

I hope this letter finds all is well with your practice and clients. In my endeavor to help divorce professionals with their client's financial planning needs, many have asked me to give them an example of exactly how I can help their clients. The long answer is there are many ways but here is a situation that represents how we can help.

### **Mortgage and Quit Claim Issues**

Mrs. Smith was referred to a financial advisor through her current attorney. Mrs. Smith was just about to finalize her divorce agreement and had some questions about her home and its settlement in the divorce. This client thought that her husband only had to quit claim his ownership in the home to her as part of the divorce settlement. What the financial advisor informed the client is that quit claiming his share would not remove his name from the mortgage and that eventually when her ex-husband went to purchase a new home his new lender might not qualify him because he was still carrying this loan in his name. Once discovered, he could possibly force his ex-spouse to sell the house or re-finance it in her name at a time that she was not able to do so.

Mrs. Smith immediately called her mortgage broker whom informed her that she would not be able to re-finance her home at this time. The financial advisor immediately informed the client and her attorney that they needed to negotiate selling the home verses accepting it as part of her divorce settlement. The client and her attorney were then able to re-negotiate their settlement agreement that benefited both parties in the divorce so as to avoid a bad situation at a later date.

### **Conclusion**

Clients need active financial help during a divorce and post divorce to help them make the right financial decisions. This is just one scenario that I have found is quite common among divorcing couples. The situation could have gotten worse if the client in this scenario had not worked with a financial advisor. This is a very common problem that happens during many divorces.

Clients can receive the most equitable settlement in a divorce whereby the attorney has helped negotiate the best settlement possible. It can be completely unwound because of a lack of follow through to make sure the financial details are completed correctly. This is where there is a big disconnect between the end of the divorce, as it pertains to a settlement, and the actual end of having all the paperwork processed post divorce. This is my job to facilitate helping a client to make sure this follow through is done correctly.

### **Remedy**

Let us help your clients navigate through this financial process. They do need this help. Give me a call to go over any particular case or in the next week let's get together for 15 minutes for coffee or maybe lunch. Let me know what possible 2 times that you would have available to fit your schedule.

If you have any questions, please feel free to e-mail me at [rich.hendry@raymondjames.com](mailto:rich.hendry@raymondjames.com) or call us at 678-578-2430 or toll free at 877-811-9090. Visit us at [www.richardhendry.net](http://www.richardhendry.net).

Sincerely,



Richard P Hendry, CDFP  
Registered Principal, RJFS