Looking to Retain Counsel Checklist (December 2026 edition)
A calm, clear-headed path to protect your peace, your finances, and your future.
By Paul Nordini

These are the top things to consider when hiring a lawyer:

Not in correct order:

1. How Many Actual Trials Has the Lawyer Done?

Not hearings.
Not status dates.
Not Zoom conferences.

Many divorce lawyers avoid trial at all costs. Some have done only a handful in their entire career. That matters because opposing counsel and Judges quickly figure out who is actually prepared to try a case and who is simply hoping for settlement. When a Judge and opposing lawyer knows your attorney can easily handle a divorce, they become very accommodating.

A lawyer who genuinely tries cases: understands evidence, understands pressure, understands witness preparation, and understands leverage.

Ironically, experienced trial lawyers often settle cases faster because the other side knows they are willing and able to finish the fight.

Mr. Nordini handles more custody trials than most lawyers because part of his practice involves managing and conducting other attorney's trials. Some clients are surprised by the fact that they did not initially retain Mr. Nordini, but their lawyer uses Mr. Nordini to handle all their trials.

2. Ask the Lawyer If They Have Ever Been Sanctioned by a Judge?

This question surprises lawyers. Most will proudly answer: "Never." But there is another side to that discussion.

A lawyer who has never once pushed too hard may not know where the line actually is. Some attorneys are so afraid of upsetting the Judge that they never push aggressively enough when their client truly needs it.

The best divorce and custody litigators understand the boundary between aggressive advocacy, and conduct that crosses the line. That understanding usually comes from experience in real courtroom conflict, and not from spending an entire career avoiding friction. Most lawyers never know where the line is located.

Now, obviously there is a difference between: an attorney repeatedly sanctioned for incompetence or misconduct, and a seasoned litigator who occasionally drew judicial frustration while aggressively protecting a client.

Mr. Nordini has been sanctioned (a few times) for being a strong and zealous advocate. Not all the time, and sometimes by his own friends who are judges. Mr. Nordini pushes when it's necessary. He's not afraid to ruffle feathers when their client needs that level of advocacy.

3. Years of Experience Matter — Especially in Custody Cases

Custody litigation is its own universe. You do not want someone "learning custody law" on your family. A serious custody attorney should:

1. know the major custody evaluators by reputation,
2. understand which evaluators different Judges trust,
3. know the local GALs (Guardians ad Litem),
4. understand the personalities and approaches of those professionals,
5. and know how different Judges tend to react to certain facts.

This is not written in statutes or textbooks. It is courtroom experience.

A seasoned custody lawyer often knows:

1. Which evaluators and GALs lean toward and against "father's rights" and supporting 50-50 parenting time, so your attorney knows how to steer an appointment toward those appointments or away from those appointments.

2. Which GAL pushes therapy aggressively, or who tends to favor reunification.

3. Which GAL dislikes parental alienation claims, and or who writes and willing to make devastating reports.

That knowledge can materially impact strategy from day one.

Mr. Nordini has nearly exclusively focused his practice on divorce litigation that involves custody disputes. His level of comfort on all issues and knowing the strategy of custody is unmatched.

4. Does the Lawyer Handle Appeals?

This is a huge issue that many clients never consider. A divorce lawyer who also handles their own appeals tends to:

(a) stay current on evolving case law, which is crucial on a custody case,
(b) pay closer attention to preserving issues,
(c) make cleaner records,
(d) think strategically several moves ahead,
(e) and draft pleadings more carefully.

Why?

Because appellate lawyers know mistakes become permanent. Attorneys who never handle appeals sometimes become careless about:

(a) evidentiary objections,
(b) Findings,
(c) procedural defects,
(d) or preserving issues for review.

An attorney who may later need to defend their own trial work on appeal usually litigates differently.

Mr. Nordini continues to remain active in the appeals process. His researched based representation is largely premised on the fact that having an active appellate practice naturally means staying current on the current trend of appellate decisions.

5. Ask Them What Percentage of Their Practice Is Actually Divorce and Custody

Some lawyers “do family law” the same way restaurants “serve seafood.” Technically true, but maybe not what you want. You generally want someone whose practice is heavily concentrated in divorce, specifically custody disputes

within a divorce. Family law has its own culture, procedures, psychology, and unwritten rules.

Mr. Nordini nearly exclusively practices in divorce. Of all his divorce cases, his focus is on custody cases.

6. Ask How Often They Are Physically in Court

There are attorneys who know family law academically. Then there are attorneys who live inside the courthouse. Those are different people.

Frequent courtroom exposure matters because: judges develop preferences, procedures evolve, local customs matter, and relationships with court staff matter.

The lawyer who is regularly in that courtroom usually has an advantage over someone appearing there twice a year.

Mr. Nordini is in the Courtroom every day (or nearly every day). He is most comfortable in the courtroom and often prefers in-person court attendance than remote or zoom appearances.

7. Ask How They Prepare for Trial

This question alone can expose weakness instantly.

Do they: build timelines? prepare witness outlines? organize exhibits months in advance? prepare cross-examinations strategically? issue subpoenas early? Or prepare direct examination themes?

Or do they "figure it out" in the 60 days prior to trial. The most common problem with lawyers is the failure to prepare for hearings and trials until it's almost too late.

This results in the typical nightmare scenario, where the client is demanded to pay a massive trial retainer just two months prior to trial. Often the client is unable to pay having already weathered many months of paying attorney's fees. This results in the lawyer withdrawing and the client not being able to find a another lawyer without paying a massive retainer.

Custody cases especially are often won through attrition, because the other parent didn't prepare, or at least did not prepare properly.

Mr. Nordini prepares his client's file for trial from day-one. There's no special effort or fees incurred. The manner that he organizes his client's file makes the file also very ready for a trial, when and if it's necessary. No extra time or fees to pay for file preparation.

