



IACP INTERNATIONAL ACADEMY OF
COLLABORATIVE PROFESSIONALS

2015 DIVORCE EXPERIENCE STUDY

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TABLE OF CONTENTS

Introduction	3
Methodology	3
Collaborative Process	7
Demographics of Responders Who Used the Collaborative Process	
Collaborative Process Characteristics	
Satisfaction with Financial Outcomes	
Satisfaction with Parenting/Relationship Outcomes	
Satisfaction with Professionals and with Fees Paid to Professionals	
Correlation Coefficient Analysis	
Concluding Summary	
Traditional Court Process	19
Demographics of Responders Who Used the Traditional Court Process	
Traditional Court Process Characteristics	
Satisfaction with Financial Outcomes	
Satisfaction with Parenting Outcomes	
Satisfaction with Post-Divorce Relationships	
Satisfaction with Post-Divorce Sense of Well-Being	
Satisfaction with Professionals and with Fees Paid to Professionals	
Correlation Coefficient Analysis	
Concluding Summary	
Other Settlement Process	36
Demographics of Responders Who Used Other Settlement Processes	
Other Settlement Process Characteristics	
Satisfaction with Financial Outcomes	
Satisfaction with Parenting/Relationship Outcomes	
Satisfaction with Professionals and with Fees Paid to Professionals	
Correlation Coefficient Analysis	
Concluding Summary	
Do-It-Yourself (DIY) Process	53
Demographics of Responders Who Used DIY Process	
DIY Process Characteristics	
Satisfaction with Financial Outcomes	
Satisfaction with Parenting/Relationship Outcomes	
Correlation Coefficient Analysis	
Concluding Summary	

INTRODUCTION

Recognizing the important role of objective data to inform our work as collaborative professionals, the IACP conducted its second large-scale study.¹ This second project, called the Divorce Experience Study, focuses on understanding the experience of divorcing individuals within the context of the divorce process option used.

For the purposes of the study, the IACP Research Committee defined four separate divorce process options: Traditional Court Process; Collaborative Practice (“Collaborative Process”); Settlement Process other than Collaborative Practice (“Other Settlement Process”); and DIY Divorce (“DIY Process”). The major objectives identified for the Client Experience Study were to:

- Obtain demographic profile information of individuals in each of the four processes;
- Understand process characteristics of each of the four identified process options; and
- Learn about the experience of divorcing individuals, in particular their satisfaction level across a variety of factors, in each of the four identified processes.

To achieve these objectives, the Research committee created a Divorce Experience Survey which had respondents identify the process they used, asked questions about respondent demographics, facts about the divorce process chosen and respondent perceptions about their divorce.

METHODOLOGY

To determine the divorce process used by participants, the following questions were asked:

Q. What divorce process did you use?

DIY. You did your divorce on your own. That is, you and your former spouse made all decisions, prepared all legal documents and completed your divorce without the assistance of lawyers or any other professional.

Process Using at Least One Professional. At least one professional (such as lawyer(s), arbitrator, mediator, custody evaluator, special master, etc.) assisted you and/or your spouse with making decisions, preparing legal documents and/or completing your divorce.

¹ The first study, which concluded in 2010, focused on gathering information about Collaborative cases from both Collaborative professionals and from clients who used the Collaborative process. The findings and conclusions from this study are available in the Spring 2012 edition of the Collaborative Review (Volume 12 Issue 1), and is available in the member section of the IACP website.

Those who chose "Process Using at Least One Professional" were asked to answer the following question:

- Q. Which of the following processes did you use? If you used more than one divorce process, please check the ONE process you believe was the primary process in your case – that is, the process with which you spent the most time, money and effort.**

Traditional Court Process. Decisions were made by a 3rd party. A Judge or other third party (arbitrator, special master, magistrate, etc.) made one or more substantive decisions involving parenting, division of property, support and/or domestic violence.

Collaborative Practice (also known as Collaborative Law and Collaborative Divorce). Decisions were made by spouses with the assistance of collaborative lawyers. You and your former spouse each retained Collaborative lawyers and signed a Participation Agreement stating:

- Your intention to settle all issues out of court; and
- Your Collaborative lawyers could not represent you in court for any contested proceeding.

In addition to Collaborative lawyers, your Collaborative team may have included mental health and/or financial professionals who were precluded from appearing in court, as agreed in contracts signed by you and your former spouse.

