

of life and ongoing communication of the family members. The professionals function as a single integrated team, sharing information and insights to save time and money and promote the wellbeing of the couple and children.

A group of seven collaborative divorce professionals has been created in the Tel Aviv-Sharon region, including two therapists and an attorney who have been living in Israel for over 25 years and are native English speakers.

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### THE "OLD" WAY TO DIVORCE

**Scenario 1. Going to Court** – Abe and Sarah have been drifting apart for years, but for the sake of their kids have stayed together. Both are frustrated with their patterns of distance and bickering, but basically harbor no ill will towards one another. Sarah decides to consult a highly recommended lawyer, just to find out what's involved in getting divorced. The lawyer, who has little time to dedicate to the nuances of Sarah's situation, urges quick action to give her the upper hand. Abe is horrified when he is served with papers detailing his shortcomings as a husband and father: his slovenly habits, disregard for the feelings and well-being of his wife and children, and even his failures in the bedroom. Shaken, he too consults a lawyer, who fires back court papers detailing Sarah's spendthrift ways, general irresponsibility and emotional distance. By now, Abe and Sarah can't stand each other and are fighting daily. Their son Itzik's barmitzvah becomes an embarrassing, painful experience.

Abe and Sarah each pay NIS 60,000 for basic legal representation, and additional costs of NIS 25,000 for a financial report on their assets, a series of visits to a child psychologist and personal therapy. Three years after that first foray into a

law office, Sarah and Abe are finally divorced, with their lawyers having sold the family home under a court-ordered receivership. The remaining proceeds (much less than either had planned on) are split 50-50, as are the family debts. Their children have neglected their studies and become reclusive, with little faith in couple relationships.

**Scenario 2. Mediation** – Sarah's best friend Leah, having had a ringside seat to the horror show, decides to end her marriage to Kobi in an entirely different way. She consults a lawyer who is also a certified mediator, who convinces her to invite Kobi to an introductory meeting. Kobi is hurt and shocked that his wife wants to end the marriage but agrees to try mediation. The mediation sessions start smoothly enough, but negotiations run aground on the painful issue of child support. Kobi feels that he is getting bulldozed by Leah's stronger negotiation skills, and feels that the mediator is not relating to their distress or the emotional issues between them. After considering the costs of going to court, they reluctantly settle. While Kobi and Leah's procedure has been much quicker and cheaper than Sarah and Abe's, they are resentful of one another and have ongoing difficulty coordinating child care issues effectively.

*Lawyers who litigate and mediate have often wrestled with the weaknesses of the two alternatives, and wondered if there could be a third way, a middle ground that takes the best of both systems. Collaborative practice does just that: specially trained lawyers and mental health professionals support both parties as they work constructively and respectfully to expedite a fair agreement without unnecessary, expensive and hurtful court battles. Both spouses and their children come out of the experience faster and in much better shape, emotionally, financially, and in their ability to move on with their lives.*

A lecture on Collaborative Divorce will be held on Thursday, July 9th at 20:00. See advert page 57.