

Private trial is new tool in divorces

This News By You article was submitted by Donison Law Firm, PLLC.

Divorcing couples used to have two alternatives for their divorce: private settlement or public trial. Now they have a third option: private trial.

Arbitration, the dispute resolution process of choice for civil and labor disputes, and for family law matters in other jurisdictions, is now being offered for divorcing couples in Arizona. The benefits include confidentiality, fees that are a fraction of traditional litigation, and speedy resolution provided on the client's schedule instead of the court's.

"Arbitration is the private, confidential alternative to what is often a very public, very expensive process," said family law attorney Pamela J.P. Donison, whose practice is in northeast Phoenix.

"By engaging in panel arbitration for your divorce, you save time, money, and the emotional havoc that litigation brings. This method is perfect for business owners who absolutely can't afford to have their financial statements held up in open court as Exhibit A."

Donison, owner of Donison Law Firm, PLLC, 5040 E. Shea Blvd., has formed a professional panel consisting of Charles C. Scott, an accredited investment fiduciary and president of Pelletton Capital Management, and Sarah M. Matheson, an individual and couples counselor.

The three met when Donison and Matheson were presenters in Scott's divorce workshops. They agree that arbitration, also known as private trial, is an important option in Alternative Dispute Resolution.

"Any time you can stay out of court and direct your own process, you are going to be ahead of the game legally, financially and emotionally," Matheson stated.

The concept of panel arbitration had been on Donison's mind for more than a year when, over a glass of wine, Scott casually mentioned in passing that arbitration should be offered for divorcing couples who could not get along well enough, or had issues too complex, to mediate. Scott should know, as he has been assisting couples in growing - and dividing - their wealth and investments for more than 25 years, and has seen the result of litigation.

"The light bulbs went on for both of us and we knew that we had to pursue this path," Scott said. "The fact that I can bring my financial expertise to this forum and provide couples with a real solution to the economic pain of divorce is extremely attractive to me professionally."

The arbitration process is streamlined to make the most of a couple's resources and time. The arbitration panel members will determine the extent of expert input needed and will provide the arbitrating couple an outline of the information they need to gather for the arbitration hearing so that they can proceed on their own, without attorneys, if they choose.

Scott is pragmatic and fiscally tuned in to the realities of divorce, which can routinely cost \$50,000 per person and up. "If I had a dime for every dollar wasted by our clients on needless litigation, I would be a very wealthy man," Scott said.

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