

Texts Are Deciding Divorce Cases, This Attorney Says Preparation Changes That

Virginia family law attorney's National Law Review commentary addresses a shift reshaping divorce and custody cases nationwide

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/EINPresswire.com/ -- A national survey by the American Academy of Matrimonial Lawyers found that 99 percent of the nation's top divorce attorneys reported an increase in cases involving text message evidence, with 97 percent reporting a broader rise in smartphone evidence overall. Family law attorneys say the shift has changed what actually determines the outcome of a [divorce or custody case](#): not just the facts, but how a person communicated under pressure.

Whitney Lundy Pennington, founder of Pennington Law Firm, PLLC in Abingdon, has built her practice around preparing clients for that reality. Her commentary, "[Why Family Law Cases Fail Before They Even Reach Court](#)," was published this year by The National Law Review, a leading source of legal analysis for attorneys and business leaders nationwide, and speaks directly to a moment when digital evidence and emotional decision-making increasingly determine case outcomes before anyone reaches a courtroom.



Whitney Pennington, founder of Pennington Law Firm, brings a compassionate approach and strong legal advocacy to families and individuals navigating life's most difficult moments

"The effectiveness of representation exists in the balance between providing clients with legal clarity while not losing sight of the fact that a client is a human going through an incredibly emotional process," Pennington said. "That balance requires preparation from both the attorney and the client. A strong case can be undone by a single message sent in anger, and a difficult one can stabilize the moment someone chooses to pause and respond with clarity instead of reaction."

Pennington says the goal is not to teach clients to suppress what they feel, but to help them

understand, before they are in the middle of it, how their words will be read in a legal setting. She places equal responsibility on the attorney, arguing that lawyers who treat a case as a checklist of procedural steps rather than a human situation lose the very context that drives the outcome.

"Whitney's article highlights the thin line attorneys must walk, balancing facts and applicable law with the more difficult task of managing client emotions and expectations in an especially fragile moment," said Ramesh Murthy, a longstanding colleague of Pennington and partner at Hancock, Daniel & Johnson. "That balance becomes even harder when clients can send digital communications in an instant, with little forethought. The article does an excellent job highlighting the attorney's role as a counselor, not just an advocate."

About Whitney Lundy Pennington

Whitney Lundy Pennington is the founder and principal attorney of Pennington Law Firm, PLLC in Abingdon, Virginia. A former Assistant Attorney General who litigated more than 3,000 child support cases and a former Magistrate, she represents Virginia families in divorce, custody, military divorce, collaborative dispute resolution, and estate planning. She was named to Lawyers of Distinction in 2025 and 2026 and Pennington Law Firm was recognized as the Best Law Firm in Abingdon in 2025 and 2026. Her work has been featured in Woman's World and International Business Times, and she serves on the Board of Trustees at Morrison School in Bristol, Virginia.

About Pennington Law Firm, PLLC

Pennington Law Firm, PLLC is a Virginia-based family law and estate planning practice serving clients across the state from its Abingdon office. The firm's approach centers on treating every client as a whole person navigating one of life's most difficult transitions, pairing legal expertise with genuine human understanding. [For more information, visit penningtonlawfirmva.com](https://www.penningtonlawfirmva.com).

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