

SEVEN REASONS TO USE DIVORCE MEDIATION INSTEAD OF LITIGATION

A Guide to Avoiding an Ugly Divorce



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WELCOME

Thank you for considering my legal services. As your representative, I will work with you to resolve your case in the most efficient manner possible, be it through mediation or litigation. I have practiced law in North Carolina for more than 35 years. My practice has been concentrated on family law for most of that time and has been limited exclusively to family law for nearly 10 years. I was certified as a Family Law Specialist by the North Carolina State Bar Board of Legal Specialization in 1989.

I have a wide range of experience, including work with military clients and spouses. This gives me the opportunity to provide invaluable insight to clients involved in negotiations or in litigation regarding issues of child custody, child support, spousal support, the division of property (including military pensions), and many other issues that arise when spouses decide to end their marriage.

I have found mediation to be particularly effective for resolving disputes that arise during the divorce process. I am a mediator certified by the North Carolina Dispute Resolution Commission and I am able to provide mediation services in cases throughout North Carolina. I can help you with mediation even before you and your spouse decide to retain attorneys; and that might be more cost-effective and lead to a resolution sooner than with traditional divorce litigation.

My goal is to help you bring your marriage to a respectful and civil conclusion. I promise to do whatever it takes to protect the well-being of your children and to resolve the issues in your divorce as quickly and affordably as possible.

I look forward to helping you with your legal issues.



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Mediation is an effective tool for resolving disputes that arise from separation of spouses. It provides divorcing couples with more control than traditional litigation when making decisions about issues like spousal support, child custody and the division of property. During the mediation process, each spouse is given the opportunity to consider a wide range of alternative outcomes and to devise a framework that works for them.

Divorce mediation provides a variety of benefits, including:

1 MEDIATED DIVORCES ARE NOT AS EXPENSIVE AS LITIGATION

Divorce can be extremely expensive. Not only can the settlement cost you a great deal in spousal and child support, the divorce process itself can set you back financially. Mediated divorces reduce the cost of divorcing because they decrease attorney's fees. Many couples even opt to not hire individual representation, so the only cost associated with the process is that of the mediator.

2 MEDIATED DIVORCES ARE FINALIZED FASTER

One of the reasons mediated divorces are less expensive than litigation is because they take less time. Even if you do have individual representation, you will be paying for fewer billable hours for your attorney. Additionally, you will not be forced to deal with discovery or a lengthy trial. Some couples are able to wrap up their divorce in just a few mediation sessions, so the entire process takes just a few hours.

3 MEDIATED DIVORCE PUTS SPOUSES IN CONTROL

The decisions in traditionally litigated divorces are made by the court. A judge determines the outcome and makes decisions about important things like division of property and child custody. In mediated divorces, these decisions are handled by the divorcing couple. Though it might take some time to agree on various aspects of your divorce settlement, ultimately, wouldn't you rather be the one in control of the decisions?

4

MEDIATED DIVORCE FOCUSES ON COMMUNICATION

One of the challenges a mediator faces is bringing together spouses that are likely faced with communication issues and helping them make important decisions about their future. It can be difficult, but a skilled mediator helps couples see where they agree and helps them work through the issues on which they do not yet agree. The skills learned during the mediation process can benefit couples in the future, especially if co-parenting is an issue. Through the mediation process, they are able to put aside their differences and focus on planning for the future.

5

MEDIATED DIVORCE IS PRIVATE

All matters that take place in a court of law become public record. This means anything you discuss is available for the public to peruse at any time. People have a tendency to say things during a divorce they might later regret. Though it does not concern you right now, these things are available to the public; once you get beyond the hard feelings of divorce, you might feel differently. Having the ability to keep your discussions private during the divorce proceedings can benefit you a great deal in the long run, especially if you want to avoid feelings of resentment toward your former spouse.

6

MEDIATED DIVORCE IS EASIER ON CHILDREN

Even in instances when couples are not concerned about money, time or privacy, the prospect of mediation making the transition of divorce easier on children is a powerful motivator. Spouses who have developed feelings of anger and betrayal in response to the situation are often able to put aside their differences and focus on doing what is best for their children.

Skilled mediators are capable of keeping the focus of the mediation proceedings on the health and well-being of the children in a divorcing family. As discussions become heated and spouses get off-track in their decision making, mediators redirect their efforts and help them focus on making decisions that will be most beneficial to the children now and in the future.

And because mediation puts parents in control, those most familiar with the lives of the children are making the decisions, as opposed to a complete stranger. Though courts make every effort to do what is in the best interest of the children, it is impossible to completely understand every situation.

7 MEDIATED DIVORCE ALLOWS YOU TO RESPECT YOUR RELATIONSHIP AND END YOUR MARRIAGE WITH DIGNITY

Ending a marriage does not always mean you regret your original decision to marry. Sometimes people change and marriage is no longer possible. Mediation provides a way in which you can end your marriage with dignity and continue to respect your former spouse, even if a romantic relationship is no longer possible.

If you are in the midst of making decisions about your divorce and you would like to know more about divorce mediation, Larry Hudspeth can help. Mr. Hudspeth is a board certified family law specialist with more than 35 years of experience. Additionally, Mr. Hudspeth is a mediator certified by the North Carolina Dispute Resolution Commission to conduct mediated settlement conferences in Family Financial matters (separation and divorce), as well as in Superior Court matters. He was one of the first mediators in North Carolina to be certified in Family Financial matters.

His experience provides valuable insight to clients involved in negotiations regarding issues of child custody, child support, spousal support, the division of property (including military pensions) and the many other issues that can arise when spouses decide that they can no longer live together.

To schedule a consultation, contact him at 910.455.9921 or by email at lhudspethmediation@charter.net.

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