Settlement Process Other Than Collaborative Practice. Decisions were made by spouses with the assistance of at least one professional:

- No third party (Judge, arbitrator, special master, magistrate, etc.) decided any issues for you.
- You reached an agreement with your former spouse on all issues in your divorce using a **settlement process** (other than Collaborative Practice as defined above) which involved at least one professional.

Examples of settlement processes are:

- Mediation
- Early neutral evaluation
- Cooperative practice
- Direct negotiations involving attorneys
- Nonbinding arbitration, etc.

To understand respondents' experiences in the process chosen, they were asked about their level of satisfaction with many aspects of their divorce:

- Satisfaction generally with the divorce process chosen, and with a variety of aspects of the chosen divorce process, including:
 - Level of privacy
 - Respectfulness
 - Disclosure of information
 - Opportunity to express self
 - Attention to needs/interests
 - Efficiency of process
- Satisfaction generally with the resolution of financial issues, and with the resolution of a variety of aspects of financial matters, including:
 - Allocation of debt
 - Child support
 - Spousal maintenance
 - Division of retirement, investment and bank accounts
- Satisfaction generally with resolution of parenting issues, and with the resolution of a variety of aspects of parenting matters, including:
 - Allocation of decision making rights and responsibilities
 - Parenting time arrangement
- Satisfaction generally with relationships among family post-divorce and with a variety of aspects of post-divorce family relationships, including:
 - Respondent's relationship with children
 - Respondent's relationship with former spouse
- Satisfaction generally with respondent's sense of well-being post- divorce, and with a variety of aspects of respondent's sense of well-being post- divorce, including:
 - Emotional well-being
 - Ability to co-parent
 - Ability to make financial decisions
 - Ability to work and earn an income
- Satisfaction with divorce professionals
- Satisfaction with fees paid

Satisfaction across all factors was measured on a 5-point scale, with 5 being very satisfied, 4 being somewhat satisfied, 3 being neutral, 2 being somewhat dissatisfied and 1 being very dissatisfied. In the data analysis below, the percentages of those who were very satisfied and those who were somewhat satisfied are frequently combined and reported as those who were satisfied. Likewise, the percentages of those who were very dissatisfied and those who were somewhat dissatisfied were frequently combined and reported as those who were dissatisfied. Those who were neutral on the dimension being measured are generally not reported in the analysis below.

IACP engaged Donald Winspear, President and CEO of Crescent Research, a national market research firm, to administer the Survey. Mr. Winspear obtained responders from national data banks available to Crescent Research. While several responders who used the Collaborative Process were obtained in this fashion, the sample of Collaborative Process responders was predominantly obtained through submission of client names to Crescent Research by IACP Collaborative practitioners.² Responders in the national sample completed the Survey between July 1 and July 9, 2015. Responders from the IACP sample completed the Survey between July 1 and September 8, 2015.

A total of 1,186 divorced individuals responded to and fully completed the Survey. Of these respondents, 1001 were identified through Crescent Research's data banks³ and 186 were identified via submission of names to Crescent Research by IACP members. The data results include a total of 222 responders who used the Collaborative Process, 337 who chose the Traditional Court Process, 165 who chose Other Settlement Process, and 339 who chose a DIY Process.⁴ For the Traditional Court Process and Other Settlement Processes, responses were reported for all cases and also for the subset of cases involving two attorneys. Of the 337 cases reported in the Traditional Court Process, 173 involved two attorneys. Of the 165 cases in the Other Settlement Process, 69 involved two attorneys.

In order to be eligible to participate in the Survey, responders must have completed a divorce in the United States⁵ within the 36 months preceding their response to the Survey, been between the ages of 25-70, and agreed to internet data collection.

Four separate chapters, one on each process option, describe in detail the findings from the study. Each report identifies the demographics of participants in the reported process, and their satisfaction with the broad factors identified above (process, financial outcomes, parenting outcomes, relationship outcomes, sense of own well-being, professionals and fees paid to professionals) as well as with the many sub-factors within each category.

² IACP members were asked to invite their clients to participate in the Survey. 306 Collaborative clients from 20 different states agreed to do so and provided written consent for their names and email addresses to be forwarded to Crescent Research.

³ Forty-three of the responders identified through national databases stated that they used the Collaborative process, rather than one of the other three processes.

⁴ Responses from 125 people were discarded because of failure to identify a process accurately.

⁵ Due to the differences in legal systems throughout the world and resulting difficulty in developing one Survey to address the stated goals, as well as the logistical and financial barriers to obtaining respondents outside the United States, the study was limited to the United States.

