



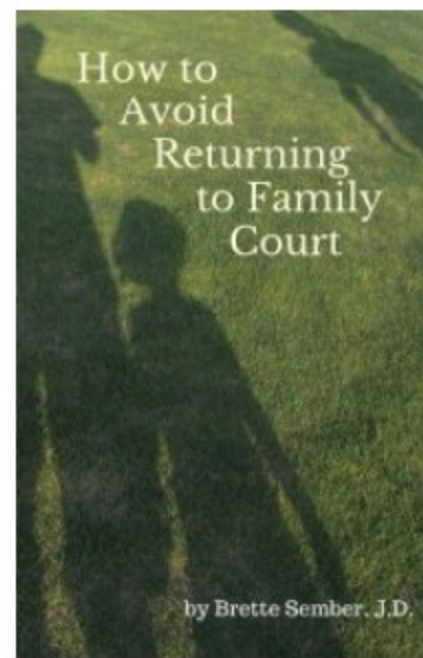
A Conversation with Brette Sember: How to Avoid Returning to Court & Other Family Law Kernels of Wisdom

Brette Sember has represented adults, children and adolescents in family law court. She offers a unique perspective on advocating for client needs, empowering them, and supporting their journey from one stage of life to another.



Brette Sember

From Clarence, N.Y., Brette practiced family law and mediation until her second child was born. She then retired from law and began what has become a prolific writing career, staying home with her children.



The Transitions Legal team recently sat down with Brette to learn about her latest book, *How to Avoid Returning to Family Court*.

What inspired your recent book?

(Brette is the author of 30 books, including [Save Money on Your Divorce](#), [The Complete DivorceGuide](#), [How to Get Custody of Your Dog](#), [The No-Fight DivorceBook](#) and [The Key to Your Custody Case: Win Over the Law Guardian](#).)

I worked as a family law attorney and law guardian in New York state. I noticed that many families returned to court over and over. They resolved one issue and a couple months later, returned with another.

It seemed as if the courthouse had a revolving door for them. I wanted to provide a guide to help families stay out of family court. The book is for anyone going to family court – whether for the first time or repeat visitors.

Why is it important post-divorce to avoid returning to court?

First, it's expensive and time-consuming to return to court. And it's hugely stressful – for parents and kids. Family court is not designed to help people end a cycle of conflict.

What happens when divorced couples do return to court? What are the risks or challenges?

You can get into a cycle where one dispute leads to another. It can be really hard to break out of a conflict-oriented approach to co-parenting. Often, it becomes a tit-for-tat situation.

When you return to court over and over, you never find a way to work together. You don't learn to reduce conflict or how to prevent it. It becomes a cycle you can't break.

It's important to note that rarely do you achieve a perfect solution in court. Judges don't know you or your family.

If there is a way to work together with your ex to solve problems, you're more likely to reach a customized solution that really works.



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It's better for the whole family if you can find ways to solve problems on your own.

In this book, I offer techniques so readers can resolve custody problems and prevent them from recurring.

What is your perspective on family law?



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When I represented adults, my goal was to help them understand the law (most people don't) and advocate for what they wanted.

When I represented children, it depended on their age. For young children, I decided what I felt was in their best interests. For teens, I believed it was my job to advocate their position to the court.

I did a lot of law guardian work because I felt it was important for children to have representation. In that role, I guided families toward resources such as county mental health services, parenting classes and support groups.

I also acted as an informal mediator. Law guardians usually have access to both parents and the kids as well as school and medical records. They have a bird's eye view of the entire family and can guide the adults to resolution.

I was good at that. So, I did formal training in divorce and family mediation and added that to my practice. It was rewarding to help families reach resolutions outside of court.

How did you transition from practicing law to writing about it?

I left my law practice when my second child was born because I wanted to spend more time with my own kids. A publisher asked me to write a book about how to file for divorce in New York, and that is how I got started.



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Brette Sember writes often about law and is a writer for www.LegalZoom.com. Learn more at <http://brettesember.com/books/>.



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