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Mediation

Process may begin before pleadings are filed with the court; pleadings are filed only after settlement is reached. Mediation may also be court-referred if the litigation has been initiated.

Timing of the process is controlled by the parties unless court-referred. Court events may continue to be scheduled, if court referred

Spouses may or may not be represented by attorneys during the mediation process; one spouse must engage an attorney after settlement reached to draft Agreement.

Both spouses meet with one mediator to negotiate settlement; attorneys need not be present during mediation.

“Discovery” is informal and conducted in the process of mediation

May involve court events or court orders.

Collaborative Law

Process begins before pleadings are filed with the court; pleadings are filed only after settlement is reached.

Timing of the process is controlled by the parties.

Each spouse is represented by an attorney throughout negotiation of settlement.

Spouses and attorneys meet in 4-way meetings to negotiate settlement; attorneys are present with clients during negotiation.

“Discovery” is informal and conducted in the process of negotiating settlement.

No court event until Agreement is reached or process fails.

Litigation

Process begins with the filing of pleadings with the court.

Timing of the process is controlled by the court.

Each spouse is represented by an attorney in negotiating settlement and in court applications, if any.

Spouses and attorneys engage in negotiating settlement; attorneys are present with clients throughout process.

Formal discovery is conducted pursuant to the Court Rules.

Multiple court events.