COLLABORATIVE PROCESS

This report is intended to relay the data results with respect to those who participated in the Collaborative Process. Little or no attempt has been made to draw conclusions about the meaning behind or implications of the results. Hopefully, others will explore aspects of these results, and shine a light on learnings to be gained and possible deeper exploration of client experiences to conduct.

DEMOGRAPHICS OF RESPONDERS WHO USED THE COLLABORATIVE PROCESS

According to the data, the greatest percentage of Collaborative Process participants were between 41 and 55 years of age, had been married for 16-30 years, were divorcing for the first time, had two children subject to the divorce process, claimed an income between \$50,001 and \$150,000, and were fairly wealthy, with a marital estate valued at over \$500,000.

Of the responders who used the Collaborative Process, 84% were 41 years of age or older (54% were between 41 and 55 years of age, and 30% were between 56 and 70 years of age). Only 16% were younger than 41 years of age (16% were between 25 and 40 years of age).

Most Collaborative Process respondents had been in long-term marriages. Fifty-four percent (54%) were married for 16-30 years, and 10% for 31 years or more. Thirty-six percent (36%) had been married to their most recent former spouse for 0-15 years.

Including their most recent divorce, 80% had been through only one divorce. Eighteen percent (18%) had been divorced twice, 2% three times, and 0% four times or more.

Eighty-five percent (85%) of Collaborative Process respondents had children, and 76% had children subject to the divorce. Of those who had children, almost half had two children (49%) subject to the divorce, 17% had one child subject to the divorce, 18% had three children subject to the divorce, 5% had four children subject to the divorce and 10% had no children subject to the divorce.

More than one-third of the Collaborative Process respondents (35%) claimed an income of \$50,000 or less, with 6% claiming no income the year a judge signed their final decree. Slightly more than one-third (34%) claimed an income over \$100,000 (15% claimed an income between \$100,001 and \$150,000, 4% claimed an income between \$150,001 and \$200,000 and 15% claimed an income between \$200,001 and \$300,000).

Reported incomes for the spouses of Collaborative Process respondents were similar: More than one-third of the spouses (37%) reportedly had incomes of \$50,000 or less, with 10% having no income the year a judge signed their final decree, and slightly more than one-third (38%) claiming an income of over \$100,000 (13% claimed an income between \$100,001 and \$150,000, 7% claimed an income between \$150,001 and \$200,000 and 18% claimed an income between \$200,001 and \$300,000).

Slightly less than one-third (28%) of Collaborative Process respondents had marital estates valued at \$150,000 or less, with 3% claiming marital estates valued at less than \$0. Twenty-three percent (23%) had estates valued at between \$150,001 and \$500,000, 18% had estates valued between \$500,001 and \$1,000,000, and approximately one-third (32%) claimed to have estates valued at \$1,000,001 - \$2,000,000.

COLLABORATIVE PROCESS CHARACTERISTICS

Why Responders Chose Collaborative Process

All responders were asked about what process options they had been informed about prior to choosing a process. Those who used the Collaborative Process reported as follows: eighty-three percent (83%) reported having been informed about the Traditional Court Process, fifty-eight percent (58%) reported having been informed of Other Settlement Processes, and forty-eight percent (48%) reported having been informed of their right to do their divorce on their own. Survey respondents were asked to identify, from a list of possible reasons for choosing a process, all statements that accurately described their reasons. The most commonly cited reason for choosing the Collaborative Process was that it was a more respectful process; seventy-eight percent (78%) indicated that: "I believed the process would be more respectful and less confrontational and adversarial." The next four most commonly cited reasons for choosing Collaborative Process were:

- I believed the process would lay a foundation for us to communicate effectively and respectfully into the future. (57%)
- I believed the process would cost less. (48%)
- I believed the needs of the children would be better met. (45%)
- I believed I would have more control over the outcome. (40%)

The other possible reasons for choosing a process, chosen by 25% - 39% of Collaborative Process responders, were:

- I believed I would receive a fair financial settlement. (38.91%)
- I did not believe my spouse and I could reach agreement without a third party decision maker. (33.48%)
- I thought this process offered the legal representation that I needed. (30.77%)
- I believed I would receive a fair sharing of parenting responsibilities. (24.89%)

The five least common reasons for choosing the Collaborative Process, selected by 1% - 23% of Collaborative Process responders, were:

- I believed the process would offer more privacy. (22.62%)
- My lawyer recommended it. (18.10%)
- It was the only process my spouse would use. (9.05%)

