

7 Benefits to Using Divorce Mediation



Phone: 720-889-2808

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Cherry Creek, Park Meadows, Littleton,
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Boulder**

WELCOME



After 20+ years as a litigator, I gave up litigation in favor of this more powerful and reasonable approach to divorce resolution. I found that as a trial lawyer, we were often doing more damage than good for our clients by engaging them in a court process that should have been avoided. The process cost an exorbitant amount of money, took way longer than it should have, and caused a great deal of irreparable emotional damage to all the parties involved. At the end of the day, the final result was all too often one that could have been reached if the parties had considered a different approach at the beginning other than the traditional hiring of two expensive lawyers to do battle for them.

I also believe that it is important for anyone who is going through a divorce to understand the basics of Colorado divorce law. So, I created www.divorcehelpcenter.net that, through a series of short videos, walks you through the various sections of Colorado divorce law without all the confusing legal wording. It is broken up into small sections so you can review the areas related to your case as often as you like.

On a personal note, I am a child of divorce at age 9 with two siblings. My father remarried a few years later into 6 additional children. My mother later re-married and re-divorced. I was raised on and off in both households with periodic substance abuse issues as part of the dynamics. After leaving home, I was married and divorced before age 25. I re-married at age 28 to my current beautiful wife and her 3 year old son. We had 1 additional child born 1 year later and both children were raised together successfully in our home while our son maintained a relationship with his natural father.

Therefore, I have personally lived through practically every side of the broken marriage issue and understand both the emotion and dynamics that are brought to the table in a divorce or post decree matter beyond the pure legal consequences of the action.

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No matter why a marriage ends, divorce is one of the most difficult transitions a couple and their family can face. In addition to being emotionally trying, the traditional divorce process takes a great deal of time, is very expensive, and can divide a family more than ever before. In the traditional lawyer litigated approach, although many couples that begin a divorce on amicable terms, the litigation process pits them against one another resulting in a great deal of emotional damage to everyone involved.

The trials of traditional divorce are even more impactful when children are involved. Finding a way to make the transition from marriage to divorce as easy as possible benefits everyone, especially the family's youngest members. Studies consistently show that a child's success after a divorce is directly related to the degree of conflict exhibited by the parents, not the results of their disputes. Mediation provides an option that eases the way into divorce without all of the hardships of the traditional process.

How does mediation make it possible to enjoy a respectful divorce that is easier on everyone involved?

1. Mediation Saves Time and Money

One of the most appealing benefits of mediation is the cost and time savings couples enjoy. Ideally, mediation settles a divorce in as little as one to three sessions, over the course of one week to three months. This saves thousands of dollars and allows everyone to move forward with their new lives as soon as possible.

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Quick mediation is possible because mediators provide neutral guidance, and utilize a streamlined fact-finding structure and settlement-minded negotiation tools. Experienced mediators ensure everyone stays focused on the issues that need to be settled. Emotional strife is addressed, but nobody dwells on these issues. There are also no court-imposed timeframes and couples are in complete control of when and where their mediation sessions occur.



And for most couples, there are no expensive uncontrollable attorney fees. There are only low cost predictable fees for the mediator, which in most cases are less than a single lawyer's initial retainer.

2. Mediation Might be Required by the Court

Many court systems require mediation before parties can move forward with litigation. If you are going to be asked to participate in mediation, why not take the reins and try it on your own, first? This gives you more control over the circumstances. Couples that embark on mediation on their own tend to find more success than those who are forced to participate.

It can also be cheaper to voluntarily participate in mediation sessions without interference from the court. Even if a complete settlement is not reached, the issues that are settled will stand up in court and litigation will only be needed for a portion of the divorce.

3. Mediation is Fair and Legal

Mediation is not a way to get around the law. It does offer greater flexibility than traditional divorce, but all of the settlement arrangements must be within the letter of the law. Additionally, we prepare your agreements in the format and with the required documentation for the court to make them final and binding orders for all parties. Mediation is not an opportunity for one spouse to take advantage of the other – it is a chance for both spouses to maintain control over their case and create practical and workable solutions that best meet their family's unique situation.

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4. Mediation is Better for Children

Though the court will do everything in its power in a litigated divorce to protect a family's children, ultimately it is the children who suffer the most. They are forced to see their parents act as enemies and they are forced to choose between one parent or the other. Instead of a team effort to create a new family structure, traditional divorce tears apart families and creates damage that can never be fully repaired.



Skilled mediators ensure parents focus on what is best for their children. They prevent parents from using children as tools against one another and they ensure that decisions that are made are truly in the best interest of the youngest, most vulnerable members of the family. It cannot be said enough: Studies consistently show that a child's success after a divorce is directly related to the degree of conflict exhibited by the parents, not the results of their disputes.

5. Mediation is Communication Focused

The mediator ensures communication that occurs during the sessions is respectful and that the concerns of both sides are addressed. Each party is ensured an opportunity to be heard, is given individual time to speak with the mediator, and always has access to the mediator for follow up phone calls and emails even after the mediation has ended. The communication skills learned in mediation can even come in handy once the divorce is final and parents must communicate about their children.

6. Mediation is Private

Everything discussed during a mediation session remains confidential. This means everyone can speak openly and honestly about their concerns and feelings. Even if a settlement is not reached during mediation, Colorado law expressly prohibits use of any mediation discussion by either party later the court.

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7. Mediation is a Team Effort

In a time when a family is splitting up and seems as little like a team as possible, mediation brings them together to act as one. The marriage might lack the romantic spark that once existed, but mediating spouses are able to speak rationally and reasonably and make important decisions together about their family's future.

Are you considering divorce? Has your spouse approached you about divorce and you are hoping to find a resolution that is peaceful and less stressful for your children? I can help.

I understand that divorce is difficult, but know that not every divorce must turn into a bitter battle between spouses. I know this approach is the best way to get you through a divorce. If you are in that unfortunate situation, give me a call to discuss your options and how this process might work for you. You can also go to www.divorcehelpcenter.net to learn more about Colorado divorce law and my services.

To learn more or to schedule a consultation, contact me at 720.889.2808.

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