

On Fire Empire Podcast EPISODE 20

[0:00:00.6] ANNOUNCER: You're listening to the On Fire Empire Podcast, Episode number 20.

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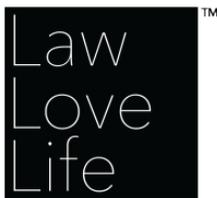
[0:00:05.6] JB: Today's show is brought to you by the On Fire legal crew and family law department of Bennett & Bennett, Southern California lawyers for your family and business needs. Visit Bennett & Bennett law where we help people in unhappy marriages recalibrate their lives and achieve what matters most. You can find Bennett & Bennett at bennettandbennettlaw.com or just look in the show notes where you'll find the links to the sponsor.

[INTRODUCTION]

[0:00:30.6] JB: Well, hello. Welcome back to another episode of the On Fire Empire Podcast. My name is Jose Bono. I'm the producer for the On Fire Empire podcast and all things Law Love Life. You're probably wondering where the heck is Kelly and what have you done with her. Well, she's actually under the weather and believe it or not, she kind of sounds like me and that's not a good thing when we're trying to record a podcast.

Today, I'm pulling double duty and recording this intro to today's episode. Kelly and I are so excited to bring you a new season of the On Fire Empire Podcast in a few weeks. But in the meantime, we have a few 'tweener episodes that you can enjoy until we kick off Season Three. Now, if you missed any episodes in Season Two, just head over to lawlovelife.com and access all of our episodes and their show notes as well.

You can also find us on iTunes and anywhere you get your podcasts. Today, we're going to give you a unique look into what goes on in the inner workings of the Bennett and Bennett Law Firm.



You get to eavesdrop on senior attorney Kelly Bennett mentoring associate attorney Rachel Bennett, and that's right, that's her daughter, a few years go, on a sticky situation.

What happens when you're going through a divorce but still living under the same roof? Well, if there are kids involved, it can be problematic. Especially when something so simple could mean the difference between calm and stormy waters.

If you're ready, I'm going to hand this off to Kelly. Let's get started.

[INTRO]

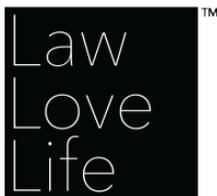
[0:02:13.6] ANNOUNCER: Welcome to the On Fire Empire. Each week, seasoned divorce and business lawyer, mediator, CEO and surf diva, Kelly Bennett will help you discover strategies and smarter fast, big results. As you listen, you may ask yourself, "how did Kelly know I was going through that?" It may feel like she's a fly on the wall of your life. She's intuitive, direct and on point. Kelly brings the amazing lessons from her life's work to the table to set you up for a blazing, bright future.

We firmly believe lasting empires happen when well-rounded leaders achieve personal happiness, live out their calling and develop meaningful relationships. Now it's time to hear from Kelly and her crew of experts, learn some new strategies, challenge your way of thinking and get juiced about igniting your empire of a lifetime.

The information provided in this podcast is for general interest only and not intended as legal advice, nor does it create attorney/client relationships between you and Kelly.

Now, here's Kelly.

[INTERVIEW]



[0:03:17.5] KB: What happened? Didn't I hear you say you had one of our new clients was having a real problem, isn't she still living with her husband, she had a hard time getting in the house?

[0:03:25.9] RB: Well, she had gone on vacation and she had – this is the client that has a daughter who is going through some serious health issues and they were on vacation together for this little girl goes into surgery, planning on coming back tonight at like late flight coming back really late. We found out that the husband had filled the locks with silicon.

[0:03:47.6] KB: Wait, are they still living in the same house?

[0:03:49.8] RB: They're living in the same house, she hadn't made arrangements yet for work, s he's planning on moving out but he's gotten to a kind of a passing contest about who is going to stay in the house and whatnot.

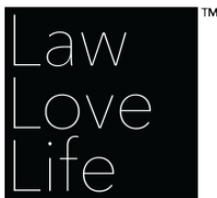
[0:04:00.6] KB: We had already filed, right? Hadn't we filed the petition for divorce already?

[0:04:05.2] RB: We've already filed it a couple of days ago, we were trying to get them served which is how we found out that he had sealed all the locks off. But she's in the process of trying to figure out how to get out of the house, where to go and all of that. They're still cohabiting in that house but now she can't get back in, she's got a 13 year old who is going through major surgery in two days and he still got the locks up to the house.

[0:04:29.4] KB: So did you talk to her?

[0:04:30.8] RB: I talked to her.

[0:04:32.9] KB: So what did you tell her to do? She is on her way back from out of state?



[0:04:35.1] RB: Yeah, she is traveling from out of state coming in this evening, late this evening so —

[0:04:41.0] KB: Oh that sucks, I mean I hate it — this is the worst part about people who continue to live together while they are going through a divorce and I get it. I mean the thing is it is expensive and with our economy still not a 100% recovered, this is super common but I hate seeing this because when they start getting at each other and they can't civilly live together, we see this kind of stuff and now you got a 13 year old little girl who is in the middle of this?

[0:05:08.5] RB: Right smack that in the middle.

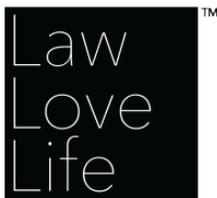
[0:05:10.2] KB: So what did you tell her?

[0:05:10.7] RB: Well, I have been advising her before we even pulled the trigger on this. You need to just get out, get a better situation for you. It is not healthy to be in this house especially in a high conflict situation. Something will ultimately happen where it forces one of you out but why wait until that happens, pre-empt it, right? Because you've got a kid especially a super sick kid that is not healthy environment for anybody in that family.

So she waited, I think, a little bit too long and now someone forced the issue, which now is putting everybody in a bad position I think.

[0:05:45.8] KB: Well and the sad part of this and it is something that you can certainly go over this option with her, they both live in that house, there hasn't been any orders and it's where the daughter who is ill, you know that is her home.

And so you know as well as I do that when a parent starts to play those kinds of games it doesn't really sit well with the court. So make sure you tell her that one of the options we have is to be able to go in and ask the judge for orders that that house be ordered to her exclusive use



and possession for her and the daughter and to order the husband out because that kind of behavior, it hedges on putting the child at risk.

Did you happen to talk to her about that?

[0:06:30.0] RB: Oh yeah, absolutely and when we have somebody who has the ability to stay in that house and make the payments in all the pay the utilities and mortgage from all of that. It makes sense that she would be able to maintain that more structured living situation for the child.

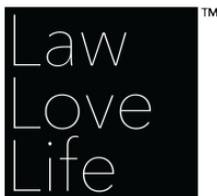
In this case comparative to her position to the husband, she is in a much better financial position to stay in the house.

[0:06:54.3] KB: Well that is the flip side of it. Sometimes the court will say, I mean he doesn't work, right?

[0:06:59.4] RB: He doesn't work.

[0:07:00.5] KB: Okay but here is the thing, he's got family in the area, right? Okay because a lot of times that is really a rough situation for a judge because if we're asking a judge to order a non-working spouse out of the house, there is the concern of where they go versus if like here we've got a mom who's got a good job and she's actually the bread winner. She has more financial wear with all to go somewhere else, rent a place and will deal with the custody and visitation orders of the daughter.

But you know what? If he's playing those kind of games and he has somewhere else he can go, that's probably a serious option we should look at. I hoped you advised her — and oh by the way, did you talk to her about if she does get back in the house and we get him out, what happens if he keeps trying to come in like when she's at work? What did you tell her?



[0:07:53.4] RB: Oh three words, change the locks.

[0:07:55.4] KB: Absolutely.

[0:07:56.2] RB: Change the locks.

[0:07:57.6] KB: Oh.

[END OF DISCUSSION]

[0:08:00.4] JB: Well there you have it. Hey, just a quick reminder, the names, characters, businesses, events, incidents that are used in this podcast are used in a fictitious manner. Any resemblance to actual persons living or dead or actual events is purely coincidental. The information presented here is for general information purposes only and nothing in this episode should be taken as legal advice for any individual case or situation.

So, that's a mouthful. Did you like this episode? If so, tell us your thoughts, leave a review on iTunes or head on over to Facebook at facebook.com/lawloveliffetv and leave comments. Kelly reads every single one so that we can deliver the content that helps you the most. Be sure to do that and I promise, Kelly does read them, I know, I see it myself.

So, hey friends, until next time, live with gusto and ignite your empire. Ciao.

[END]