

# FAMILY LAW PROCESS OPTIONS

	Uncontested	Mediation	Collaborative	Litigation
<b>Time</b>	Cases typically conclude in 2-4 months	Cases typically conclude in 2-4 months	Cases typically conclude in 4-6 months	Cases typically conclude in 12-24 months
<b>Professionals involved</b>	0 - 2 Attorneys	0 - 2 Attorneys, 1 Neutral Mediator	2 Attorneys, 1 Facilitator, 1 Neutral Financial Professional	0 - 2 Attorneys, various experts as needed
<b>Focus</b>	Individual forward focused. Each party is focused on finding outcomes that serve their personal interests.	Individual forward focused. Each party is focused on finding outcomes that serve their personal interests.	Joint forward focused. The parties work together as a team to determine the best future for the whole family.	Backward focused. The parties litigate the conflicts of the past in order to convince a judge to rule in their favor.
<b>Parties' Control Over Outcome</b>	Parties control their case outcome, but may do so without full knowledge of all the factors that should be considered.	Parties control their case outcome, but may do so without full knowledge of all the factors that should be considered.	Parties control their case outcome, are fully informed on all the issues, and have the assistance of a team of trained professionals.	Parties do <b>NOT</b> control the outcome of their case. The case issues are submitted to a judge who makes all the decisions.
<b>Information Sharing</b>	Complete information not guaranteed. There is no process to prevent withholding of information by one party.	Complete information not guaranteed. There is no process to prevent withholding of information by one party.	There is complete information sharing between the parties and the team members to achieve a mutually advantageous outcome.	Information sharing between the parties is discouraged, and occurs only when required by law or when doing so will serve the sharing party's best interest.
<b>Practicalities</b>	The attorneys' role is limited. The clients are not provided any other professionals to help them work through the financial, social, emotional, and child custody aspects of their situation.	The mediator (and attorneys, if any) assists negotiations, but cannot make decisions. Mediation is often a single all-or-nothing event, rather than a process. Mediators cannot provide legal advice.	Parties have the benefit of a structured process that includes attorneys to analyze the legal aspects of their case, a financial professional to analyze financial issues, and a facilitator for parenting, communication, and emotional aspects of the case.	Attorneys spend your legal fees strategizing for an adversarial trial, often with expensive competing experts. Duplication of efforts by two attorneys reviewing the same evidence. Promotes high conflict battles with no professional to facilitate communication or navigate the emotional aspects of the case.
<b>Efforts</b>	Parties communicate directly to settle the issues. Attorney(s) (if any) act mostly in an administrative role to handle the court procedures and draft the necessary legal paperwork.	Parties (and attorneys, if any) attempt to negotiate case outcomes with the assistance of a neutral mediator.	Parties and professional team members work together in a group effort to resolve all legal issues in the case.	Parties (and their attorneys, if any) work against each other to focus solely on their own best interests.
<b>Privacy</b> <i>Per FL statutes, family law court files are public records.</i>	Details of your conflict remain private. Your family difficulties will not be made public in a courtroom.	Details of your conflict remain private. Your family difficulties will not be made public in a courtroom.	Details of your conflict remain private. Your family difficulties will not be made public in a courtroom.	Details of your conflict are made public in motions and pleadings filed in the public court record. Court proceedings are open to the public and made part of the record.
<b>Professional Retainer Cost (may vary depending on professionals)</b>	Typically \$2,000 - \$4,000  Often a flat fee for the entire case.	Depends on total hours in mediation, # of mediation sessions, and use of attorney(s). Fees are based on hourly rates of professionals used.	Attorneys: Approx. \$5,000 each Neutral Professionals: Approx. \$1,500 each  Initial retainers only, not total cost of case.	Typically \$10,000 to \$30,000  Initial retainer for two attorneys. Does not include cost of experts and does not represent total cost of case.