- I don't trust lawyers. (2.71%)
- It was the only process about which I was informed. (1.36%)

Professionals Used

All responders to the Survey using the Collaborative Process had a lawyer, and each of their spouses was represented by a lawyer. Sixty-seven percent (67%) of the cases involved a financial professional. Fifty-five percent (55%) included a Coach, Neutral Facilitator or other Mental Health Professional not serving in the role of a Child Specialist. Twenty-eight percent (28%) of these cases involved a Child Specialist.⁶

Fees Paid

Slightly less than half (42%) of responders in the Collaborative Process reported that they spent \$10,000 or less on their attorney. Thirty percent (30%) spent \$10,001 - \$25,000. Twenty percent (20%) spent \$25,001 - \$50,000. Four percent (4%) spent \$50,001 - \$100,000 and 4% spent more than \$100,000.

With regard to fees paid to the responder's spouse's Collaborative attorney, responders reported that 38% of spouses paid \$10,000 or less to their attorney. Slightly more than one-third (35%) paid \$10,001 - \$25,000. Eighteen percent (18%) paid \$25,001 - \$50,000. Seven percent (7%) paid \$50,001 - \$100,000 and 2% paid \$100,000.

Total fees paid in Collaborative Process cases to all professionals were as follows:

\$10,000 or less – 21% of cases

\$10,001 - \$25,000 – 28% of cases

\$25,001 - \$50,000 – 24% of cases,

\$50,001 - \$100,000 - 17% of cases

More than \$100,000 – 9% of cases

Length of Case

Approximately one-quarter (23%) of Collaborative Process cases settled in six months or less. Another forty percent (40%) settled in seven to twelve months. Thirty-two percent (32%) of cases took 12 to 24 months and 10% took over 24 months.⁷

⁶ In the 2010 IACP Study, “[s]lightly more than one-half of all cases reported used one or more mental health professionals and/or a financial professional. One or more mental health professionals were used in 44% of reported cases and 48% used a financial professional. Forty-three percent (43%) of reported cases used lawyers only”. *IACP Research Regarding Collaborative Practice (Basic Findings)*, Spring 2012 edition of the Collaborative Review (Volume 12 Issue 1), p. 6.

⁷ In the 2010 Study, “[f]ifty-eight percent (58%) of all cases completed in 8 or less months; 21% completed in 9-12 months; and 18% finished in 1-2 years. Fourteen percent (14%) of all cases completed in less than 3 months and 3% of cases completed in more than 2 years.” *Id.* at p. 6.

Settlement Rate/Use of Court

Ninety-four percent (94%) of responders using the Collaborative Process reported that they used only one divorce process, which indicates that ninety-four percent of Collaborative Process cases settled in the Collaborative Process.⁸ Of the six percent of cases which used at least one additional process, fifty percent (50%) used the Traditional Court Process and fifty percent (50%) used a settlement process other than Collaborative Process. Thirteen percent (13%) of responders indicated that formal discovery was used in their case.

Following their divorce, very few responders (2.26%) using the Collaborative Process indicated that they went to court to obtain a post-decree decision by a judge. Slightly less than fifteen percent (14.48%) of responders indicated that they used a professional such as a mediator, parenting consultant, parenting coordinator, coach, mental health professional or financial professional to assist with post-decree issues.

Difficulty Level of Collaborative Process Cases

On a five-point scale, with one being very easy and five being very difficult, approximately one-quarter (24.43%) of responders using the Collaborative Process rated their case as a four or five, that is, difficult or very difficult.⁹ Of those responders, fifty percent or more identified the following factors as contributing to the difficulty of their case:

- Significantly different views about one or more substantive legal issues (67%)
- Lack of trust (63%)
- Little or no cooperation (52%)
- Emotional issues (57%)
- Unrealistic expectations about outcome (54%)

Twenty-five percent (25%) to fifty percent (50%) of responders identified the following factors as contributing to the difficulty of their case:

- Refusal to disclose relevant information/documents (30%)
- Extreme lack of empathy for a spouse (37%)
- Imbalance of power (33%)
- Unilateral action by one spouse (26%)
- Unrealistic expectations about process (32%)
- Mental health issues (30%)
- The fees charged by one or more professionals (31%)
- Lack of communication, teamwork and/or organization between professionals (26%)

⁸ "Eighty-six percent (86%) of all reported collaborative law cases settled with an agreement on all issues", in the 2010 Study. "An additional 2% of cases reconciled." *Id.* at p. 7.

