



The Divorce Manual

“Informed choices are the best choices when you separate ”

Author of the [Divorce Manual](#)

When you separate where do you start, which professional do you see first, Mediator or Solicitor?

When separating, most couples say that they want a clear starting point, a route map and some clear guidance about how to get divorced, sort out a fair financial agreement and parenting plan which works them and feels fair for each member of the separated family.

Most couples also want the whole process to be as painless and cost effective as possible although not of course at the expense of a fair outcome and why shouldn't they want these things?

So, how can all this be achieved?

Is it possible? What is a good starting point when you separate and which family professional might you go to see first if you have concluded that the relationship is over?

In the first section and chapter of the Divorce Manual and [supporting video series](#) you are introduced to the [Compass Process Options model](#) providing you with a broad overview of your options when you separate, some clear directions and a clear recommendation about where to start your journey and which professionals to see first.

Making the right decision from the outset about how you separate and which professionals you use could save you £1000's, a huge amount of stress and many months of time!

You will find the [Compass Resolution Process Options Map \(Decision card\)](#) in the documents section to this chapter. I also talk about it in my [video- Where do you start?](#) as part of the video series to this chapter.

You may want to bring this document onto your screen as you read through this section or watch the video.

The intention is to demonstrate that although one size does not fit all, the main process you use to obtain a divorce, sort out your finances and agree a parenting plan need not be complicated or cost you a small fortune.

If you wish to maintain a measure of control over your divorce journey and want a clear framework and process which is as painless and cost effective as possible there is, in my view, only one rational starting point for the vast majority of divorces, as you will see.

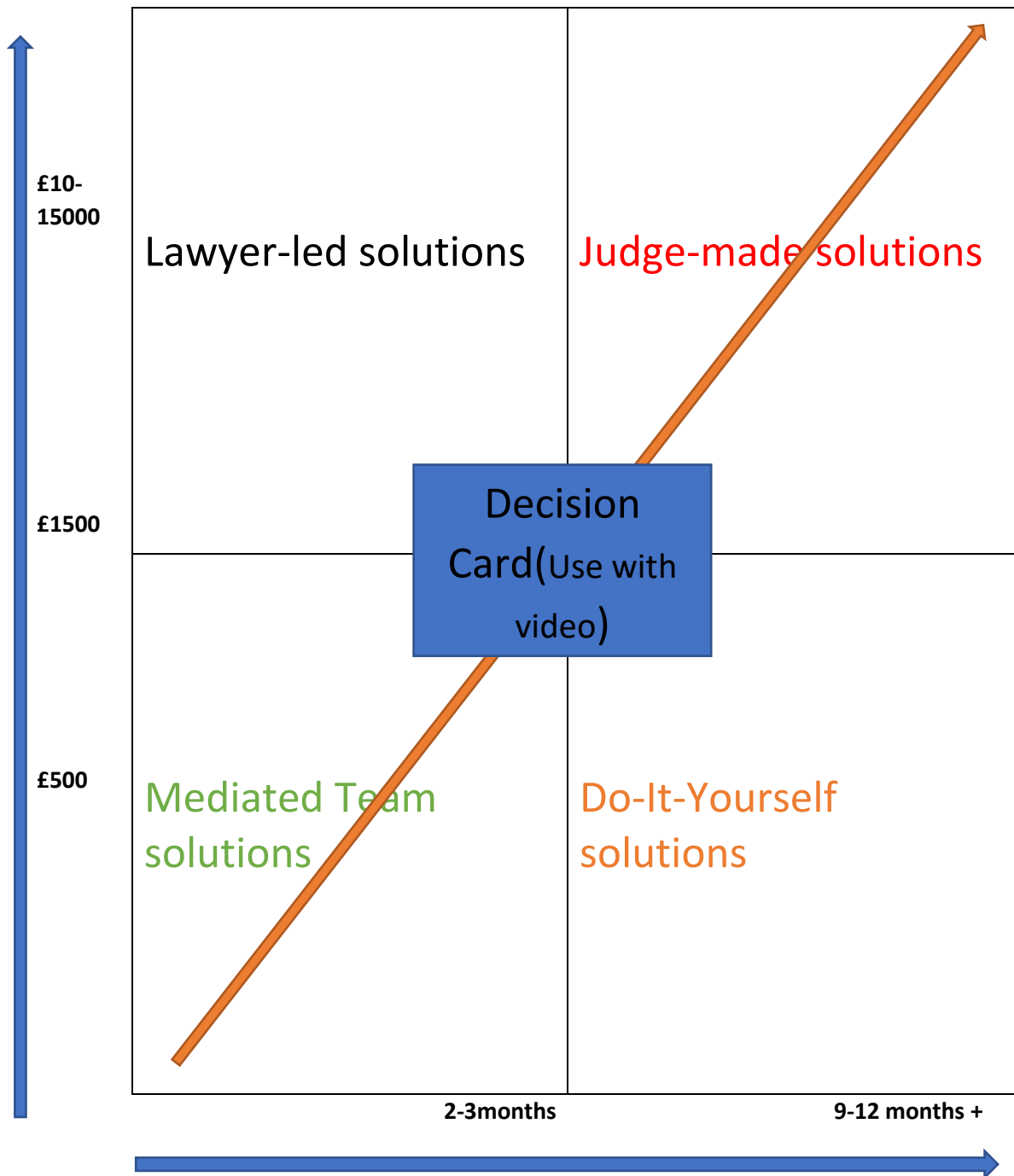
So, let me explain the Compass Options model and explain what you are looking at.



Costs

£30000+

STRESS !





