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Lawyers seek a faster, less costly alternative in divorces

BY JAMIE LOO

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Two attorneys have developed a program to handle divorce proceedings in a month and keep couples out of court until the day they submit the divorce for judicial approval.

Dubbed the "Weekend Divorce," Naperville sole practitioners Sandra F. Young and Brian L. Garvey use a collaborative law model to accelerate the divorce process, which culminates with two days of meetings to draft and finish legal paperwork. In a collaborative process, couples agree to work with attorneys together as a team to dissolve the marriage without litigation.

Garvey and Young said new clients are typically concerned about the cost and time involved. Animosity can build between parties the longer a case lasts, which also takes an emotional toll on families.

"It doesn't have to be that way," Garvey said.

A few weeks before the Weekend Divorce, couples are given a checklist of documents such as pay stubs, mortgages and tax returns that need to be gathered and sent to the attorneys at least 10 days prior to the two-day meeting.

With all the documentation ready to go, Young, Garvey and the couple spend the weekend discussing, drafting and finalizing the terms of the divorce. Instead of a series of meetings, Young said the weekend divorce is "one long meeting."

There's no debating issues that happened in a meeting or court hearing a few weeks or months ago. It's all happening in real-time.

"The idea is we're going to be working the entire time we're there," Young said. "Brian and I are preparing the documents as we're working on the agreements."

Both attorneys stressed that the project is a client-driven process and that although they work together, Young and Garvey handle the cases as individual sole practitioners. Garvey and Young each represent one spouse and meet with their clients once or twice individually before the two-day meetings.

They declined to discuss specific dollar amounts, and the program's cost runs on a sliding scale that depends on the client's needs. Fees are individually negotiated after the initial attorney-client meeting.

The entire process takes three weeks to a month. Although the concept uses the word "weekend," the two-day meeting can be scheduled for any consecutive days in a week.

Depending on the couple's needs, the process allows for specialists to help couples and the attorneys.

For example, a parenting specialist can help couples make decisions about child custody and visitation, or a financial neutral is often brought in to help with monetary agreements.

The Naperville attorneys came up with the concept after



Sandra F. Young

working with a couple who wanted an amicable divorce that could be finalized fairly quickly. One of the spouses had already moved to another state, Garvey said, and flew back to Illinois for a weekend for the meetings. Garvey and Young have been offering the service to clients since 2012.

Another couple they worked with included one spouse who planned to move out of the country within six months of the divorce.

"She was able to move for her job and not have this hanging over her head," Young said.

Couples who want a budget established for the divorce and can agree to stay focused on the best interests of their families are good candidates for this process, Young said. The spouses don't have to like each other, Garvey said, but it's important that they can still communicate



Brian L. Garvey

and agree to work together.

"The whole point of collaborative law is not to look at the past, but to the future and how to move forward," he said.

Garvey, who has helped more than 70 couples through collaborative law divorces, estimates that at least one-third to half of his former clients would have been good candidates for the Weekend Divorce.

A lack of public awareness exists about collaborative law, Garvey said. But as more people learn about the alternative to going to court, he believes more people will seek these services.

Garvey and Young have set up a Facebook page and website, theweekenddivorce.com, and have been giving presentations on their work.

Their next presentation is 7 p.m. Thursday at the Hinsdale Public Library, 20 E. Maple St.