

Restraining Orders

Related Practices

Family Law and Divorce

- Adultery, Substance Abuse, or Domestic Violence
- Alimony and Spousal Support
- Business Assets
- Child Custody
- Contempt of Court/Violations of Orders
- Divorce Lawyer
- Modifications of Prior Agreements
- Prenuptial Agreements
- Property Division
- Qualified Domestic Relations Orders
- Restraining Orders
- Termination of Parental Rights

Due to the emotional aspect of a divorce and separation, it has become a routine practice of the Family Court to issue a restraining order for the protection of children and spouses. Restraining Orders are an important aspect of your case, especially if your spouse is acting out of control, has anger management issues, or is vindictive.

On behalf of our clients, Rosen Hagood attorneys routinely obtain restraining orders to protect our clients from harassment, threats and similar acts by the other spouse. If a party violates a restraining order, he or she can be held in contempt, incarcerated, fined and/or ordered to perform community service depending upon the circumstances. Courts may also mandate anger management classes and/or psychological evaluations where there is a history of such conduct.

We also routinely obtain orders restraining the other parent from exposing the children to a paramour, abusing alcohol/drugs, attempting to alienate the children by disparaging the other parent, and other similar bad acts.

What Should I Do If I Suspect My Spouse Has Hidden or May Dispose of Marital Assets?

In some cases, the opposing spouse may try to hide, transfer, dispose of and/or spend marital assets. As your attorneys, we often ask for and obtain a restraining order preventing the other spouse from hiding, secreting, transferring and/or dissipating marital assets during the pending family court case.

If there is a reasonable basis that this might be occurring, the legal discovery process allows Rosen Hagood attorneys to issue subpoenas for financial records, bank records, and other documentation to look at whether large amounts of funds are being transferred out of accounts without your knowledge.

Additionally, the discovery process allows the attorney to take depositions of both parties and other individuals. It is often difficult to determine whether assets have been transferred, spent and/or hidden. In cases where there is a significant reason to suspect such conduct, we may suggest that we hire a forensic accountant to review the financial records and accounts for suspicious activity.

Some spouses ignore restraining orders and attempt to hide or spend marital assets regardless of the ruling of the Court. Such conduct is not looked upon favorably by the Court. Where a willful violation of a Court Order can be proven, the Court has a range of significant sanctions

against a party who violates such an Order. If a party has violated a Court Order, the attorneys at Rosen Hagood can seek enforcement by filing a Rule to Show Cause to sanction the culpable wrongdoer.