⁹ In the 2010 Study, professionals rated the difficulty level of cases. 40% of cases were rated difficult or very difficult – 25% as difficult and 15% as very difficult.

Those factors that seemed to have little or no bearing on the difficulty of cases, as evidenced by the few number of responders who selected them, are as follows:

- Domestic violence (0%)
- Invasion of privacy (3.7%)
- Substance abuse (7.41%)
- One or more professionals other than responder's own attorney, were unavailable (9.26%)
- One or more professionals refused to disclose relevant information/documents (3.7%)
- Withdrawal of one or more professionals (3.7%)
- Lack of trust among professionals (9.26%)
- Two attorneys had a very adversarial relationship (0%)
- Responder's attorney was not available when needed (1.85%)
- Threat by one or more professionals to go to court (1.85%)
- Responder's attorney made decisions or acted without informing responder (3.7%)

SATISFACTION WITH PROCESS

All Survey responders rated their general satisfaction with the process used and rated several specific factors pertaining to the process used, on a five-point scale with five being very satisfied and one being very dissatisfied. Seventy-seven percent (77%) of all Collaborative Process responders were generally satisfied (a rating of a 4 or 5) with the Collaborative Process. The greatest percentage of responders using the Collaborative Process were satisfied with the following aspects of the process (rating the factor a 4 or 5):

- Level of privacy (89.4%)
- Scheduling of meetings to accommodate calendar (83.5%)
- Opportunity to express self (81.36%)
- Disclosure of information (78.24%)
- Respectfulness (76.82%)
- Attention to responder's needs and interests (76%)

Satisfaction with other aspects of the Collaborative Process was generally high as well, as follows:

- Responder's control of process (67.27%)
- Problem solving process used (66.82%)
- Degree of cooperation (63.47%)
- Efficiency of process (58.06%)

Sixty-nine percent (69%) of responders using the Collaborative Process indicated that they probably or definitely would choose the Collaborative Process again, if they had to do their divorce over. Eight

percent (8%) stated that they definitely would not use the Collaborative Process again, and 7% stated that they probably would not use the Collaborative Process again.

Seventy-three percent (73%) of responders using the Collaborative Process indicated that they definitely or probably would refer the process to a friend. Five percent (5%) indicated that they definitely would not refer it to a friend, and 4% stated that they probably would not refer this process to a friend.

SATISFACTION WITH FINANCIAL OUTCOMES

In terms of the overall resolution of financial issues, 66% of those choosing the Collaborative Process were satisfied with their overall financial outcome; 6% were very dissatisfied and 19% somewhat dissatisfied for a combined dissatisfaction level of 25%.

These results were consistent across the board when considering individual elements of the financial issues related to divorce.

When dividing retirement, investments and bank accounts the satisfaction level was 69%, the very dissatisfied level 8%, and the overall dissatisfaction level (very dissatisfied and somewhat dissatisfied) 21%.

In terms of dividing debt, 67% were satisfied, under 5% were very dissatisfied and the overall dissatisfaction level was 16%.

When considering the results of housing decisions in the Collaborative Process nearly 75% of respondents were satisfied, 4% were very dissatisfied and 15% overall were dissatisfied.

Slightly fewer were satisfied with outcomes in alimony/spousal support agreements. Sixty-two percent (62%) were satisfied, and 25% were dissatisfied (with 8.6% of the dissatisfied reporting that they were very dissatisfied).

Finally, in terms of child support issues, 68% of those participating in the Collaborative Process reported being satisfied, and 19% were dissatisfied (with 6.5% of those who were dissatisfied reporting that they were very dissatisfied).

SATISFACTION WITH PARENTING/RELATIONSHIP OUTCOMES

Seventy-six percent (76%) of all Collaborative Process respondents were satisfied with parenting outcomes generally.

How parents share the parenting time and decision-making are important and sometimes difficult decisions. In the Collaborative Process, 71% of responders were satisfied with their parenting time arrangements and 15% were dissatisfied. Seventy-nine percent (79%) were satisfied with the allocation of decision-making rights and responsibilities and 12% were dissatisfied.

These parents emerged from the divorce feeling quite satisfied (87%) with their relationship with their children after the divorce and with their own ability to parent their children effectively (81%). In contrast only 57% of respondents were satisfied with their former spouse's relationship with their children while 26% were dissatisfied.

