

Divorce Options

Name	Description	Best Used For	Advantages	Disadvantages
Legal Separation	Separated by law, but not yet divorced	<p>Couple does not want to finalize divorce</p> <p>Religious or other reasons</p> <p>Can have child support, maintenance, and property settlement</p>	<p>Gives children and spouse time to adjust</p> <p>Gives couple time to settle property</p> <p>May retain health insurance</p>	<p>May prolong process</p> <p>May be more expensive "New life" may not be possible</p>
Pro-Se	Divorces filed without the assistance of an attorney, sometimes by purchase of divorce kits. Spouses can complete them, and pay the filing fee.	<p>Couples with few disputes</p> <p>Couples with few assets – and those easily divisible</p> <p>Childless couples</p>	<p>Inexpensive</p> <p>Fairly quick</p>	<p>May make legal mistakes</p> <p>May make financial errors calculating maintenance or division of property & debt allocation</p> <p>Don't have anyone on your side, attorney or financial planner.</p>

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Mediation	<p>Couple uses a mediator to help voluntarily settle disputes over issues. Mediator may help draw up paperwork</p> <p>Mediator may or may not be an attorney</p>	<p>Couples who have issues to settle, but nothing that has to go to court</p>	<p>Can be less expensive than traditional method</p> <p>Neutral third party, experienced in mediation</p> <p>Less adversarial</p>	<p>No one completely "on your side"</p> <p>Not appropriate if spouse becomes difficult</p> <p>May need to resort to traditional divorce</p> <p>Either party (or both) may decide to retain attorney</p> <p>Even if mediator is an attorney, each may need review of paperwork by separate attorney (QDROs, etc.)</p>
Single Attorney for couple	<p>Couple retains a single attorney to file for divorce for both.</p> <p>All paperwork completed and filed by attorney</p> <p><i>Note: Ethically, attorney may only represent one party</i></p>	<p>Reasonable, amicable divorces</p>	<p>Less expensive than 2 attorneys</p> <p>Less adversarial</p> <p>Can be a fairly quick process</p>	<p>One party has attorney, the other does not</p> <p>Not appropriate if spouse becomes difficult</p>
Traditional	<p>Each side has an attorney</p> <p>May or may not be adversarial</p> <p>Includes Requests for information, required status conferences and negotiating</p>	<p>Situations where spouse is difficult, non-cooperative</p>	<p>Someone completely on your side</p> <p>Expert confidential legal advice</p> <p>Most comfortable, and conservative approach</p>	<p>Can be adversarial</p> <p>Can be expensive</p> <p>Is not always a cooperative experience</p> <p>May become a longer process</p>

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<p>Collaborative</p>	<p>A fairly new approach to divorce.</p> <p>Each side has attorney</p> <p>Each side has access to specialists (therapists, divorce planners, etc.)</p> <p>All professionals have been trained in collaborative process</p> <p>All agree to collaboration and working together to resolve issues</p> <p>If this fails, the attorneys drop out, and the spouses retain other counsel – and may go to the traditional divorce method or other method</p>	<p>Couples with significant assets, and disputes, but who are willing to go through mediation-type process divorce</p>	<p>Less expensive than a traditional contested</p> <p>May be more productive</p> <p>Each party has a person looking out for their best interests</p>	<p>Couples need sufficient funds to cover expenses</p> <p>Can be a slow process</p> <p>If the couple decides to litigate, each must find a new attorney and new specialists</p>