

An alternative to divorce litigation in which all parties work together to create solutions -- *without* going to court.

by Jeffrey Cottrill

Everybody knows how destructive and painful divorce litigation can be. Trials can be long, expensive, and emotionally traumatic for the spouses -- not to mention the children. As you and your lawyer battle in court against your spouse, using character slurs and bullying tactics to damage each other's reputations -- all of it culminating in a final decision from the judge, a complete stranger who likely doesn't understand your true needs and goals -- you have to ask: can't there be a better way?

Collaborative Divorce is a process in which both spouses hire a lawyer specifically trained in collaborative family law: both lawyers work together with both spouses in confidential, four-way meetings in order to come up with mutually beneficial resolutions to their divorce issues. It's a cooperative, rather than competitive, method of settling marriage dissolution -- based on full disclosure and empathy rather than on trying to "win" with antagonistic deceit and mistrust.

But what makes Collaborative Divorce unique is that both collaborative lawyers in a case commit themselves *only* to a settlement that works. They and their clients sign an agreement stating that they will *not* take the case to court. The concept of two sides working against each other doesn't even enter into the process: the collaborative process permits only open, cooperative, and respectful dialogue that aims for outcomes that benefit both parties involved, as well as their children. If, for any reason, collaborative negotiations break down and the spouses insist on litigating, then both collaborative lawyers must resign from the case and the spouses have to hire new counsel to represent them in court.

In addition to lawyers, Collaborative Divorce can also make use of other divorce professionals. Many cases employ a neutral financial consultant who helps evaluate the money and property divisions for both spouses, so each gets as fair a share as possible. It's also common for collaborative cases to make use of mental-health professionals who help each spouse get past the emotional issues they're dealing with. A child specialist is also recommended, to help the parties stay aware of and address their children's needs during divorce. In a collaborative case, everybody works as a team to resolve all the legal, financial and emotional issues: no one is trying to take advantage of the other side.

This Collaborative Divorce Guide offers information from collaborative family lawyers Stuart

Webb and Pauline Tesler, as well as a section answering frequently asked questions about Collaborative Divorce. If you're considering or going through divorce right now, we hope that you'll find our Guide informative and useful, and that you and your spouse will consider using Collaborative Divorce to settle your issues in an environment that's less stressful and combative.

Divorce is never easy. But there is a way to get through it with minimal damage, so you can move on to a brighter future for you and your children.

Contact the Law Office of Michael J. Davis

To talk to Michael J. Davis about your legal concerns, please contact us by calling 513-604-8391 or emailing us at davislaw01@gmail.com

Michael J. Davis is located in Mason, Ohio, and serves clients throughout Ohio, including Lebanon, Maineville, Mason, Morrow, Springboro, South Lebanon, West Chester, Warren County, Butler County, Hamilton County, Clermont County and Clinton County, Ohio.