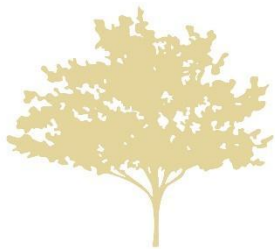


# How To Get Divorced, Without Fighting In Court.

By Chad M. Layton, Esq.



**MINDFUL DIVORCE, P.A.**

## Introduction

If you are looking for information or resources to help you “win” your divorce, this book is not going to help you.

If you want to use the process of divorce to get back at your spouse for a wrong that they have committed, this book is not the best use of your time.

On the other hand, if you are looking for information and advice that will help you through the process of divorce, without wasting your time and money on a court battle that you don’t want, this book is worth a read.

### Questions this books answers:

1. Do I have to file a lawsuit to start my divorce?
2. What is a collaborative divorce?
3. How long does a collaborative divorce take?
4. How much does a collaborative divorce cost?
5. What are the benefits of a collaborative divorce?



**Mindful Divorce, P.A.**

## Our Plan for Reaching Resolution

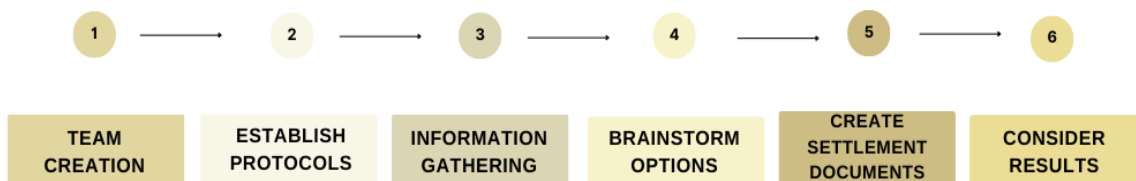


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## Chapter 1:

### Do I Have To File a Lawsuit To Start My Divorce?

No, you don't have to file a lawsuit to begin the process of ending your marriage. In fact, I would recommend that you do not start your divorce off by filing a lawsuit against your spouse.

In my experience, filing a lawsuit and sending a process server to the home or workplace of your spouse is not your best bet. This can create a knee jerk reaction from your husband or wife that ends with, it's time to "lawyer up". He or she is then likely to look for an aggressive attorney to battle you in court.

Setting yourself up for a long, expensive and emotionally draining divorce is the opposite of what I recommend.

Instead of starting the divorce by filing a lawsuit against your spouse, I recommend that you consider all of your divorce options.

Here is a summary of some of the out of court divorce options that are available to you:

- a) **Kitchen Table:** You and your spouse can negotiate around the kitchen table on your own. If there are no legal questions that need to be answered, and you both understand and agree to everything that needs to be resolved in your divorce, and you are able to prepare a legally binding written agreement to address all of the issues in your divorce. You can do just that at your kitchen table, and both sign and date it. You can then go to the courthouse and request legal forms to file a "pro-se" divorce. Here is a helpful link to some Forms that may assist you if you decide the "do it yourself approach".

[Florida State Courts System Self-Help Center](#)

- b) **Mediation:** You and your spouse can work with a neutral mediator that will help you to discuss the issues in your divorce. The mediator will act as a neutral facilitator and attempt to help you reach

compromises, based on the information that you provide to the mediator. The mediator cannot act as a lawyer. He or she cannot give you any legal advice. The mediator cannot tell you or your spouse if “this is a good deal”, or answer if you ask “is something missing here”? The mediator is truly a peacemaker that will work hard to help you reach a compromise. Beware that a mediator cannot solve the problems that arise when you don’t know what you don’t know. If you and your spouse have a combined annual income below \$100k, you can contact the clerk of court family mediation department and request a divorce mediation. Here is a link to their office: [15<sup>th</sup> Circuit Mediation](#)

- c) **Collaborative Divorce:** You and your spouse can work together with specially trained collaborative divorce lawyers to help you craft a custom written agreement that addresses the most important issues in your marriage. In the collaborative process, both you and your spouse will have your own collaboratively trained divorce attorney. Your attorney will guide you through the process and make sure that you understand each step in your divorce. Your attorney will gather all the information needed to understand your specific marriage and your station in life. The attorney will make sure that you have the knowledge and information that you need to make sound decisions in your divorce. The decisions made during your divorce, and the agreement that you reach will affect the rest of your life. Your collaborative attorney will make sure that you know the answer to the questions:

“Is this a good deal?”

“Are we missing something?”

“How will this affect me financially?”

After you reach your final agreement, your collaborative divorce attorney will have it ratified by a Judge for you.

Here is a link to additional information on [collaborative divorce](#).

## Chapter 2:

### How Does Collaborative Divorce Work?

Collaborative divorce is a process that is dedicated to providing families with peaceful, private and fair resolutions. At the start of your collaborative divorce, you will meet with a collaborative divorce attorney to discuss your most important issues and concerns about the divorce.

