

MEDIATE

Pro: Your combined mediation fees, review by consulting attorney, and paperwork preparation may be less than \$5000.

Pro: The outcome will be determined by you and your spouse.

Pro: With the help of a neutral mediator, you will problem solve property and custody issues to design an agreement that works for you and your family.

Pro: There are no filed declarations making accusations against each other. You maintain your good reputation. Mediation is a confidential process where decisions are made in a private conference room.

Pro: The two of you will determine what's in the best interests of your children.

Pro: You can try out various parenting plans to see if they work. You can modify the plans as your children get older without returning to court.

Pro: Mediators help you negotiate a fair settlement.

Pro: You decide how fast or slow you want the process to proceed.

Pro: Child support, spousal support and parenting plans are more likely to be maintained when mutually decided.

Pro: You will maintain your dignity. You will experience the challenge of working with your spouse to make the best of a bad situation. If you can't save the marriage, save the divorce.

LITIGATE

Con: Your combined attorney's fees will be approximately \$30,000 or more. You pay for discovery, delays, trials, countless phone conversations between the attorneys.

Con: The outcome will be decided by a judge or commissioner.

Con: Your attorney will negotiate property and custody issues for you. You will be advised not to communicate directly with your spouse.

Con: All the filed declarations where you and your spouse make accusations against each other to gain advantage are public records available to anyone to view, even years later by your children and grandchildren.

Con: If custody is contested, the court may appoint a lawyer for your children who may insist upon invasive psychological evaluations of the family.

Con: The court will determine when you have custody of your children.

Con: The Division of Property will be based on: How aggressive the opposing lawyers are, the mood of the judge, the court schedule and you and your spouse's stamina for battle.

Con: Your divorce follows the timetable determined by the needs of attorneys and the court.

Con: You and/or your spouse may not be committed to the results because of a lack of participation in the process and bitterness fostered during the process.

Con: Even the most poised, self assured individuals can find themselves wounded and demoralized after experiencing your spouse and yourself torn up in court.