

Mediation vs. Litigation – Compare the Average Cost of Divorce Fees

Think: do you really want to spend your children's college education account, your vacation money, and the full value of your home on your divorce? Consider divorce mediation or custody mediation as a lower-cost, lower-stress alternative:

Mediation	Litigation*	Life Beyond Divorce	Savings by Using Mediation Instead of Litigation	Time Value of Money (Savings) Over 20 Years**	Total Savings By Using Mediation
2 sessions at 3 hours each, \$350 per hour plus preparation of paperwork and consultation with independent attorneys to review settlement options: \$4500	Low conflict divorce, with some negotiation but uncontested final judgment. Both spouses have attorneys who charge \$350 per hour: \$16,500	Trip to Hawaii for two, two weeks, all-inclusive package including room with a view: \$5000	\$12,000	\$26,671	\$26,671 Enough for over 5 trips to Hawaii
3 sessions, preparation of paperwork and consultation with attorneys to review settlement options: \$5000	Limited contested divorce case, no children, trial on common financial issues: \$45,000	1976 Rolls Royce Silver Shadow classic automobile, fully refurbished: \$15,000	\$40,000	\$91,682	\$91,682 enough for 6 classic Rolls Royce cars
5 sessions, preparation of paperwork and consultation with attorneys to review settlement options: \$7000	Contested divorce case with custody issues which settles right before trial date: \$75,000	Undergraduate education, 4 years in-state tuition, Indiana University (Bloomington): \$19,000	\$68,000	\$154,469	\$154,469 enough to send 8 children to Indiana University for an undergrad college education
6 sessions, preparation of paperwork and consultation with attorneys to review settlement options: \$8000	Fully contested custody case which proceeds to trial: \$150,000	Law School education, 3 years' tuition, Southwestern Law School, Los Angeles, California: \$65,000	\$142,000	\$320,496	\$320,496 enough to send 4 people to law school and buy each a classic Rolls Royce
8 sessions, preparation of paperwork and consultation with attorneys to review settlement options: \$10,000	Fully contested custody and financial issues case involving child custody evaluators and forensic valuation experts for business, pensions, etc.: \$250,000	4 bedroom, 2 bath home with water view, Ft. Lauderdale, Florida: \$225,000	\$240,000	\$538,976	\$538,976 enough for 2 houses in Ft. Lauderdale with enough left over to send a child to college and law school.

* Think we've exaggerated the costs of litigation? Consider this quote from one of Los Angeles California's top judges made at a bar association meeting in September 2002: "By the time we see [divorce] cases in court, most people have spent all of their community assets on the divorce itself. By that time, we're just dividing debts and allocating attorney's fees."

** For this calculation, we used a 4% simple interest rate and subtracted the cost of mediation from the cost of litigation. This figure represents the amount of money you'd save by mediating your divorce instead of litigating, and how much that savings would be worth if you invested it at 4% interest for 20 years.