

# WHICH DIVORCE PROCESS IS RIGHT FOR ME ?

For more Collaborative Divorce Options, visit the CT Council for Non-Adversarial Divorce's website at [www.gooddivorcect.org](http://www.gooddivorcect.org)



## Mediation



## Collaborative Practice



## Litigation



### Who Controls the Process?

You and your spouse control the process and make final decisions

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Attorneys control process and Judge makes final decisions if no agreement



### Degree of Adversity

You and your spouse pledge mutual respect and openness

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Court process is based on an adversarial system



### Cost

Usually the least expensive model, but provides the least amount of professional support

Costs are manageable, usually less expensive than litigation; team model is financially efficient in use of experts

Costs are unpredictable and can escalate rapidly including frequency of post-judgment litigation



### Timetable

You and your spouse create the timetable

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Judge sets the timetable; often delays given crowded court calendars



### Use of Outside Experts

Jointly retained specialists provide information and guidance helping you and your spouse develop informed, mutually beneficial solutions

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Separate experts are hired to support the litigants' positions, often at great expense to each



### Involvement of Lawyers

Even if the mediator is a lawyer, he or she can not advocate for either party. Hiring outside attorneys as review counsel is generally recommended

You each retain lawyers who assist you in working toward a mutually created settlement

Lawyers fight to win, but someone often loses



### Privacy

The process and discussion or negotiation details are kept private

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Dispute becomes a matter of public record and, sometimes, media attention



### Facilitation of Communication

The skill of the mediator will determine how well communication is facilitated between you and your spouse

Team of collaborative specialists educate and assist you and your spouse on how to effectively communicate with each other

No process designed to facilitate communication



### Voluntary vs. Mandatory

Voluntary – process is outside of court

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Mandatory if no agreement