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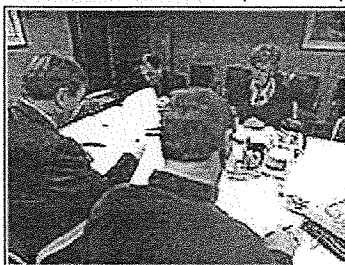
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Collaborating On Divorce

New Process Avoids Court For Divorcing Couples Called Collaborative Law, Involves Informal Discussions Offers Couples Lower Cost, Less Emotional Pain

BLOOMINGTON, Minn., Jan. 23, 2001



CBS

Mike and Sherry Rasmussen and attorneys Ron Ousky and Maury Beaulier work toward a civil divorce.

(CBS) A new way of settling divorces is providing couples with a way to end their marriages while avoiding nasty, costly courtroom battles, reports **CBS News Correspondent Jim Stewart.**

In the process, called "collaborative law," each partner hires a lawyer, and all four parties — the lawyers and the spouses — sign a "participation

agreement."

In it, everyone agrees to work toward a settlement, and not to go to court. And if discussions do break down, both lawyers must withdraw from the case and may not file any motions in court whatsoever.

It's quicker, cleaner, and cheaper: A divorce handled in court costs a minimum of \$15,000 to \$20,000, while a collaborative law divorce averages \$2,000 to \$3,000.

Minnesota attorney Stuart Webb dreamed up the idea. It's the risk of having to start all over with new lawyers, he says, that usually convinces about 95 percent of all couples to settle.

"I remind them of it all the time, you know, as we go along," Webb says. "Know if this is going in the direction it's heading, it's going to be bye-bye time."

"Once you've la the missiles i first court proc you've dra adversarial lin people bec polarized rath coming toge Maury Beaulier, attorney

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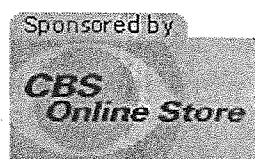
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Mike and Sherry Rasmussen settled their divorce via collaborative law. There was no love lost during the proceedings, but there also was no threats or posturing — just a split down the middle of everything they own.

Attorneys Ron Ousky and Maury Beaulier like the process so much they've collaborated on a half a dozen divorces.

"You're an advocate and you're still representing your client's interests, but you're doing so with reasoned arguments and eliminating some of the tone," said Beaulier.

"Once you've launched the missiles in your first court proceeding you've drawn adversarial lines and people become polarized rather than coming together," he said.

Neither lawyer misses the emotional turmoil that acrimonious divorce proceedings can bring.

"I've seen suicides. I've seen death threats. I've seen people in so much pain," said Ousky. **"In 18 years I've seen three suicides."**

As Mike and Sherry ended their marriage, there was no shouting. The lawyers thanked the pair for doing **"what's fair and civil"** and wished each good luck in their new, separate life.

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What About The Kids?

Read Part I of CBS News Correspondent Jim Stewart's series on divorce:

Easing Divorce's Impact On Kids

A new legal experiment aims to solve one of the most wrenching social problems of our time: how to protect the most valuable thing left from a marriage when their parents have called it quits?

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