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The model is divided into 4 boxes, each representing a different process option and choice.

1. **The Mediated option**- The mediator helps you and your former partner work together to reach your own agreements (a tall order you might think, but please read on).
2. **Lawyer-led option**- With this option you each have your own solicitor who lead the process and negotiations (rather than supporting you to work together in mediation).
3. **Judge made solutions**- A court appointed Judge decides the outcome for you (also making your mediated proposals into a court order by Consent).
4. **The Do-It-Yourself option**- You and your former partner both maintain complete control over the process and make your own decisions without any professional support.

No doubt you have spotted the obvious dark orange line running diagonally through the centre of the grids. We will come back to this 'stress line' in a moment.

Assuming that you and your former partner (spouse) are committed and intent on:

- keeping your professional costs to a minimum
- wanting to keep your stress to a minimum,
- avoiding court,
- managing your own timetable
- making as many of your own decisions as possible and,
- using any professional support you may need in the most efficient, cost effective least polarising way to reach a fair outcome without spending a small fortune,

where do you start your journey?

The 'Decision card'.

This 'decision card' shifts around the centre of Compass Process Options Map (4 Grids), overlapping the 4 process options as you consider whether and to what extent each process and professional may need to play a part in your separation and divorce journey, and why.

So where do you start your decision-making process and who do you go to for some initial balanced information, some clarity and direction?

My answer is that you start with a [mediator](#), someone who is trained not to take sides and whose interest is in helping you and your former partner reach fair outcomes, fair to you both, in the most cost- effective way.



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Why a mediator?

To start with a mediator is trained to assess your individual practical, emotional and psychological needs and provide you with the right information (legal or otherwise) and support in a balanced emotionally supportive way.

Your mediator is trained to recognise if and when you and/or your former partner may need additional professional support (legal, financial, children) and to help you work with these professionals in the most focused and cost-effective way, being careful not to polarise mindsets, approach and the process. This is what mediators are trained to do, to facilitate.

For example, it might be that one or both of you needs to feel the added security of being able to consult with your own solicitor along the way, providing you with the extra confidence to make the right decisions for yourselves in mediation, when the time comes.

See our [chapter](#) and [video series](#) about how your solicitor can help and support you through mediation mediation.

This is why we call our mediation model 'Supported mediation' the process a mediator uses to help you choose and work with other professionals as 'Mediation Teaming'.

The Solicitor Grid

If you choose to consult with as solicitor alongside mediation, the decision card will overlap a little with the **solicitor grid** to represent the solicitor support you receive whilst you are going through mediation.

The extent to which it overlaps with the Solicitor grid indicates how much solicitor support you might need depending on, among other things, your level of knowledge, confidence and emotional state.

For much more information about this approach you might want to delve into the chapter about [solicitor supported mediation](#) in the Divorce Manual

The DIY Grid

It might be that you are both comfortable carrying out research and want to do as much of the 'administrative work' for yourselves to save costs, such as collecting financial information and documentation.

If this is case the Decision Card may overlap with the **DIY grid**.



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See the Divorce Manual chapter all about [how to reaching your own financial agreements](#) and [maintenance agreements in 5 stages](#) which focuses on helping you to collect the correct information and documentation yourself for the tasks in hand.

Again, if your circumstances are quite straight forward, and you and your former partner are able and willing to collaborate, the Decision Card might overlap more with the DIY grid saving you a significant amount of the costs you would otherwise spend on asking the professionals to provide you with information and help you fill out forms all of which are available in the Divorce Manual and from recommended websites which you will also find in this Manual.

If, with this combination of working together with a mediator, making use of a bit of solicitor advice and support and a bit of 'Do it yourself' between mediation sessions, you are able to reach a fair outcome, you are also likely to want the outcome made legally binding, especially if it relates to your finances.

The Judge made solutions Grid

This is where the **Judge made solutions Grid** comes into play because you may need the Judge to turn your mediated outcome into a binding consent court order.

So, there you have it.

Begin your journey by consulting your neutral guide, the mediator, who will work with you both, guiding you both, helping you both to work together in often difficult circumstances to reach decisions which are fair to you both and your family in a very cost effective and carefully managed way.

If you need additional professional support along the way, whether it is a solicitor (an accountant, pension expert or child expert) for example, the mediator will also help you manage this extra support in the most 'contained', joined up, efficient and cost- effective way (Mediation Teaming) leading to a binding consent order made by a Judge, where appropriate.

At this stage, if you require more information about how you, your former partner and the mediator can work with other experts such as the accountant and pension expert, when it comes to [valuing businesses](#) and exploring your [pensions options on divorce](#), please read all about this in the relevant chapters in the Divorce Manual where we explain the importance of working as a joined up 'Mediation Team'.



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We should add a final word or two about circumstances in which mediation may not be suitable such as where there are incidents of domestic violence leading to real concerns about the safety of an adult and/or child(ren).

In these situations, we recommend that you take some preliminary legal advice about your options. If this comes to light during your [MIAM](#) with your mediator they are likely, among other things, to recommend that you consult with a solicitor.

This aspect is not covered in any detail in the Divorce Manual because, in these circumstances, mediation will not take place but we do recommend you to the excellent [Advicenow website](#) on this topic and the website addresses we provide in the resources document section of the first chapter of the Divorce Manual signposting you to good sources of information and support.

We hope that this is all clear enough, for now. If you have any questions at this stage, please ask to for an initial consultation with an [Accredited Family Mediator](#).

Good luck with making the right decisions for yourselves and your family.

John E Hind FMCA.CMCreg.LLB.

Author-The Divorce Manual