

CONTINUUM OF PROCESS CHOICES FOR SEPARATION AND DIVORCE

KITCHEN
TABLE

MEDIATION

COLLABORATIVE
LAW

COURT-BASED
SETTLEMENT

LITIGATION

←-----SPECTRUM-----→

High good will toward one another
Want best for whole family
More responsibility on the couple
Less expensive
Less time to complete
Couple controls the final outcome

Low good will; high conflict
Want best for self
More responsibility on the lawyers/court
More expensive
More time to complete
Court controls the final outcome

As a couple you have:

Good conflict resolution skills
Good organization skills
Ability to listen and communicate
Ability to see shades of grey
Willingness to find a “middle ground”
Ability to advocate for yourself

As a couple you have:

Poor conflict resolution skills
Poor organization skills
Inability to listen and communicate
See in black and white
Need to “win”; other to “lose”
Desire to delegate authority

←-----Lawyers needed to draft legal documents in all processes-----→

Paper work needed in ALL processes:

Net Worth Statement(s)
Settlement Agreement

Judgment roll for divorce (~\$1,500 if uncontested; includes \$340 in filing fees)
Qualified Domestic Relations Order(s) - if qualified retirement plans are being divided
Deed(s) and transfer documents - if real property is being transferred

Other Professionals providing assistance:

Financial Specialists (help with gathering financial information and guiding you through the budgeting process)

Therapists (help with emotions/relationship transition; provide a voice for children; help with parenting plan)

Mediator/Facilitators (help with communication and constructive negotiations)

Attorneys (consulting, legal advice, neutral attorney, scribe, retained)