

Paradigm Shift

Litigation	Collaborative
A “win at all cost” system pits lawyer against lawyer, husband against wife.	Husbands and wives, assisted by trained attorneys, reach a settlement with minimal antagonism.
Continuing conflict aggravates existing painful emotions.	A structured and controlled setting encourages trust and objectivity in the negotiations.
Legal costs soar.	Legal costs can be contained.
As the conflict escalates, children suffer.	Parties can protect children’s feelings and interests.
Confidential financial and personal matters become public record and open to scrutiny.	Since there are no public hearings, confidentiality is more easily maintained.
A judge divides property and establishes custodial provisions using standards that may not meet families’ particular needs.	Attorneys and spouses can craft more creative property agreements and custodial agreements.
Negotiations all too often take place in crowded courthouses under intense pressure.	Negotiations occur in a neutral environment and on a timetable agreed upon by the parties.
Proceedings may be prolonged.	Agreements can be reached more efficiently.
Most of the cases settle, but only after damage has been done and substantial costs have been incurred.	Parties agree to settle at the outset, in a process conducive to helping them heal and move forward.