

CONTROL YOUR OWN DESTINY WITHOUT COURT

By Laura S. Blackman, Esq.

Are you are contemplating

divorce but worried about spending all of your marital assets on attorneys fees? Are you fearful of your financial future? Are you sad at the loss of your family unit and fear destroying your family in the process of a publicly litigated divorce? Do you want privacy for your financial and family affairs during your divorce? Do you feel there is a power imbalance between you and your spouse? If you answered yes to any of these questions and wish to control your own destiny by breaking the cycle of conflict, you should learn more about collaborative divorce.

Collaborative divorce is a costeffective voluntary process that can minimize the impact of conflict on you and your children. Both husband and wife are represented by collaboratively trained family lawyers who work together to help you and your spouse agree on joint decisions that are necessary in order to have your marriage dissolved without the financial and emotional cost that usually occurs during protracted family law litigation. The parties are in control of their own destiny and define their mutual and separate goals, interests and needs with the help of a "dream team". This allows husband and wife to develop creative ways to stay out of the courtroom and still negotiate a fair and equitable and private divorce settlement.

Divorce can be a destructive process. Did you know that only 10 percent of family law cases go to trial? However, a significant number of litigated family law cases have numerous motions, hearings and depositions which dramatically increases

the attorney fees and costs thereby reducing the marital assets for the family. Collaborative di-

vorce is a voluntary process and either party can leave if they want. However, 90% of cases that start collaboratively remain collaborative until final judgment of dissolution of marriage.

Collaborative Law is a healthier process for the parties and the children. Your "dream team" will consist of collaboratively trained professionals who will support you emotionally and legally as well as guide and inform you financially through this process. You are in control, not a Judge, to make those critically important long-lasting decisions for you and your family. The results are legally binding agreements, which dissolve the marriage and all issues pertaining to your family.

One of the most important aspects of a collaborative divorce is to remember that neither attorney may use the court system during the case for any reason except to ratify the agreement which the parties sign into a final judgment of divorce. Both parties initially sign a participation agreement whereby they agree that there will be no court involvement in their divorce. In litigated divorce cases, Judges must follow rules, statutes and the law and there is very little room for creativity by the Judge. In collaborative family law cases, creativity and "thinking outside of the box" is prevalent in order to amicably resolve important family issues that are in the best interests for your family's future.

The collaborative process preserves your privacy and your dignity while giving you the power to resolve your divorce issues respectfully without destroying the family. Why would you choose to litigate when you can

collaborate, protect your family's privacy and not destroy your family unit. If you are contemplating divorce and wish to avoid difficult and expensive court battles, focus on protecting the well-being and needs of your children and prevent the court from making decisions about your family and your future, the collaborative law process may be a perfect fit for you and your family during this most difficult time in your lives. stb

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