



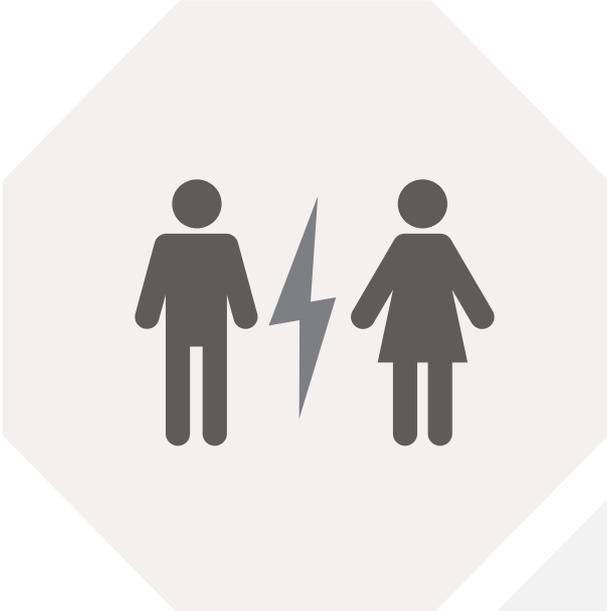
# Divorce Lawyer or Mediator

By Liza N. Burby

**Contentious divorces may make for good TV**, but in real life they can take a financial and emotional toll on both spouses before the child custody and spousal support documents are signed. That's why divorce mediation, in which a neutral third party helps negotiate a resolution without going to divorce court, can be a less stressful process.

"Mediation is faster, cheaper and less emotionally draining," says Jordan Trager, a mediator and attorney with the matrimonial law firm Wisselman, Harounian & Associates P.C. in Great Neck. With mediation, you still need

an attorney — who is also neutral — to formalize the agreement you'll sign. But Diane Kramer, a psychologist and divorce mediator with Long Island Center for Divorce Mediation in Huntington and Yaphank, says the entire



**40 to 50 PERCENT**  
of married couples in the United States divorce.  
*Source: American Psychological Association*



NY State had  
**2.7**  
**DIVORCES**  
 per 1,000 population  
 in 2017,  
 while the U.S. had 2.9.  
*Source: CDC / NCHS*

Using a mediator  
 typically costs from  
**\$2,500 to \$5,000,**  
 while a litigator can  
 start at  
**\$7,500.**

process is less expensive, ranging from \$2,500 to \$5,000. With litigation you can start with a retainer of \$7,500 or more.

Another advantage of mediation is that within two to three months spouses will be legally separated and divorced immediately after that, depending on court backlogs, according to Barbara Badolato, a social worker and director of mediation services at Divorce Mediation Professionals in Garden City and Commack. “Whereas with litigation, the process can go on for years. With attorneys, there are lots of delays.”

Whether you choose mediation or litigation through divorce court, you still focus on the same issues: children and finances.

“Everyone needs a stipulation of settlement (contract or agreement between the two parties) and the divorce packet is all the legal work for the state,” Kramer says. “But in litigation, two lawyers — one

for each spouse — fight it out and eventually get you to the middle. In mediation we start out with the idea of coming into the middle and finding a solution that works. If that fails, we always go back to the state guidelines for child support and spousal support, and for division of property, assets or liabilities and pensions.”

Badolato recommends approaching mediation first. “If it’s for you, you have a lot of control with a mediator. You’ll know in one or two sessions with a good mediator if it’s going to work.”

However, Trager says that there are cases that aren’t appropriate for mediation, such as domestic violence, when either party is being forced into the divorce, and when one party isn’t being transparent about assets. In those cases, litigation is the recommended approach to divorce. ⚖️

*Liza N. Burby is a freelance journalist, author and editor based in Northport.*