Although respondents felt fairly confident in their own ability to co-parent with their former spouse (76%), only 64% felt satisfied with the co-parenting relationship with their former spouse. The dissatisfaction rate reflected a similar pattern: 15% were dissatisfied with their own ability to co-parent with their former spouse, while 28% were dissatisfied with their co-parenting relationship.

Only 45% of the Collaborative Process respondents were satisfied with their post-divorce relationship with their former spouse, while 35% were dissatisfied.

Post-Divorce Sense of Well-Being

Eighty-one percent (81%) of responders in the Collaborative Process were generally satisfied with their own well-being after their divorce, and most respondents (73%) felt satisfied with the emotional well-being of their children after the divorce.

Respondents also felt confident (88%) that they were able to make financial decisions well and that that they were able to earn an income if that was necessary (81%).

SATISFACTION WITH PROFESSIONALS AND WITH FEES PAID TO PROFESSIONALS

Satisfaction with Professionals

Responders using the Collaborative Process indicated they were largely satisfied with the Collaborative professionals on their case. Seventy-nine percent (79%) were satisfied or very satisfied with their lawyer (average rating of 4.1). Seventy-six percent (76%) were satisfied or very satisfied with their Child Specialist (average rating of 4.1). Sixty-nine percent (69%) were satisfied or very satisfied with their Collaborative Coach (average rating of 3.8), and seventy-three percent (73%) were satisfied or very satisfied with their Collaborative financial professional (average rating of 3.9). The one exception was with regard to the lawyer representing the responder's spouse; only fifty-one percent (51%) of responders were satisfied or very satisfied with the lawyer representing his/her spouse.

Some Collaborative Process responders were dissatisfied with their Collaborative professionals, with the very dissatisfied generally falling below 8.5% of all Collaborative Process responders. Six percent were very dissatisfied with their Collaborative lawyer, and 9% were somewhat dissatisfied. Four percent were very dissatisfied with their Child Specialist, and 9% were somewhat dissatisfied. Seven percent (7%) were very dissatisfied with their Collaborative Coach, and 14% were somewhat dissatisfied. Nine percent (9%) were very dissatisfied with their Collaborative financial professional, and 12% were somewhat dissatisfied. As expected, there was somewhat greater dissatisfaction with

respect to the lawyer representing the responder's spouse; 11% of responders were very dissatisfied with the other lawyer and 22% were somewhat dissatisfied.

With regard to professionals involved in Collaborative Process cases who were not part of the formal Collaborative team, sixty-nine percent (69%) of responders were satisfied or very satisfied with a financial professional hired to handle a discrete issue, such as appraising a home (average rating of 3.9), and 17.5% were somewhat dissatisfied or very dissatisfied. Forty-six percent (46%) were satisfied or very satisfied with a vocational evaluator/counselor involved in their case (average rating of 3.5) and 8% were very dissatisfied (none were somewhat dissatisfied).

Satisfaction with Fees Paid to Professionals

Responders using the Collaborative Process were slightly less satisfied with fees paid to Collaborative professionals than they were with their professional's work on the case.

Sixty-four percent (64%) of responders were satisfied or very satisfied with fees paid to their own lawyer (3.7 average rating). Sixty-five percent (65%) were satisfied or very satisfied with the fees paid to their Child Specialist (3.9 average rating). Fifty-eight percent (58%) were satisfied or very satisfied with fees paid to their Collaborative Coach (average rating of 3.6), and sixty-two percent (62%) were satisfied or very satisfied with fees paid to the Collaborative financial professional (average rating of 3.6). Again, the lawyer representing the responder's spouse was in a stand-alone category; thirty-nine percent (39%) of responders were satisfied or very satisfied with fees paid to their spouse's lawyer (average rating of 3.2).

Some Collaborative Process responders were dissatisfied with the fees paid to their Collaborative professionals, with the very dissatisfied generally falling below 7.4% of all Collaborative responders. Five percent (5%) were very dissatisfied with the fees paid to their own Collaborative lawyer, and 20% were somewhat dissatisfied. Seven percent (7%) were very dissatisfied with the fees paid to their Child Specialist, and 11% were somewhat dissatisfied. Seven percent (7%) were very dissatisfied with the fees paid to their Collaborative Coach, and 15% were somewhat dissatisfied. Seven percent (7%) were very dissatisfied with the fees paid to their Collaborative financial professional, and 17% were somewhat dissatisfied. As expected, there was somewhat more dissatisfaction with respect to the fees paid to the lawyer representing the responder's spouse; 10% of responders were very dissatisfied with these fees and 15% were somewhat dissatisfied.

