

CHOOSE WISELY

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When we have an important event in our life, we think things through, evaluate choices, and plan carefully for success. For example, when we get married, most of us spend a significant amount of time and resources planning every aspect and detail of the event, by evaluating choices and carefully planning. Many important choices are made regarding the date of the event, the event location, event decorations, event transportation, bridesmaids, groomsmen, wedding party gifts, the vows, the minister, the color scheme, the caterer, the photographer, the flowers, the music, the first dance, the Bride's guest list, the Groom's guest list, the gift registry (item by item, room by room), and on and on it goes. With each individual component the couple and their family considers the information, evaluates choices, and carefully plans each separate component so that when all of the separate components are put together, the wedding event meets the needs of the family that is being united on their special day. Each individual component is carefully examined, thought about, and the family chooses wisely. Then each individual component that was carefully thought about and chosen is put together, and the event is essentially completed in a day.

Sometimes life happens, mistakes are made, trust is broken, and for any number of reasons we find ourselves choosing a divorce. It is at this point in time that we should carefully evaluate choices, plan and choose wisely. But we don't. Because we are hurt, angry, judgmental, have unmet needs and are enmeshed in a sense of being right or being a victim, we run to a litigator and begin the process of going to court and turning the important decisions in our life over to someone else. We do this without stopping to think that choosing a divorce process is a very important choice to make, one that will materially effect the outcome of our transition and could potentially define the legacy that we will be creating for our children and other family members.

Because we are hurting, because trust has been broken, and because we can no longer communicate effectively with our spouse, some of us want the one thing by going to court that we will never get. We want the judge to look at our spouse, and say something like "That was a terrible thing that you did – how could you have done that to your spouse?" We want vindication of our being right and the other side being wrong. WE want speedy vindication and justice. But we don't get these things by going to court. Instead, we find ourselves in a broken system, with decisions being made based on a snapshot of the family bound in the law, instead of being made to meet the needs of the family.

The divorce process involves many important choices, and the law is only one choice. The law is usually the most expensive and least rewarding choice. Let's explore some other process choices that should be evaluated by families in crisis and transition.

COLLABORATIVE DIVORCE FULL TEAM MODEL: This is a team process where the family hires a team of collaborative professionals, each trained to meet the legal, emotional, financial or parenting needs of the family. Then full team consist of 2 lawyers, 2 divorce coaches, 1 neutral financial and 1 child specialist. It may sound overly expensive because of the number of professionals involved; however, statistics support the conclusion that the full team is less expensive than hiring 2 litigators to duke it out. The divorcing couple "opts out" of the judicial system, works with their team of professionals to achieve a peaceful resolution of their family's concerns, and then an agreed upon judgment is submitted back to the court for the Judge's signature. This is a no court divorce. This is a divorce process that is specifically designed to meet the needs of the family, to address their unique hopes and concerns, and to position them to achieve success as they define it for themselves.

COLLABORATIVE DIVORCE HYBRID TEAM MODEL: This is a team process where the family hires a team of collaborative professionals, each trained to meet the legal, emotional, financial or parenting needs of the family. Instead of using the full team, the family with the help of a Collaborative Divorce Professional designs a smaller Collaborative Team that is intended to meet the family's unique needs. The "Team" might consist of 1 collaborative mediator, 1 or 2 divorce coaches, 1 neutral financial and 1 child specialist. It might also consist of 1 collaborative lawyer\mediator and 1 divorce coach working together to provide a co-mediation, or it might look like 1 collaborative lawyer, 1 divorce coach and 1 neutral financial working together to provide co-mediation. Because each family is unique, their hybrid collaborative team will look different. No matter how the hybrid team is shaped, the divorcing couple "opts out" of the judicial system, works with their team of professionals to achieve a peaceful resolution of their family's concerns, and then an agreed upon judgment is submitted back to the court for the Judge's signature. This is a no court divorce. This is a divorce process that is specifically designed to meet the needs of the family, to address their unique hopes and concerns, and to position them to achieve success as they define it for themselves.

MEDIATION: Traditional mediation is the divorcing couple working with a mediator. Sometimes the mediator will recommend to the couple that they bring in a specialist for a specific task, such as a child specialist or financial professional. The divorcing couple "opts out" of the judicial system, works with their mediator to achieve a peaceful resolution of their family's concerns, and then an agreed upon judgment is prepared. Each party then takes the agreed upon judgment to their own consulting attorney who helps them understand the settlement, and discusses their unique concerns before the judgment is signed. Then the judgment is submitted back to the court for the Judge's signature. This is a no court divorce. This is a divorce process that is based in the law and is intended to meet the needs of the family.

LATTE METHOD: The couple decides to meet at Starbuck's; each orders a Latte, sits down and has a peaceful conversation about how to transition their family. If they have a complete agreement they write down the basic components on a napkin, initial it, and take it to their local Paralegal Assistant or Divorce Attorney to prepare, process and complete the divorce paperwork necessary to finalize their agreed upon divorce based upon their mutual agreement and not based upon what someone else decides for them. Sometimes a couple can agree on almost everything, but needs some help, so they can consult together on the area they need help in. For example, they need a little help on completing their co-parenting plan, so they consult with a child specialist to assist them in completing their plan in a child centered way. This is a no court divorce. This is a divorce process that is based in the law and meets the needs of the family because it is created by the family for the family.

The divorce process can last anywhere from six months to two years or more. I believe that as much effort that is put into the wedding likewise is called for if the couple ends up divorcing. Unfortunately, most couples spend months planning for a wedding that spans less than a day, and spends little to no time planning a divorce process that can last from months to years.

At the end of the day, it is planning and evaluating choices that ultimately define our success as well as our failure. I believe that if couples put as much effort into choosing a divorce process as they put into their wedding planning, there would be far more peaceful solutions, and far less unmet needs and wasted financial resources. If your marriage comes to an end, cannot be saved, and divorce is your only option, **CHOOSE WISELY!**