

Collaborative divorce an alternative to traditional courtroom procedure

By **Unsie Zuege**

Kent Peterson is a certified divorce financial analyst (CDFA) practicing with a Chanhassen office. He is a workshop presenter at Jennifer Morris's "D"aisy Camp, and works with attorneys in the Twin Cities who do collaborative divorce.

As a CDFA, Peterson analyzes proposed financial settlements for his clients going through divorce. Special software enables him to project how financial agreements will play out.

He works both with litigated and collaborative divorce cases. After both spouses turn in detailed financial information, such as income, expenses, financial assets, he will project current and future value.

"We take into account future plans," Peterson said. "One of the spouses may want to go back to school for career training, or one of them wants to stay in the family home. How will they plan finances to send children to college? I try to help them construct their future."

"I wish every woman going through divorce would attend her (Morris's) workshop," Peterson said. "She is bringing women together in one place in one time to present them with a variety of services. Jennifer is a strong promoter of collaborative divorce ... It's really the way divorce should go in the future. It's a way to save the family during a great tragedy in their lives."

Lynette Bledsaw, of Chanhassen, is a wife, a mother and a grandmother, and she said those experiences shape what she does as a family law attorney. Bledsaw practices family law—divorce, paternity, child support, child protection, and other family-related legal issues. She also practices collaborative divorce law.

"People can get divorced, they can get counseling," Bledsaw said. "But they don't have to fight about it. They will be parents for the rest of their lives and their children shouldn't worry about things like whether a parent is going to come to their graduation."

Bledsaw believes that people who do a collaborative divorce don't suffer as much fallout.

"I see it as a form of child protection," Bledsaw said. In addition, it is less costly, financially as well as emotionally. "Instead of spending money on attorneys, and waiting for court dates and appearances, people are taking control of their divorces."

Types of divorce

Chanhassen family practice attorney Lynette Bledsaw provided a brief primer of a few common ways couples divorce.

- "Kitchen table" — The couple negotiates with each other to arrive at an agreement. One of the spouses hires an attorney to draft the legal documents. If there is a child(ren) involved; each may have an attorney. No one has to appear in court.
- Litigation — The type of divorce that is most frequently depicted in movies (think 'Kramer vs. Kramer' or 'Intolerable Cruelty').
- Mediation — The couple hires a mediator to negotiate agreements on legal, financial, child custody, etc. Attorneys are only brought in at the end to draft the legal documents. But settlements can be uneven. If either spouse wants to revisit their rights after mediation, they may have to hire attorneys after all.
- Collaborative — Collaborative law offers a no-court alternative. It is a non-adversarial approach. All parties involved, including husbands, wives, their attorneys and any other collaborative professionals working with the family, agree to resolve all issues of their case without contentious court proceedings. They plan together to craft an agreement that is beneficial for the entire family.