



If you feel comfortable talking with your spouse about the nuts and bolts of resolving your divorce, you may want to schedule some business meetings to do just that. The more you can agree on by yourselves, the lower the attorney fees you will incur. When you resolve the practical issues in your case such as parenting time or division of household goods, you can use your attorney in an efficient and productive way to address the purely legal issues.

Talk with your attorney about the pros and cons of discussing issues directly with your spouse. If you decide it is worth a try, here are some tips that may help your discussions:

1. When you agree to something, be prepared to stick by the agreement.
2. It is okay to say:
 - ? Let me think about that.
 - ? I'd like to discuss that with my attorney.
 - ? That might work for me.
 - ? I need a break.

3. Consult with your attorney during the negotiations. It is discouraging to both sides to believe agreement is reached and then have one side's attorney put a ka-bosh on the deal.
4. It's easier to be assertive if you know what you want to say. Thinking about your immediate needs, your needs five years down the road and ten years down the road can be a useful exercise. If you need more information to understand your own needs, search it out.
5. Talk about custody and visitation in terms of how you will share time and decision-making. Wait to pick a custody label until a satisfactory arrangement is identified. Consider using a parenting plan instead.
6. Workable resolutions often don't require that you and the other side agree on the underlying facts. Agree to disagree on the facts and agree to search for a resolution that is acceptable to both of you.

7. Useful questions/phrases in evaluating proposals include:
 - ? Why is that important to me/to my spouse?
 - ? What features of this proposal are important to me/my spouse?
 - ? What would make this idea work better for me/my spouse?
 - ? I'd like to understand your point of view.
 - ? I want to make sure I understand your idea.
8. Mediators don't make decisions. Generally, they ask questions to help themselves and the parties understand the situation. Then they assist the parties in brainstorming and evaluating options. The hope is that this process will end in an agreement.
9. You can reach agreement on some issues without reaching agreement on all issues.

10. Not all cases settle. Settlements should be workable and satisfactory to you.

11. If you do not have an attorney while you are negotiating, leave yourself the option of having an attorney go over the details with you before giving the final yeas to the agreement you and your spouse have made. Most family law attorneys will meet with you on a consultation basis at their usual hourly rate without a retainer. Many people also prefer to have an attorney draft the paperwork and assist them with finalizing the divorce with the court. If that is true for you, you may wish to retain the attorney after the consultation.



The goal of The American Academy of Matrimonial Lawyers is *"To encourage the study, improve the practice, elevate the standards and advance the cause of matrimonial law to the end that the welfare of the family and society be preserved"*.



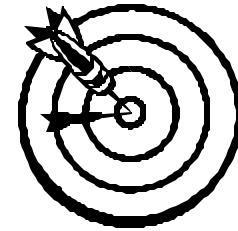
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TIPS FOR CLIENTS NEGOTIATING FOR THEMSELVES



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