8. Ask Who Will Actually Handle Your Case

This is critical at larger firms with multiple attorneys. Clients often hire: the impressive senior partner, the great salesperson, or the attorney from the consultation.

Then after the retainer is paid: a brand-new associate is handling the hearings, emails go unanswered, and nobody truly knows the file.

Ask directly: Who drafts motions? Who appears in court? Who answers emergency calls? Who prepares for trial? Who attends depositions?

You deserve clarity.

Fees matter too. Hourly rates are trivial. Lawyers with lower hourly rates tend to bill more. Meaning, they tend to capture more billing than other attorneys that are more generous with their time. Larger offices often have billing minimums, which tend to result in larger invoices for their clientele.

Mr. Nordini is the captain of his own office. No monthly minimum billable requirements. Services are done as they are necessary, not because he has to satisfy a senior partner at the firm.

9. Aggressive Does Not Mean Loud or Abrasive

Many spouses in a divorce mistakenly equate aggression with:

- rudeness,
- chest pounding,
- threatening emails,

- or constant conflict.

Real courtroom strength is usually quieter.

The strongest family law litigators are often:

- controlled,
- strategic,
- detail-oriented,
- know the Law
- prepared,
- and calm under pressure.

Anyone can send an angry email. Very few lawyers can dismantle an argument or witness calmly during a custody trial.

10. Look for Strategic Thinking, Not Just Legal Knowledge

A technically correct lawyer can still lose.

The best divorce lawyers understand:

- What is persuasive to a Judge, and what is not,
- timing,
- leverage,
- human psychology,
- judicial tendencies,
- settlement pressure,
- evaluator dynamics,
- and long-term positioning.

Good family lawyers do not merely "react" to litigation.

They shape it.

Final Thought

Divorce litigation is one of the few areas of law where:

- facts matter,

- psychology matters,
- strategy matters,
- courtroom experience matters,
- and human behavior matters simultaneously.

The cheapest lawyer is rarely the cheapest outcome.

And the smoothest consultation is not always the strongest advocate.

Hire carefully.

Before You Do Anything

Things to get clear on before hiring a lawyer or serving papers.

- ☐ Define your goals (Do you want peace? Custody? Closure? A reset?)
- ☐ Identify your spouse's likely reaction (Calm? Hostile? Manipulative?
- ☐ Gather financial documents (tax returns, bank statements, debt)
- ☐ Understand your monthly expenses + assets
- ☐ Begin journaling any parenting issues (if applicable)

Pro Tip: The more prepared you are *before* anything is filed, the less damage control you'll need later.

Want help organizing your case before court? Book a Strategy Session with Paul Nordini (email me at paul@paulnordini.com)

Avoid the Emotional Traps

This is where most people sabotage themselves, and far before the legal part even begins.

- ☐ Don't threaten divorce when emotional
- ☐ Don't vent to your spouse in text or email (move away from texting altogether. Texts are quick and emotional, and make for great exhibits against you later in court).
- ☐ Don't weaponize the kids
- ☐ Don't hide money or rush to "win" - both will land you in protracted litigation.

- ☐ Don't follow advice from bitter or divorced friends. No two cases are identical.

Pro Tip: Strategic silence and planning beats emotional approaches every time.

Pick the Right Path

Most people think there's only one way to get divorced. There are five.

- ☐ DIY (good if you have no kids, no assets, mutual agreement, and good forms)
- ☐ Private Mediation (works if both parties want peace)
- ☐ Lawyer Assisted Uncontested (you both agree, one lawyer drafts the documents).
- ☐ Assisted Mediation. A little like litigation - more like mediation. Good if you're close.
- ☐ Litigation (last resort—but you still need strategy)

Pro Tip: The best divorce path saves time, money, and emotional energy.

Not sure which path is right for you? Book a Strategy Session with me by emailing: paul@paulnordini.com

Protect Your Future Now

You don't need a courtroom to start taking care of yourself.

- ☐ Get a financial advisor (even if temporarily) or line one up for a 401(k)
- ☐ Change and Update passwords & financial logins
- ☐ Revisit your will and medical directives. If you die during your case (happens more often than you think), your spouse gets everything.
- ☐ Start planning your housing and custody situation
- ☐ Begin building your emotional support network
- ☐ Figure out how to afford a lawyer if litigation is on the horizon.

Pro Tip: The divorce ends on paper, but your future starts now and you should start planning.

I've helped thousands protect what matters most. Book a Session to discuss. Email me at paul@paulnordini.com.

Know the Red Flags

If any of these show up, get guidance fast.

- ☐ Spouse is hiding money or lying about income
- ☐ Spouse threatens to take kids or leave the state
- ☐ You're being manipulated into signing anything
- ☐ You're scared, stuck, or overwhelmed
- ☐ You're "just hoping it'll all work out"

Pro Tip: Hope is not a strategy. Act quickly to lessen the damage of a manipulative spouse.

Let's make a plan. Book Your Private Divorce Strategy Session today at paul@paulnordini.com

Section 6: Initial Decisions when you File

- ☐ What to File and how it should "feel"
- ☐ Where to file and should you change your Judge?
- ☐ What kind of lawyer do you want, need, hire?
- ☐ Journaling your case, and why that matters. Diaries are important.
- ☐ Discovery wants versus needs (and what this means to the cost of your case).
- ☐ Prepare for settlement. This can be your reality within 30 days.

Here's my contact information if you have any questions:

Paul D. Nordini
Text me: (630) 306-6300 (or call me).
Email me: paul@paulnordini.com

The initial consultation is 100% free of charge and designed for me to get to know you and for you to get to know me. I don't accept every person that contacts me as a client. But I will help everyone that contacts me.