



Financial Management for Your American Dream

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## White Paper

### **'Collaborative Divorce: When the Community Comes Together to Help You Redefine Your Relationships'©**

January, 2009 by Eric Simons, CFP®

Historically, marriage was a practical relationship. It insured the survival of individuals, communities and the human species.

In the 19th century, a romantic notion became attached and people began to marry for love. The community would gather to witness the vows of husband and wife, celebrate their union and help the new couple launch their life together.

Unfortunately, seldom are comprehensive instructions included and few individuals have a practical outline for enjoying a successful marriage.

As the quest for personal fulfillment has grown, more than 50% of first marriages and even more second marriages are abandoned. Yet a stigma is still associated with divorce even if only self-imposed. Hurt and a feeling of failure become the new companions and the process by which one divorces is convoluted. Children and money often become weapons when hurt cannot be adequately addressed.

However, similar to a team of wedding professionals who participate in the start-up of a marriage (e.g. planners, dressmakers, bakers, florists), a couple can now engage a trained divorce team to collaborate and help release the couple from their legal, moral, financial and emotional vows.. This is the Collaborative Divorce Team.

This trained team can assist the individuals on the road to becoming single again and redefining their relationships, themselves and their lives. Although an entire team is engaged, making divorce seem expensive, the process is organized, streamlined and efficient much like a surgical team with doctors, nurses and an anesthesiologist. This

actually allows the couple to enjoy a huge cost savings in the long run and enjoy positive benefits seldom available through litigation.

Collaborative divorce may also yield better dividends than mediation, another structured process for divorcing, due to its more comprehensive nature and the synergy afforded by these professionals acting in concert.

The Collaborative Divorce Team consists of two attorneys (one for each spouse), a financial 'neutral' and two or more mental health professionals (possibly one for a child). Between them, they look out for the legal, financial and emotional well-being of each individual. Additional, personal, outside professionals may also be in the background such as religious advisors, therapists or investment professionals.

The team aids in communication and understanding between the parties in addition to providing education and protection of each party's interests.

The attorneys address legal issues since marriage is a function of state law, the financial planner helps assess financial issues including the effective division of assets and incomes and the preparation of budgets, and the mental health professionals insure that each party's concerns are voiced and heard.

The team does not make decisions for the individuals but offers education, insight and advice; the individuals must make their own decisions.

The process is conducted in an environment of support, safety, care and nurturing. The pace is monitored and controlled and pain is addressed. Drama, embarrassment, fear and anger are minimized as are the financial and emotional tolls. Individuals become empowered, construct their own divorce and self-esteem remains intact.

In the end, conscious, deliberate decisions are made and honorable, equitable solutions can be achieved. The individuals are started back on a life path in a healthier, more effective way - a way that may allow for future communication, responsible management of lingering issues and the care of a child or pet.

On a higher plane, all benefit: the couple gains an effective dissolution at a lower cost and they can start on a healthier path to redefining themselves as individual persons. The court system is less involved and society's members' are free to pursue their never-ending quest for love, the meaning of life and the purpose or role of marriage.

Collaborative divorce is one part of the evolving marital paradigm shift being experienced in America today and is a healthy, viable option for redefining your relationships.