With regard to fees paid to professionals in Collaborative Process cases who were not part of the formal Collaborative team, sixty percent (60%) of responders were satisfied or very satisfied with fees paid to a financial professional retained to work on a discrete financial issue (average rating of 3.6), and 20% were somewhat or very dissatisfied. Forty-nine percent (49%) were satisfied or very satisfied with fees paid to a vocational evaluator/counselor (average rating of 3.5) and 10.8% were somewhat or very dissatisfied.

CORRELATION COEFFICIENT ANALYSIS

What factors drive participant satisfaction with a particular divorce process? Is it satisfaction with financial support received? Satisfaction with the parenting arrangements? Satisfaction with the degree of respect and cooperation received during the process? Other factors? A combination of many factors? And what can we learn from participants' satisfaction with other processes as compared to the Collaborative Process? How might we increase their satisfaction with the Collaborative Process?

To respond to these questions and aid professionals in improving service delivery to families experiencing divorce by better understanding what drives their satisfaction, Don Winspear of Crescent Research analyzed the responses from the IACP Client Experience Study using a Correlation Coefficient Analysis to determine which factors lead to a high degree of satisfaction with the divorce process chosen.

First, we offer a basic explanation about the analysis. A correlation coefficient is a statistical formula that measures the strength of the relationship between two variables. It is the degree to which changes in one variable predict a change in the other. In mathematical terms, it measures the extent of the linearity of the relationship between the variables.

Correlation coefficients are expressed as values between +1 and -1.

A coefficient of +1 indicates a perfect [positive correlation](#). Correlations are positive when the values increase together. So a change in one variable will predict a change in the same direction of the second variable. Coefficients between .9 and .5 are considered high positive with less than .5 a low positive

A coefficient of -1 indicates a perfect [negative correlation](#). Correlations are negative when one value decreases when the other increases. So a change in one variable predicts a change in the opposite direction of the second variable. Coefficients between -.5 to -.9. are considered high negative with less than -.5 a low negative.

A coefficient of 0 or close to 0 indicates that the variables aren't linked.

By exploring the relationship between numerous variables and the Responders' degree of overall satisfaction with the various divorce processes, our hope is that the Collaborative Community may learn about areas that need greater attention from professionals (where there is a low correlation between a variable and the degree of satisfaction with the process) *and* what areas to build upon (where there is high degree of correlation between a variable and the degree of satisfaction). As a result of this analysis, we may be able to predict ways to increase satisfaction with the process, or at a minimum, suggest possibilities for increasing satisfaction with the process.

The following is a presentation of our interpretation of the correlations, or relationships, between given factors and a responder's degree of satisfaction with the process they utilized to complete their

divorce. It is important for the reader to maintain an awareness that without a qualitative response (typically generated by interviewing a research participant), we can only make educated guesses about the meaning of the data. As you will see throughout, when reviewing the data and in an attempt to develop an understanding of the data, there are anecdotes that suggest possibilities and assumptions about what has been reported. In no way are these narratives intended to suggest a factual understanding. They are however intended to incite curiosity about the responses and begin a dialogue about meaning.

The data has been organized in terms of what factors are highly, moderately, or weakly correlated, as well as those which are not correlated at all with the responders' satisfaction with their chosen process.

Satisfaction with Specific Process Factors

When we explore the degree of satisfaction on the part of participants with the Collaborative Process, it appears that there was a stronger correlation between what happened during the process and satisfaction with the process than there was between the outcome of the process and satisfaction with process. For example, the data depicts a robust connection between satisfaction with the Collaborative process and the degree to which clients believed that they had control over the process (.775), the attention given to their needs and interests (.738) and the problem solving process used (.738). This is commensurate with the notion that Collaborative Practice is intended to be a client driven process. Additionally, there was a high correlation between satisfaction with process and responders' experiences of respect (.632), opportunity to express themselves (.622), in an efficient (.734) and cooperative way (.610). It is noteworthy that practice protocols and Participation Agreements generally set forth expectations of conduct such as respect, cooperation, etc.

Process factors more moderately correlated with satisfaction with the Collaborative Process were: disclosure of information (.503) and scheduling of meetings to accommodate responder's calendar (.524).

The level of privacy maintained in the Collaborative Process was somewhat weakly correlated to satisfaction with process (.431), relatively speaking. The responder's subjective sense of the difficulty level of their case (whether very easy, easy, moderate, difficult or very difficult) was somewhat weakly correlated with satisfaction with process (-.428). The length of time to complete a Collaborative divorce was very weakly correlated with satisfaction with process (-.265).

