

5 Benefits of Using Mediation and Collaborative Practice When Going Through a Divorce



DEIRDRE HEALY

ATTORNEY AT LAW • MEDIATOR

COLLABORATIVE PRACTITIONER

Guiding individuals through their family law issues



5 Benefits of Using Mediation and Collaborative Practice When Going Through a Divorce

Divorce is one of the most difficult experiences a family can experience. In addition to the long-term unanswered questions about the future, there are immediate questions



about how to end a marriage in the best way possible. All too often, couples who amicably decide to split head down a road of disrespect and confrontation, turning a once-civil relationship into one that is fraught with battle. Ending your romantic relationship doesn't mean you have to ruin your partnership as parents and turn yourselves into enemies. There are better ways to divorce.

Mediation and collaborative practice methods offer an alternative to traditional litigated divorce. Not only does this allow couples to take control of their situation, these methods are also proven best for the children involved. Parents are able to work together as a team to end their marriage and plan a new way of coping with family issues – something children can appreciate and use as a valuable lesson as they learn and grow. After all,

instead of spending weeks or months witnessing their parents battling over the most important issues in their lives, they see them



working as a team to do what is best for everyone. Mediation and collaborative practice are both powerful tools that have a lasting and positive impact on everyone affected by a divorce.

Mediation brings together both spouses, and possibly their attorneys, to discuss the issues at hand and find a mutually agreeable solution to the problems they face. Collaborative practice is a new method of resolving family disputes respectfully without

a traditional court process. The collaborative process involves a team approach which involves the support, protection and guidance of your own lawyers while allowing you the benefit of trained professionals such as divorce coaches, financial specialists, child specialists and other professionals, if needed, all working together.

What are the benefits of using mediation or collaborative practice for a divorce?

1. Saves Money

These alternative methods of divorce are less expensive than litigation. There's no such thing as a free divorce, but mediation and collaborative processes are going to save you a great deal of money. Many families find they are able to achieve the same goals, often in a better way than through litigation,

and save thousands of dollars. This savings can be vital when you are transitioning out of a marriage and into a new lifestyle.



2. Greater Efficiency

One of the many reasons alternative divorce methods are less expensive is because they save time. There is less red tape and a mutual agreement to work efficiently toward a resolution that is beneficial to everyone involved. As a team, divorcing couples agree on a process that is best for their family, instead of letting the court system drag them to and fro.

3. Open Communication

Alternative divorce methods like mediation and collaborative practice promote communication. As a matter of fact, these processes are based in respectful communication and the only way to achieve a resolution is for both spouses to come together and discuss their issues openly and honestly.

Keep in mind, alternative divorce methods are not intended to save a marriage. They acknowledge the marriage is over and provide a clear, and respectful path to divorce. You should never feel as if your divorce “is not real” or someone is trying a last-ditch attempt to save a marriage by using mediation or collaborative methods.



4. Control

Mediation and collaborative practice give a couple absolute control over their situation. Instead of being at the mercy of family court, they plan all aspects of their divorce, from how the process will work to how assets are divided to custody of the children. The two people who know their family best are the ones in charge of making the important decisions during this transition.

5. Private

Finally, mediation and collaborative practice are private. Divorcing couples meet with their mediator or collaborative team and work together in a private setting to talk and make decisions. There is no public airing of grievances in a courtroom and the matters discussed during the processes are confidential. Even if alternative methods fail and a couple ends up in court, the discussions that occurred prior cannot be used in the court proceedings. Spouses are free to speak openly and honestly about their concerns without fear their words will be used against them or made public.

Though alternative methods are not 100 percent successful, they do have an extremely high success rate and most couples who choose these paths are happier with their



decision than those who opt for litigation. Divorce is just less stressful and easier to cope with when you are in control, and these methods provide that control. In order to achieve a positive outcome and have a successful divorce via mediation or collaborative practice, an experienced neutral

is a necessity. A third-party familiar with the law, and able to guide conversations and support respect and honesty, is essential to these alternative processes.

Deirdre Healy is an attorney who has studied and practiced family law, mediation, and collaborative practice. She knows that court is sometimes the appropriate place for settling legal disputes, but more often than not, alternatives are better for family situations. She is able to help couples transitioning from marriage to divorce do so with dignity and respect. For more information, or to schedule a time to speak to Deirdre about your divorce, contact her at 508.890.7900 or by email at dhealy@dhealylaw.com.

Share this eBook:

