

# **Divorce and Family Law Attorneys in New London, CT**

There is no question that divorce and custody issues can be the most stressful time in one's life. It is also a critical time to make the right financial decisions for you and your family for your future financial health and well-being. It is during this time of crisis and anxiety that you need and are entitled to the most qualified and zealous advocate. You need and are entitled to an advocate who listens to your needs and has the legal and financial expertise for your long term benefit and peace of mind.



## **Best Divorce Lawyers in New London, CT**

It is also a critical time in making the right decisions for your children. The lawyers at Waller Smith & Palmer are sensitive to the many concerns, fears and emotions that you have during this transition in your life. Our family law attorneys in New London, Connecticut bring the necessary balance of zealous advocacy and sensitivity to resolve the issues with you, and the best interests of your children as the paramount concern.

Let our family lawyers in New London, Connecticut, utilize our

years of experience in order to ensure that you obtain the best results for you and your family.

## **Divorce Mediation Lawyers**

Divorce and separation is never easy. Some couples prefer to settle their separation through mediation, a voluntary process that is often preferable to the traditional adversarial process. While mediation is not for all couples separating, it can be an effective way for parties to reach an agreement that is fair and equitable. The mediation process is confidential and conducted in the privacy of an office, not a courtroom. Mediation encourages and fosters mutual respect while the parties work together to resolve various issues.



## **Family Law**

**WHAT ARE THE BENEFITS OF MEDIATION?**

The mediation process is non-adversarial. Therefore, many couples who go through the process find their interactions with their former partner are better than expected.

**WHAT EFFECT DOES MEDIATION HAVE ON THE ABILITY TO CO- PARENT?**

The mediation process encourages parents to discuss parenting issues in a safe and private environment rather than in a confrontational format. As a result, many parents find their ability to co-parent their children greatly improved.

**WILL I NEED TO GET MY OWN LAWYER?**

It is encouraged, but not required, that you obtain separate counsel to consult with during the mediation process. An attorney can also review any agreements prior to finalization.

DO WE HAVE TO GO TO COURT IF AN AGREEMENT IS REACHED?

It is still necessary to go to court, but only to have the agreement entered as a judgment and to have the marriage legally dissolved.



## **Collaborative Divorce**

Collaborative divorce is a way to dissolve your marriage without going to court, while still receiving legal and other necessary professional advice. In the collaborative model, the parties are each represented by an attorney trained in the collaborative divorce process, and that attorney is retained for settlement purposes only. Neither attorney can go to court, pursuant to the collaborative divorce agreement, and the parties agree to an honest exchange of information. Everyone is committed to resolving the divorce peacefully.

The full-team approach in collaborative divorce may also include a mental health professional to help the parties through the emotional aspects of the divorce, a financial specialist to help the parties with the financial decisions and divisions, and a child specialist, who provides the parties with an understanding of what is best for minor children.

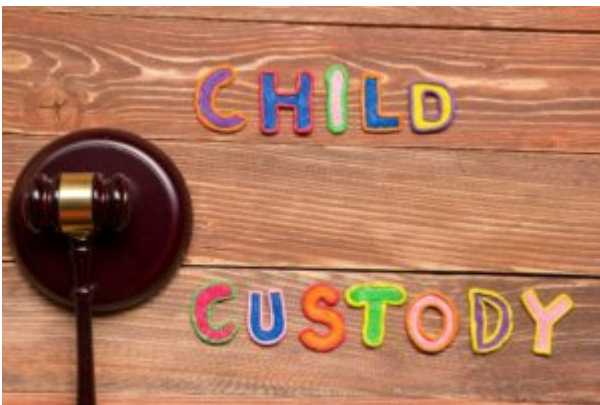
Collaborative divorce provides integrated services that educate, guide and support the divorcing couple in crafting an

equitable and just resolution without threat of or resort to litigation.

