

A Guide To Divorce Without Court in New Jersey

Facing divorce can be scary and overwhelming. While dealing with an avalanche of conflicting emotions many also have fears that the future is out of their hands. They may have seen friends or family go through a messy and antagonistic divorce process and there is an expectation that their divorce is destined to a similar outcome.

Adversarial divorce that becomes all out war seems to be celebrated in the media and there is almost an expectation that this is just how divorce has to be.

But it doesn't have to be that way.

You Have Options Beyond Traditional Divorce

Divorce will never be easy but it doesn't have to be adversarial. The process itself doesn't have to destroy family relationships and result in additional bitterness and emotional scars. It doesn't have to take years of your life or cost tens of thousands of dollars.

The truth is most couples simply want to end their marriages. They don't want to cause unnecessary emotional damage to the children or other extended family and friends.

If this reflects your desires and values then you may have other options for getting a divorce while saving money, protecting your children and your privacy as well as your dignity. These options include collaborative law and divorce mediation.



Daniel H. Green, Esq.

Goldzweig, Green, Eiger & Biedzynski, L.L.C.

4400 Route 9 South, Suite 2200, 2nd Floor Freehold, NJ 07728

Phone: 732-780-5400

Collaborative Divorce

Collaborative divorce is relatively new strategy for dispute resolution that enables couples to divorce on their terms. It allows them to take control of the process. It eliminates the uncertainty of the court deciding matters pertaining to the future of their family. In the collaborative divorce process, the couple, with the help of their respective attorneys and a team of collaborative professionals, works together to create mutually acceptable solutions that allow all parties to move forward without the destructive impact of traditional divorce. The collaborative team includes: attorneys, financial professionals, Child specialist and divorce coaches.

Collaborative divorce saves time, money and reduces conflict which invariably reduces the negative impact on children and family.

The Collaborative process has a number of benefits which make it a better way to divorce for most couples.

Protects Children

In collaborative divorce the children are made a priority and the collaborative team works together to help support the parents in finding creative solutions that are their best interest.

Saves Time and Money

Traditional divorce the timetable is controlled by the court. In the collaborative process you are in control and can schedule meetings according to your schedule. This allows for much faster resolution and savings in legal fees. While a traditional divorce can take more than a year, a collaborative divorce is typically resolved within six months.

Protects Privacy

All meetings are confidential and therefore personal and sensitive information does not become part of the public record.

After an agreement is reached on all issues the parties will go to court for approval of the divorce agreement. Only the final agreement becomes part of the public court record.

Divorce Mediation

Divorce mediation is a process where a neutral party known as a mediator meets with the spouses to help them identify what issues need to be resolved, share information necessary to find solutions and then communicate effectively to reach an agreement. After an agreement is reached the mediator drafts a memorandum of understanding. The parties then take this to their respective attorneys for review. This document and agreement will become part of the final divorce judgment.

The parties control the process much in the same way they do with collaborative divorce. Mediation also reduces conflict and saves money and time. The majority of mediations do not require more than five sessions. 1 session will typically last approximately two hours.

Determine Which Strategy Is Best For You

Whether you litigate your divorce or use one of the alternative dispute resolution methods, it is important that you consider the options carefully before moving forward. Collaborative divorce and mediation are not right for everyone and whether one of these options will work for you depends on a number of different considerations and variables. It isn't only the final stipulations of your divorce agreement that will have an impact on your life in the future. The way you divorce can also have a significant effect on your children and friends and family. This isn't a decision to take lightly.

An experienced New Jersey divorce and family lawyer who has training in the collaborative law process is best equipped to help you identify which method would be best for your situation.