Nation Scholarship.

Realizing that she needed practice putting her legal degree to work, Lezley took on a number of externship positions dealing with Native American affairs, such as working under the tribal advocate at the Governor's Office of Homeland Security. Currently a Roseville

resident, Lezley began her legal career clerking for a local family law attorney. She was admitted to the California State Bar in 2009 and recently joined Bartholomew & Wasznicky LLP.

"The staff has made me feel very welcome here and I'm really enjoying the work," stated Lezley.

*Most importantly, Lezley understands that divorce is an extremely difficult transition in a person's life. "I believe that professional, honest and compassionate representation can help empower clients during this process," she stated.*

Lezley is a member of the American Bar Association, Family Law Section and Young Lawyers Division; a member of the California State Bar, Family Law



Section and Young Lawyers Association and a member of the Sacramento County Bar Association, Family Law Section. Additionally, she is editor of the *Family Law Counselor*, a monthly publication of the Sacramento County Bar Association Family Law Section. ♥



## Healthy Living News

### Is True Love A Fairy Tale? Part 2

We learned in last quarter's newsletter that although the numbers tell all: half of the marriages in this country will eventually end in divorce, this means the other half live happily ever after. "Most people do not get divorced because they fall out of love; most people get divorced because they grow dissatisfied and disconnected from their relationships," says Alex Lluch, sex and relationship expert and author of *Simple Principles for a Happy and Healthy Marriage*. "When there is work to be done on the relationship, they are either too tired or unwilling to try. Being married is not easy. Like getting anything you want in life, it takes work, dedication, and negotiation."

### Warning Signs of Divorce

"Research shows there are two big predictors for divorce," says Lluch. "The first is a problematic communication style, such as expressing antagonism or showing a lack of respect for your partner. The second is a basic disconnection when a couple no longer turns to one another for love or comfort." Dr. Leslie Seppinni, a licensed marriage family therapist and clinical psychologist practicing in Beverly Hills, reminds us that a marriage is not about material things a couple owns, but rather the communication and quality of the relationship itself. In this troubled economy for instance, she recommends something as simple as taking a hike. You can be together and enjoy each other's company without spending a lot of money.

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# ASK A LAWYER

*Each newsletter, this article will address questions about the process of divorce and/or separation. Answers are prepared by family law attorneys of Bartholomew & Wasznicky LLP. If you are interested in providing a question for the column, visit [www.DivorceWithRespect.com](http://www.DivorceWithRespect.com) to submit a question. While all questioners will remain anonymous, please include your contact information in case there is a need for clarification.*

## Partial Legal Representation: A Cost-Effective Option In a Bad Economy

### Limiting Legal Costs During a Divorce

Partial legal representation, also called “unbundling” or “limited scope representation,” is where a client hires an attorney to only handle a limited aspect of the case, as opposed to full representation. Any limitations are stated explicitly and completely so that the client is consenting after adequate disclosure.

Legal fees, in addition to court costs, can be quite expensive, regardless of the type of case. Partial representation allows a client to prioritize and save costs by only hiring an attorney for limited aspects of a case. Oftentimes, attorney retainers are lower since the attorney will anticipate lower fees versus anticipated fees under a full service contract. The purpose of the retainer is to help ensure that the attorney will be paid for services rendered by having funds on hand to pay for the service.

### Level of Service Rendered

Does the client only wish to have access to the attorney for legal advice as the case unfolds? Does the client want the attorney to draft documents? Does the client wish the attorney to appear in court?

Where there is limited representation, the client and attorney agree on the scope of representation. For example, if the attorney is only rendering legal advice and will not be appearing in court or drafting documents, there could be a consulting-only fee agreement. Or maybe the client only wishes for the attorney to review or draft a marital settlement agreement. If the attorney will only be drafting documents, there could be a fee agreement as a “lawyer scrivener” or drafter. A combination of both partial levels of service could be a scrivener/consulting agreement.

If the lawyer is only providing scrivener services in drafting documents, the attorney need not become attorney of record. In this case, the attorney’s services do not even need to be revealed, unless the client is requesting attorney’s fees. Since the attorney is not formally listed as the “attorney of record” for a party on the court documents, no formal withdrawal by the attorney is necessary.

### Facets of a Case

In this type of partial representation, the client may wish to only hire an attorney for a specific hearing. Perhaps the client wants to have legal representation for only one issue, for example, a domestic violence allegation by a spouse but not representation for the divorce.

Where there is more involvement by the attorney—above simply drafting documents—there must be a Notice of Limited Scope that is filed with the court, which indicates the attorney’s contracted responsibilities. Here, the attorney does get put on record as representing a party. Therefore, once those services are complete, a formal withdrawal is necessary. Specifically, the attorney must provide notice to the client of intention to withdraw by sending the client an Application to Be Relieved as Counsel Upon Completion of Limited Scope Representation. The client then has 15 days to object. If the client objects, a hearing is scheduled no later than 25 days from the date the objection is filed so the court can determine whether the attorney will be relieved. 🍷

## A Parent’s Guide for Talking About Divorce and Separation

**B**artholomew & Wasznicky LLP is offering copies of a booklet designed to help parents assist their children through the difficult family transition of separation and divorce. Produced by The American Academy of Matrimonial Lawyers, the guide helps parents prepare their children and adolescents for what is about to happen. Parents don’t tend to plan ahead for this important discussion and even fewer do this planning together.

