

WHAT IS COLLABORATIVE DIVORCE?

In a collaborative divorce, each partner hires a “collaboratively trained” attorney and pledges to settle differences without litigation or the supervision and imposed deadlines of a judge.

More than 70 divorce lawyers in Montgomery County are certified in collaborative divorce, a movement that originated in the 1990s with lawyers in Minnesota and California who were eager to eliminate the bitterness and anguish that often accompanies the divorce process. Training consists of two- or three-day sessions of six hours each. Certification is granted by the International Academy of Collaborative Professionals (IACP), which is headquartered in Arizona.

In addition to the lawyers, a financial adviser is brought in to examine the couple’s finances and make recommendations. And each side agrees to hire a trained “divorce coach”—typically a therapist who will help “break through the marriage dynamic,” according to Bethesda lawyer Jan White. Coaches have been known to examine individuals’ expressions for clues to a potential compromise. “It can be a little holistic or even touchy-feely,” says Regina DeMeo, a collaborative divorce lawyer in Rockville.

If the parties break off negotiations and wish to pursue a more adversarial approach, they must hire new lawyers. The cost of that is considered a prime motivating factor in reaching a solution. According to the IACP, 90 percent of collaborative cases settle successfully at an average cost of \$23,000 per side. Practitioners in Montgomery County say a collaborative case here usually costs about \$30,000 per side, whereas a case that ends up in court can cost as much as hundreds of thousands of dollars each.

The use of private investigators is not part of collaborative divorce. When adultery or other factors become relevant to the settlement, the parties and their lawyers must disclose them voluntarily. Knowing the cost of sabotaging the collaboration, people usually admit what they need to, collaborative lawyers say.

Collaborative divorce does have its critics. Joseph Paradiso, a family lawyer in Bethesda for more than three decades, says the requirement to obtain new counsel if negotiations break down may pressure a financially disadvantaged spouse to accept a less favorable settlement, rather than bear the expense of litigation. He believes the divorce coaches also add an unnecessary cost.

Advocates of collaborative law, however, support it with almost religious fervor. Rockville lawyer Darcy Shoop says, “Neither client is forced into making any decisions. Inordinate pressure is the creature of an adversarial process and has no place in a collaborative one.”

Shoop had one case in which the couple was so moved by the “touchy-feely” aspect of negotiations that they canceled their divorce. Shoop says reconciliation is not the intended result. But a shorter, cheaper, more amicable divorce is.

—Kim Eisler

in a civil setting. “If somebody wants to hire me to solely inflict pain,” Feldman says, “that’s not really what we are all about.”

Feldman says his accounting background means, “I can oversee the expert witnesses on business evaluation issues and complex stock options. I can work with them from the get-go, rather than having to be taught by them.”

■ JEFFREY GREENBLATT

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With 37 years of experience, Jeffrey Greenblatt, 63, is perhaps the most feared divorce attorney in Montgomery County. Colleagues complain that this “bomber” crosses the line in investigating and alleging misconduct by a spouse. Hiring Greenblatt often means all-out war.

“If it’s true that I am the most controversial divorce lawyer in Montgomery County,” says Greenblatt, who graduated from American University Washington College of Law in 1973, “perhaps it’s because I will do everything in my power to advocate for and protect my clients, and I won’t let anyone take advantage of them. I don’t soft-pedal my approach simply because it’s a ‘family law’ matter.”

As for those who complain about him? “Whiners,” he says.

■ CHERYL HEPFER

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The daughter of a McKeesport, Pa., attorney, Cheryl Hepfer, 63, is a graduate of Carnegie Mellon University in Pittsburgh and earned her law degree at American University in 1972. Stricken with polio at 6, Hepfer was treated and cured by a young Dr. Jonas Salk, and she says