

FOUR DIVORCE PARADIGMS

“Kitchen Table” Divorce	Mediation	Litigation	Collaborative Divorce
<p>Spouses prepare and file paperwork on their own</p> <p>Highly recommended that each party have an attorney review the final documents</p>	<p>Uses a neutral third-party to help the couple reach an agreement</p> <p>Parties may or may not be represented by attorneys</p> <p>Not binding</p> <p>Confidential</p> <p>Sometimes it does not resolve all of the issues</p>	<p>Each party is represented by an attorney</p> <p>Whatever is not resolved in mediation is decided by a judge in court</p> <p>Most expensive option</p> <p>Only deals with legal issues; exacerbates emotional issues</p>	<p>Team approach</p> <p>Both parties are represented by attorneys trained in the Collaborative Divorce process</p> <p>Seeks a win/win for the whole family</p> <p>Stays out of court</p> <p>Team can include: Coaches, Mental Health Professionals, Attorneys, Financial Specialists, Realtor, Appraiser, Mortgage Professional and Child Specialists</p>
Works Best When the Parties are:	Works Best When the Parties are:	Work Bests When the Parties are:	Works Best When the Parties are:
<p>Agreeable</p> <p>Able to consider the best interests of the whole family</p> <p>Little to no assets</p> <p>Parties have similar incomes; no maintenance needed</p> <p>Able to resolve conflict well</p>	<p>Agreeable</p> <p>Able to consider the best interests of the whole family</p> <p>Needing a third-party reality check</p> <p>Able to resolve conflict</p>	<p>Adversarial and hostile</p> <p>Unwilling to compromise</p>	<p>Open to full and honest disclosure</p> <p>Solution-oriented and forward-thinking</p> <p>Committed to reaching an agreement</p>

“Kitchen Table” Divorce	Mediation	Litigation	Collaborative Divorce
Pros:	Pros:	Pros:	Pros:
<p>Least expensive</p> <p>Fastest option</p>	<p>Cheaper than litigation</p> <p>Minimizes damage of going to court</p> <p>Minimizes conflict faster than litigation</p> <p>More discrete; mediation is private, litigation is public</p> <p>Gives parties control of the outcome</p>	<p>The court’s timetable will keep things moving forward</p> <p>May be necessary if the other party is unreasonable</p> <p>May be necessary for cases where there are safety concerns, abuse, or drug/alcohol addiction</p>	<p>Parties agree not to go to court</p> <p>Flexibility; customize the agreement to meet the needs of the whole family and considers long-term financial implications</p> <p>The team of neutral professionals makes this a comprehensive approach to divorce</p> <p>Addressing financial and emotional issues is built into the process</p> <p>Quicker and less expensive than litigation</p> <p>Facilitates post-divorce healing and recovery</p>
Cons:	Cons:	Cons:	Cons:
<p>Mistakes can easily be made</p> <p>Doesn’t address long-term financial consequences</p>	<p>Outcome can be unfair to one spouse</p> <p>Mediator can be inexperienced or biased</p> <p>Can reinforce patterns and allow one party to dominate the other</p> <p>No guarantee that a settlement will be reached</p> <p>Issues can be overlooked; agreement may be incomplete</p>	<p>Judge who knows very little about you and your family makes the final decisions</p> <p>Most expensive option and time-consuming</p> <p>Can be more emotionally detrimental to you and your children</p> <p>All information is public</p>	<p>Parties lose their attorneys if they do not settle</p>