The goal of the guide is to make discussions with children about separation easier for parents and more helpful and meaningful for them. It will also increase childrens’ and adolescents’ ability to deal successfully with the stress and disruptions of separation.

If you are interested in a copy of the guide entitled *What Should We Tell The Children*, contact Hal Bartholomew, Bartholomew & Wasznicky LLP, (916) 455-5200 or email [Hal@DivorceWithRespect.com](mailto:Hal@DivorceWithRespect.com).

### For Better or for Worse

“Divorce isn’t inevitable for half the married couples in America if care is taken to nurture the relationships,” explains Dr. Keith Ablow, psychologist, bestselling author and founder of LivingtheTruth.com. “Realistically, the richness of a marriage comes from the high and low points that the story of the marriage courses through,” he says. “In every family, including our families of origin, there are periods of conflict, sometimes quite serious. It’s true with our parents and our siblings. And it is no less true in the families we create.”

### Know When to Say When

In this case, the point of no return doesn’t have to mean divorce. Lluch explains. “I would like to say that it is never too late to save a marriage. In most situations, if the love and willingness to work together was once there, it can be injected back into the relationship. Marriages have ebbs and flows, summers and winters, but if you and your partner are willing to weather them together, you can always get back to good.”

### Everlasting Love

Experts say communication is key to creating a long, healthy marriage. “People typically don’t sit down together prior to getting married to communicate around their goals. They need to have a vision of the relationship and where they see themselves.” Seppinni explains, attributing the number one reason for failed marriages to finances.

### Is True Love a Fairy Tale?

“True love isn’t a fairy tale at all,” says Ablow. “It’s a very real story about being willing to experience discomfort, as well as joy, with another person.” Ultimately this realistic story may include various ups and downs as it equates to love, hard work, commitment and sacrifices you make with your partner. 🍷

—Vicki Salemi. *Part 1 of Healthy Living News: Is True Love A Fairy Tale? was featured in the previous Bartholomew & Wasznicky LLP quarterly newsletter edition.*

## How To Get Divorced Without Going Broke

**Check into cost-effective resources** including divorce mediation or collaborative divorce (divorcewithrespect.com, www.divorceoption.com)

**Write your wish list.** Make notes next to the negotiables. Avoid demanding what you know is non-negotiable if for no other reason than it will drag the process and the “stuff” won’t make you happy anyway. You’re the only one that can.

**Experience the loss, give yourself a deadline.** When negatives pop up, analyze them then release them.

**Think of the people who depend on your estate.** Include them in your planning of the dissolution.

**Learn to be at peace with your choices.**

**Talk to your soon to be ex-spouse.** You have everything to win by trying to end things amicably. If he/she is manipulative, set boundaries for yourself.

**Prepare an outline of the steps you will take and stick to it.** This isn’t about why things happened, it’s about the fact that they did and the focus has to be on resolution for all.

—learningasIlive

## Odds & Ends

“Each day of our lives we make deposits in the memory banks of our children.”

—Charles R. Swindoll



## Helping Your Children Deal With Divorce

*With more than one million couples divorcing every year, the emotional impact is difficult on the couples and their children.*

- 1 Allow your children to express their feelings. According to the American Academy of Pediatrics, nearly 50% of children from divorced homes demonstrated signs of psychological trauma in the first year after a divorce.
- 2 Remind the children that the divorce is not their fault.
- 3 Remain positive about your children’s other parent when they are within earshot. The kids need both of their parents.
- 4 Accept the role your ex-spouse needs to have in the lives of your children.
- 5 Learn to compromise rather than using confrontation to solve problems as it creates a safer atmosphere for the kids.
- 6 Keep a room with a bed for your children, even if they don’t live with you. Make them feel like they are still a part of your life.
- 7 Pay your child support. Don’t withhold it because you are angry at the other parent as it could affect the children adversely.

—Joan Collins



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# CALENDAR

## DIVORCE WITH RESPECT

**Tuesday, April 20 • 6:30–8:30 PM**

*Learning Exchange Course  
taught by Hal Bartholomew*

4740 Folsom Blvd.  
Registration: (916) 929-9200

## THE DIVORCE COURSE

**Tuesday, May 11 • 6:30–9:00 PM**

*Learning Exchange Course  
taught by Hal Bartholomew*

4740 Folsom Blvd.  
Registration: (916) 929-9200

## DIVORCE TAX FOR FAMILY LAW LAWYERS

**Friday, May 14 • 9:00 AM–4:00 PM**

*Day long seminar offered by  
Hal Bartholomew and Beverly Brautigam  
The Lodge At Sonoma, Sonoma, CA*

Information: (415) 897-2398

## DIVORCE WITH RESPECT

**Tuesday, May 19 • 6:30–8:30 PM**

*Learning Exchange Course  
taught by Hal Bartholomew*

4740 Folsom Blvd.  
Registration: (916) 929-9200



For more information about the calendar of events, newsletter articles or Family Law, visit [www.DivorceWithRespect.com](http://www.DivorceWithRespect.com) or call (916) 455-5200.