## **WHAT IS COLLABORATIVE FAMILY LAW?**

Collaborative family law is a unique, reasonable approach to handling a divorce or other family law matter and is founded on three core principles:

- a written pledge not to fight in court, and withdrawal of the hired professionals if either party chooses to fight in court;
- open communication between the parties with an honest and good faith exchange of information; and
- negotiations leading to a mutually acceptable settlement that takes into account the highest priorities of all family members.



## **IS THE COLLABORATIVE PROCESS RIGHT FOR ME?**

The collaborative process provides a forum for a civilized, respectful resolution of the issues facing a divorcing or separating couple. It provides privacy as to your personal or financial information and a final resolution that avoids the pain and expense of having to return to court multiple times.

## **WHAT IS A COLLABORATIVE DIVORCE TEAM?**

Depending upon the needs of the family, the collaborative team may consist of professionals from three separate disciplines: legal, mental health and financial. The professionals work

together by providing their respective expertise to help families through their dissolution.

Professionals on the team all subscribe to the three core principles and are formally trained in the collaborative process. None of the team members can be involved in any contested court hearing, and all hired professionals will withdraw from the case if it does result in a contested court hearing.

#### HOW DO I KNOW THAT MY PARTNER WON'T HIDE MONEY?

No process can guarantee absolute honesty or prevent a person from hiding assets or lying under oath. In the collaborative process, each party commits in writing to a full and voluntary disclosure of all assets and income. Entering into voluntary disclosure avoids expensive formal processes such as subpoenas and depositions. Ultimately, each party is required to sign a financial disclosure statement under penalty of perjury, stating that each has made full disclosure. If you believe your partner will tell the truth under oath, the collaborative process may be a good choice for you.

#### WILL MY COLLABORATIVE LAWYER "FIGHT" FOR ME?

Your lawyer is your advocate in the collaborative process. However, that advocacy is different from the lawyer's role in a litigated case. In a collaborative situation, your lawyer strives to negotiate and achieve your goals in a respectful and cooperative manner.

#### WHAT HAPPENS IF A SETTLEMENT CANNOT BE REACHED?

If you and your partner cannot reach a settlement, you may explore other options such as mediation, which may allow you to stay with the collaborative process. If either of you decide to turn to traditional litigation, the collaborative lawyers and any other team members involved must withdraw and each party retains a new lawyer for the court hearings.

## IS A COLLABORATIVE DIVORCE LESS EXPENSIVE THAN A TRADITIONALLY LITIGATED ONE?

It can be. The collaborative process is designed to be more efficient with four-way meetings among the parties and their lawyers, focused on facilitating a settlement. Collaborative divorce eliminates the multiple court appearances and conflicts that are often part of a traditional divorce, thereby reducing the emotional and financial costs.

### **Divorce Litigation**

There may be many reasons why a collaborative or mediation model is not appropriate for a separating couple.

Most divorces will be settled prior to a trial, but there are situations where you need an experienced litigator on your side. We recognize that a divorce is a life changing event and the attorneys and staff at Waller Smith & Palmer are dedicated to understanding and achieving your goals.

## IF CONNECTICUT IS A NO FAULT STATE, DOES MY SPOUSE'S BAD BEHAVIOR HAVE ANY IMPACT ON RESOLUTION?

Connecticut is a "no fault" state, meaning that you don't need to prove fault to get a divorce. Any "faults," however, may have an impact on the financial resolution.

## ARE THERE SETTLEMENT OPPORTUNITIES PRIOR TO GOING TO COURT?

Attorney [Ellen C. Brown](#) and her staff are committed to resolving your issues, whether they be financial or child related, in the most cost-effective and least destructive way possible. All avenues of settlement will be explored whether they be through the court system, such as a special masters or pretrial conferences, or through private mediation.

### **Other Services**

The attorneys at Waller Smith & Palmer handle prenuptial

agreements, juvenile matters and adoptions. Please call for more information.