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**DIVORCE OPTIONS:
DIFFERENT WAYS TO REACH A JUDGMENT OF DISSOLUTION**

In order to get divorced, a Missouri judge must sign a document called a Judgment of Dissolution. There are four basic ways, or processes, to get to the final point of a Judgment of Dissolution.

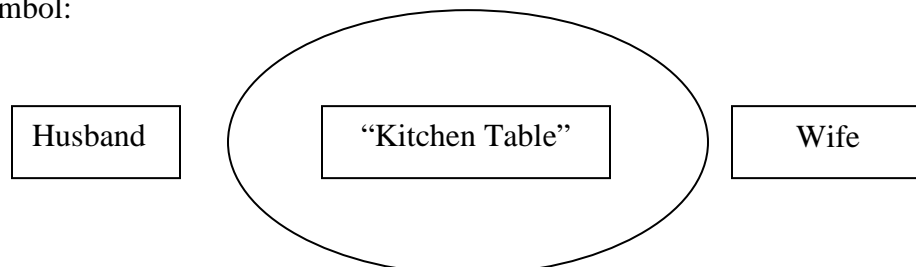
In options #1, 2 and 3, you and your spouse sign a Separation Agreement (and a Parenting Plan, if there are minor children) BEFORE the Petition for Dissolution of Marriage is filed in court. This is called a “non-contested” dissolution because the agreement has already been signed by you and your spouse. You are using the court to grant the divorce and approve the agreements you and your spouse signed in order to make them legally binding.

In the last process, you or your spouse files the Petition for Dissolution of Marriage without an agreement having been reached. This is called a “contested” dissolution because no agreement has been reached before filing.

OPTION #1. INFORMAL NEGOTIATIONS (“Kitchen Table”)

- You and your spouse negotiate directly (in person, by telephone, etc.)
- Attorneys do not do the negotiating for you
- You may consult with an attorney to get legal advice
- Your attorney will guide you through the issues you have to decide on
- Sometimes called a “kitchen table” divorce
- Works best for couples with less complicated financial situations
- No use of discovery tools such as interrogatories, document requests, depositions or subpoenas
- Your attorney will prepare the Separation Agreement and Parenting Plan
- Your attorney will prepare the Petition for Dissolution and all the other documents the court requires

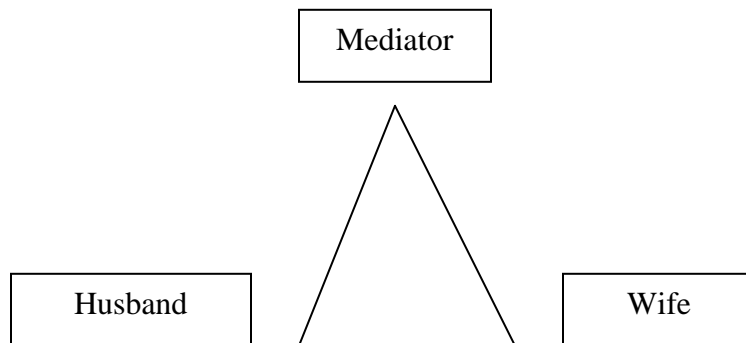
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OPTION #2. MEDIATION

- You and your spouse negotiate in the presence of a neutral mediator
- The mediator guides you through the issues you have to decide on
- The mediator facilitates the discussion between you and your spouse
- The mediator does **not** give legal advice
- You may consult with your own attorney during the mediation process
- No use of discovery tools such as interrogatories, document requests, depositions or subpoenas
- Mediator will prepare the Separation Agreement & Parenting Plan
- One spouse will be the Petitioner and the other will be the Respondent
- The petitioner spouse hires an attorney to prepare the Petition for Dissolution and all other pleadings required by the court

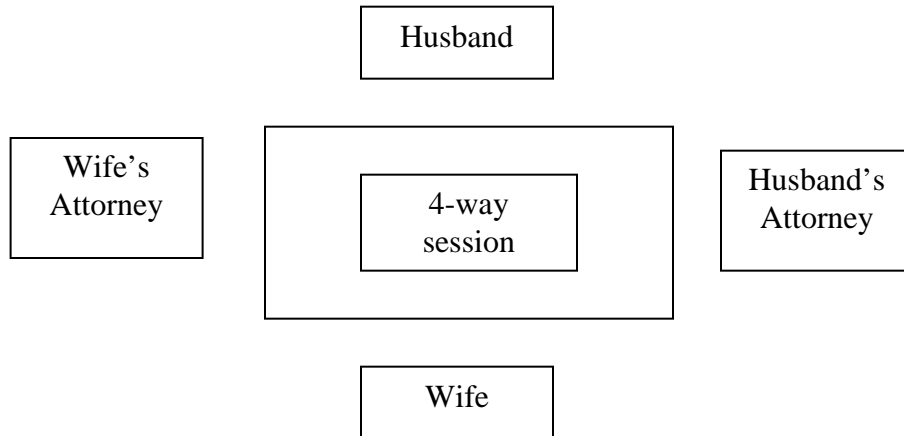
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OPTION #3. COLLABORATIVE DIVORCE

- Each spouse has an attorney who has received collaborative training
- The couple and their attorneys sign a Participation Agreement
- The couple and their attorneys pledge to work toward resolution of issues
- The couple and their attorneys pledge to negotiate in good faith
- The couple and their attorneys pledge to voluntarily share full and accurate financial information
- No use of discovery tools such as interrogatories, document requests, depositions or subpoenas
- The couple and their attorneys pledge not to file anything in court until a resolution of all issues has been reached
- Settlement negotiations take place in four-way sessions (lawyers and clients are all present)
- The Collaborative Team can be expanded to include other professionals: Divorce Coaches – Child Specialist – Financial Specialist
- The collaborative attorneys will withdraw if no settlement is reached
- The collaborative attorneys will prepare the Separation Agreement, the Parenting Plan, and all other documents required by the court

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OPTION #4. CONTESTED DIVORCE

- The couple does not have an agreement before the Petitioner spouse files for divorce
- The attorneys do not pledge to cooperate or work together
- The process is adversarial
- The couple may end up settling, or the attorneys may end up cooperating, but this is not known at the time of filing
- Communication loop is closed – the spouses do not talk to each other
- Evidence tends to focus on the past, on blaming, on “right” vs. “wrong” or “good” vs. “bad”
- Discovery may be used, such as depositions, subpoenas, interrogatories and document requests
- Judge controls the timing of hearings and trial
- Judge will make decisions about property, maintenance, custody, child support and other issues after hearing evidence at a trial
- Either spouse may appeal

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