

<b>Collaborative Divorce</b>	<b>Mediation</b>
<p>You and your partner each have your own specially trained collaborative lawyer as an advisor and counselor by your side at all times, helping you sort out and express your own concerns and priorities before helping you to reach an agreement.</p>	<p>One neutral mediator, working alone in meetings with you and your partner, helps you reach an agreement. Many mediators will not meet privately with clients outside mediation sessions to help them clarify and express concerns. Most states do not license mediators or require any specific training, credentials, or professional affiliation or degree.</p>
<p>Your legal advice is built into the heart of the negotiations, which are guided by collaborative lawyers whose sole job description is to help you and your partner reach fully informed resolution. You can terminate the process and go to court, but if you do you'll need new lawyers because the collaborative lawyers may not participate in adversarial litigation. One hundred percent of the effort of collaborative lawyers is devoted to settlement.</p>	<p>You must get your legal advice during mediation from independent lawyers who are not a central part of the conflict resolution process. Whether they do or do not sit in on mediation sessions, their job description includes going to court with you if mediation does not reach resolution. They are not fully aligned toward settlement as their sole job description and experience no consequences if they don't help you reach agreement.</p>
<p>You and your spouse each have a trained collaborative coach (a licensed counselor or psychologist) who will teach you and your partner how to communicate better during and after the divorce than you did before and will assist you to be a more focused, effective participant in legal negotiations.</p>	<p>No one teaches you how to improve your communications with your spouse during or after the divorce or how to be a more focused and effective participant in negotiations.</p>
<p>A specially trained child development specialist (a licensed mental health clinician) helps you and your partner understand your child's specific needs during and after the divorce and helps the child understand and communicate with the parents about the divorce.</p>	<p>No one helps the children express their needs and wishes or teaches you or your children what you need to know about the stresses and challenges children generally, and your children specifically, experience during divorce. So long as you and your partner reach agreement about dividing up time with your child, the job is done, whether or not the arrangement is likely to work well for your child.</p>
<p>A neutral financial consultant helps you and your spouse together to understand the family finances, prepares financial spreadsheets for use with the lawyers, and advises you and your team about financial and tax aspects of settlement options that arise during legal negotiations.</p>	<p>Mediators do not ordinarily bring financial expertise to help you and your spouse reach a shared understanding of the family finances. It's not the job of a mediator to teach financial skills, nor is it his or her job to help evaluate the long-term financial consequences of various settlement scenarios from an informed financial perspective.</p>

From Collaborative Divorce: The Revolutionary New Way to Restructure Your Family, Resolve Legal Issues, and Move on with Your Life by Pauline H. Tesler, M.A., J.D., and Peggy Thompson, Ph.D.