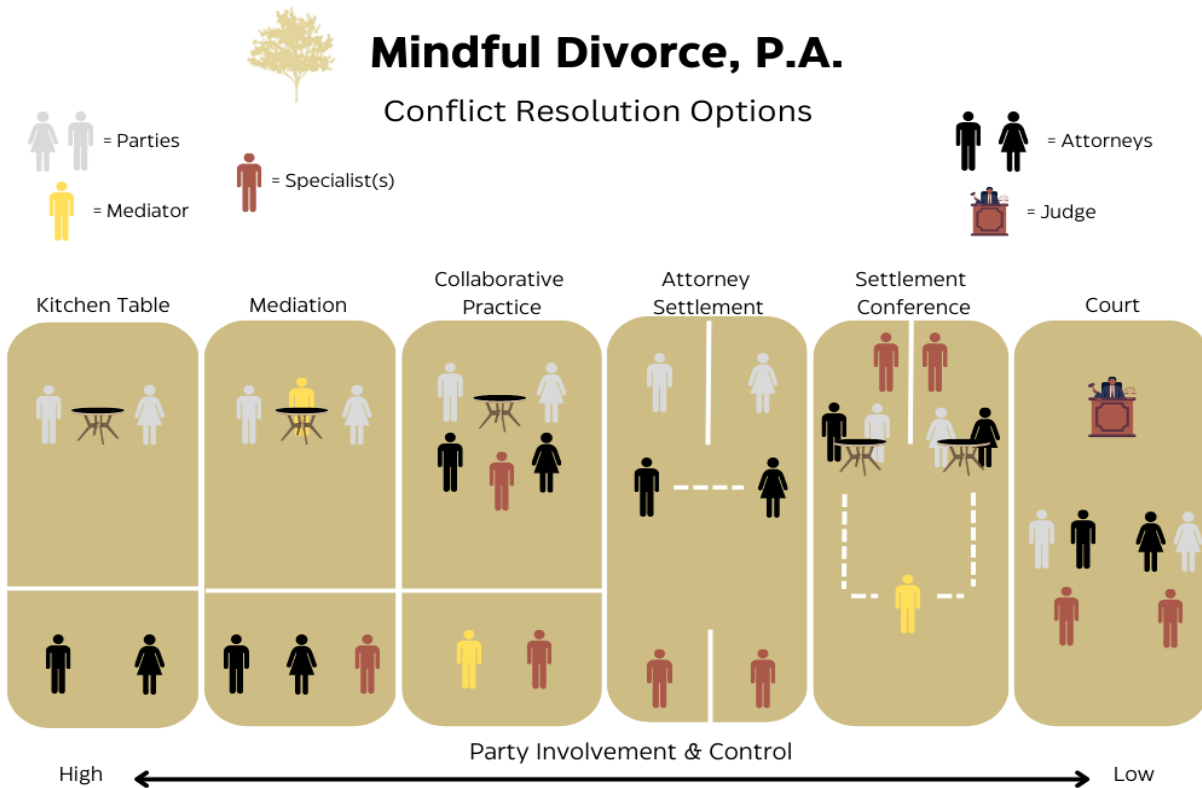
It is best to be as transparent as possible during this meeting. Tell your attorney not only your most important goals, but also tell them what keeps you up at night about your divorce. What are the issues that are going to be the most difficult for you to overcome in divorce negotiations? Use your collaborative divorce attorney as a resource that will help you to understand options and resolutions that they have used in the past to help people just like you.

After you meet with your collaborative divorce attorney, if both of you feel that you are a good fit to work well together, you can retain the attorney and start the collaborative divorce process.

He or she will then work invite your spouse into the collaborative divorce process and explain to your spouse the benefits of the collaborative divorce process. The attorney will also provide your spouse with information other collaborative divorce attorneys in the area that your spouse can interview with.

Once your husband or wife has retained a collaborative divorce attorney, you have your “collaborative team”. You can take a deep breath and know that you both have avoided the “divorce from hell”. Instead, you have made the decision to reach a fair agreement, and to treat each other with respect. Your professionals have also made this commitment.

You and your spouse will remain in control of the decisions made in your divorce, instead of lawyers and judges.



In the collaborative process, you have the option of adding additional members to the team, if the need arises. The additional professionals are:

- ☐ Financial Neutral – a person that can help gather and interpret financial information for you and your spouse in your divorce.
- ☐ Mental Health Neutral – a person that can facilitate communication between you and your spouse. This professional can also help your team craft a custom parenting plan that supports a strong co-parenting relationship for you and your spouse moving forward after the divorce.

**a. How Long Does a Collaborative Divorce Take?**

The majority of collaborative divorce cases are completed in under 5 months.

## **b. Does Collaborative Divorce Actually Work?**

Yes, 85% of collaborative divorce cases in Florida end with a final agreement resolving all issues in the divorce.

## **c. How Much Does a Collaborative Divorce Cost?**

Our law firm charges a fixed fee to work with you in your collaborative divorce. Here is the link to view our fixed fees: [Mindful Divorce Fee](#)

Financial security and peace of mind is one of the many benefits of the collaborative process. We don't charge you unknown hourly fees. We provide you with an upfront cost, and then we don't ask for more money.

One of the hallmarks of litigated/contested divorce matters is the never ending hourly legal fees that can run well over \$75k.

Our focus is on helping you and your family through the divorce process in a peaceful, private and respectful manner. We don't focus on adding fuel to the fire and racking up hourly bills. Instead, we focus on helping you and your family craft durable and fair resolutions. We help you move forward in life, with respect and with your relationships intact. Here is a link to google reviews from our clients: [Google Reviews](#)

## **FINAL REMARKS:**

### **Better Outcomes Collaborative Divorce?**

The collaborative divorce process provides spouses with outcomes that are simply not available in the litigation system. Collaborative divorce is a private resolution process that was founded with the tenets of respect, privacy and transparency.

We, as collaborative professionals, are settlement specialists that work to help couples and families resolve their divorce with legal information, cooperative strategies and option building techniques.



The outcomes that we reach in collaborative divorce often include creative financial settlements that help the entire family accomplish their most important goals in the divorce. We also eliminate court delays and the stress that comes from waiting on a judge to decide the outcome of your case.

### **How Do I Start My Collaborative Divorce?**

If you would like to schedule a collaborative divorce consultation, you can call us at (561) 537-8227 or you can visit us on the web at:

<https://mindfuldivorcepa.com/>

Additionally, we have a database of answers to frequently asked questions about collaborative divorce on our website for you to read:

<https://mindfuldivorcepa.com/blog/>



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