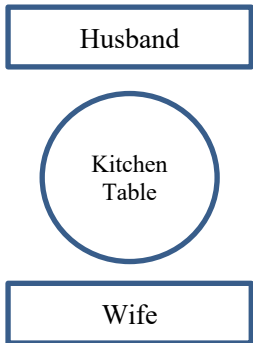


## PROCESS OPTIONS FOR DIVORCE & OTHER FAMILY LAW MATTERS

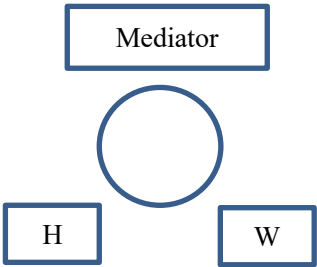
There are four basic dispute resolution processes available to resolve divorce and other family law conflicts. Three of the processes are focused on reaching a settlement before any legal documents are filed in court (Kitchen Table, Mediation, & Collaborative Practice). The fourth process (Litigation) involves the traditional adversarial approach, which may end either in settlement or trial. While most divorces are ultimately resolved by settlement, not by trial, the path taken to reach the settlement can impact the cost, the outcome, and the parties' post-divorce relationship.

*The process you choose should be considered carefully.*

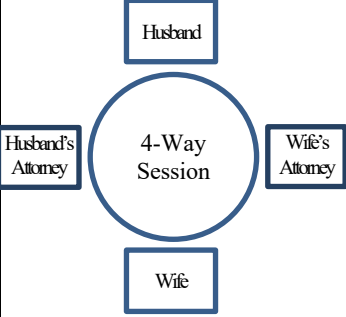
### KITCHEN TABLE

PROCESS OPTION	DESCRIPTION	ROLE OF PROFESSIONALS	BEST SUITED FOR	PROS & CONS
<p>Kitchen Table</p> <div style="text-align: center;">  <p>The diagram illustrates the 'Kitchen Table' process. It features a central circle labeled 'Kitchen Table'. Above the circle is a rectangular box labeled 'Husband', and below the circle is another rectangular box labeled 'Wife'. This visualizes the direct negotiation between the parties without the immediate involvement of attorneys.</p> </div>	<p>The parties negotiate all the terms of their agreement directly with each other, before any court filing</p>	<ul style="list-style-type: none"> <li>- One spouse hires an attorney and the attorney represents only that person</li> <li>- The attorney helps the client gather information and explore options, gives advice to the client during the negotiation period, and prepares all the documents necessary to submit the agreement in court</li> <li>- If the other person wants legal advice, he or she must consult with his or her own attorney</li> </ul>	<ul style="list-style-type: none"> <li>- Low-conflict couples</li> <li>- Mutual trust</li> <li>- Less complex issues</li> <li>- Both understand the family finances</li> </ul>	<p>Benefits</p> <ul style="list-style-type: none"> <li>- Lower cost</li> <li>- Couple remains in control of decisions, timing, and cost</li> </ul> <p>Risks</p> <ul style="list-style-type: none"> <li>- Unrepresented spouse may not understand legal rights</li> <li>- No formal method of gathering information, which is known as "discovery" in court</li> </ul>

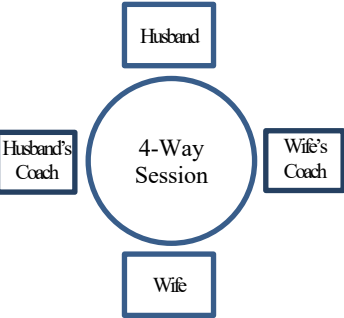
# MEDIATION

PROCESS OPTION	DESCRIPTION	ROLE OF PROFESSIONALS	BEST SUITED FOR	PROS & CONS
<p>Mediation</p>  <p>The diagram shows a central circle with three lines extending from it to three rectangular boxes. The top box is labeled 'Mediator', the bottom-left box is labeled 'H', and the bottom-right box is labeled 'W'.</p>	<p>In a series of meetings with an impartial and balanced facilitator, known as a mediator, the spouses gather information, explore options, and negotiate all the terms of their agreement</p>	<p>Role of Mediator</p> <p>The mediator will:</p> <ul style="list-style-type: none"> <li>- Structure the process</li> <li>- Facilitate communication</li> <li>- Help couple explore options</li> <li>- Provide information about legal, financial, and parenting issues (but not give advice of any kind)</li> <li>- Prepare a Settlement Agreement and Parenting Plan or a Memorandum of Understanding reflecting the couple's agreements</li> </ul> <p>Role of Attorney(s)</p> <ul style="list-style-type: none"> <li>- Advise as needed during mediation</li> <li>- May attend mediation sessions</li> <li>- Prepares documents to submit the agreements in court</li> </ul>	<p>Couples who:</p> <ul style="list-style-type: none"> <li>- Are committed to resolving their differences outside of court</li> <li>- Need or prefer the guidance and assistance of an impartial and balanced facilitator (the mediator)</li> </ul>	<p>Benefits</p> <ul style="list-style-type: none"> <li>- Lower cost</li> <li>- Couple remains in control of decisions, timing, and cost</li> <li>- May include neutral financial professional, divorce coach(es), and/or child specialist</li> <li>- Structured negotiation process</li> <li>- Private &amp; confidential</li> </ul> <p>Risks</p> <ul style="list-style-type: none"> <li>- Substance abuse, domestic violence, or significant power imbalances may make mediation an unsuitable option</li> <li>- No formal method of gathering information, which is known as "discovery" in court</li> </ul>

# COLLABORATIVE PRACTICE

PROCESS OPTION	DESCRIPTION	ROLE OF PROFESSIONALS	BEST SUITED FOR	PROS & CONS
<p data-bbox="191 402 474 428">Collaborative Practice</p>  <p data-bbox="191 846 516 1105">The clients and the professionals "at the table" will vary, depending on the needs of the couple and the issues being discussed, so coach(es) and/ or financial professionals may be involved in these meetings</p>	<ul style="list-style-type: none"> <li>- A non-adversarial process involving attorneys, mental health professionals, and financial professionals</li> <li>- Addresses the legal, emotional, and financial aspects of divorce</li> <li>- All pledge to work cooperatively toward settlement through a series of meetings using a problem-solving approach</li> <li>- Compared to litigation, financial cost can vary depending on the couple's situation</li> </ul>	<p data-bbox="892 402 1016 428">Attorneys</p> <ul style="list-style-type: none"> <li>- Each spouse retains a collaboratively-trained attorney for the limited purpose of reaching a settlement</li> <li>- Attorneys meet with clients individually and together to gather information, explore options, negotiate, and reach agreement</li> <li>- Attorneys prepare all documents needed to submit the settlement to court</li> </ul> <p data-bbox="892 1003 1163 1029">Financial Professional</p> <ul style="list-style-type: none"> <li>- Assists the couple in exploring and evaluating financial issues</li> <li>- May prepare budgets and cash flow analysis, identify tax consequences, and evaluate settlement options</li> </ul>	<p data-bbox="1243 402 1398 428">Couples who:</p> <ul style="list-style-type: none"> <li>- Are committed to resolving their differences outside of court</li> <li>- Want the assistance of two non-adversarial attorneys, with the option of an expanded team that may consist of divorce coach(es), a child specialist, and a financial professional</li> </ul>	<p data-bbox="1593 402 1682 428">Benefits</p> <ul style="list-style-type: none"> <li>- All collaborative professionals commit to work only toward settlement</li> <li>- Couple and all professionals work together in a spirit of cooperation and respect</li> <li>- Couple has a team of professionals who are knowledgeable about the legal, emotional, &amp; financial aspects of divorce</li> <li>- Couple remains in control of decisions, timing, and cost</li> <li>- Private and confidential</li> <li>- Non-monetary benefits may include control over the outcome, improved communication and problem-solving skills, and improved co-parenting</li> </ul>

## COLLABORATIVE PRACTICE, continued:

PROCESS OPTION	DESCRIPTION	ROLE OF PROFESSIONALS	BEST SUITED FOR	PROS & CONS
<p>Collaborative Practice</p>  <p>The clients and the professionals "at the table" will vary, depending on the needs of the couple and the issues being discussed</p> <p>The couple may use a single coach or each spouse may use his or her own coach</p>		<p>Divorce Coach(es)</p> <ul style="list-style-type: none"> <li>- Mental health professional</li> <li>- Helps the couple communicate effectively during the divorce process</li> <li>- Helps the couple manage the strong emotions that can present obstacles to settlement</li> <li>- Helps the couple develop a Parenting Plan</li> </ul> <p>Child Specialist</p> <ul style="list-style-type: none"> <li>- Mental health professional</li> <li>- Experience in child development</li> <li>- Meets with the child and brings child's perspective into the divorce process</li> <li>- Clarifies the needs and concerns of the child</li> <li>- Helps the couple develop a Parenting Plan</li> </ul>		<p>Risks</p> <ul style="list-style-type: none"> <li>- If an agreement is not reached, the couple must retain litigation attorneys and will incur additional legal fees</li> <li>- Financial cost of Collaborative Practice may be higher than Kitchen Table and Mediation</li> <li>- If either spouse is not negotiating in good faith, it will undermine and compromise the process</li> <li>- Must rely on good faith in carrying out temporary agreements (no court enforcement available)</li> <li>- No formal method of gathering information, which is known as "discovery" in court</li> </ul>