Satisfaction with Professionals and Fees Paid to Professionals

The data depicted a strong association between the responders' satisfaction with their own lawyer (.666) and satisfaction with the process; in contrast, there was a more moderate (but still somewhat strong) correlation between their satisfaction with the process and satisfaction with their spouse's lawyer (.513). Satisfaction with other core Collaborative professionals – Child Specialist, Coach and

Financial Professional – were more weakly correlated with responders’ satisfaction with the Collaborative Process (.383 - .425).

The total actual fees paid to the responder’s own lawyer, their former spouse’s lawyer or to all professionals more generally, was not correlated with the responder’s satisfaction with process (-.17 to -.131). The responders’ reported satisfaction with fees paid had some correlation with satisfaction with process. Satisfaction with fees paid to the responder’s own lawyer, the responder’s spouse’s lawyer and the Child Specialist were moderately correlated with satisfaction with the Collaborative Process (.457-.554). Satisfaction with fees paid to the responder’s Coach and Financial Professional were more weakly correlated with satisfaction with the Collaborative Process (.349-.366).

Satisfaction with Substantive Outcomes

Financial Outcomes

The only substantive outcome that was relatively strongly correlated with satisfaction with process was the resolution of financial outcomes (.638). This high correlation was not maintained when responders in the Collaborative Process were questioned about more specific financial outcomes such as satisfaction with division of retirement, investment and bank accounts, satisfaction with housing, and satisfaction with child support and alimony. All of these were slightly more weakly correlated with satisfaction with process (.37 -- .439). The data depicts a moderate correlation between satisfaction with process and the allocation of debt (.453).

Parenting Outcomes

There was a relatively weak correlation between responders’ satisfaction with the outcome of parenting issues and their satisfaction with the Collaborative Process. The correlation between responders’ satisfaction with parenting issues generally and their satisfaction with the Collaborative Process was .354, suggesting that satisfaction with parenting outcomes is not a strong driver behind satisfaction with the Collaborative Process. This finding is borne out by correlations between specific parenting matters and satisfaction with the Collaborative Process:

- satisfaction with the allocation of decision making rights and responsibilities between parents as correlated with satisfaction with the Collaborative Process (.333);
- satisfaction with the agreed upon parenting time arrangements as correlated with satisfaction with the Collaborative Process (.235);
- satisfaction with the responder’s ability to parent effectively as correlated with satisfaction with the Collaborative Process (.200);
- satisfaction with the ability of the responder’s co-parent to parent effectively as correlated with satisfaction with the Collaborative Process (.303); and
- satisfaction with the emotional well-being of children as correlated with satisfaction with the Collaborative Process (.312).

Satisfaction with Family Relationships

The correlation between responders' post-divorce satisfaction with their family relationships and with the Collaborative Process is not clear. Responders' response to a question about their satisfaction with family relationships generally shows a moderate correlation with their reported satisfaction with the Collaborative Process (.468). Yet, responders' satisfaction specifically with their post-divorce relationship with their children shows no relationship with their satisfaction with the Collaborative Process (.008), and their satisfaction with their former spouse's relationship with their children is very weakly correlated with their satisfaction with the Collaborative Process (.233). Responders' post-divorce satisfaction with their relationship with their former spouse is a bit more strongly (but still relatively weakly) correlated with their satisfaction with the Collaborative Process (.356).

Satisfaction with Responder's Own Sense of Well-being

Responders' satisfaction with their post-divorce general sense of well-being is moderately correlated with their satisfaction with the Collaborative Process (.500). However, as with other outcomes described above, responses to questions about specific factors pertaining to well-being are more weakly correlated with satisfaction with process:

- satisfaction with emotional well-being as correlated with satisfaction with the Collaborative Process (.381);
- satisfaction with the responder's ability to co-parent as correlated with satisfaction with the Collaborative Process (.256);
- satisfaction with the responder's ability to make financial decisions as correlated with satisfaction with the Collaborative Process (.296); and
- satisfaction with ability to work and earn an income as correlated with satisfaction with the Collaborative Process (.276).

Demographic Factors

The data reveals that there is no correlation between satisfaction with Collaborative Process and demographic factors such as the income of the responder (-.096), income of the former spouse (.037) and the value of the marital estate (-.084).

CONCLUDING SUMMARY

Demographically, responders in the Collaborative Process group tended to be older and in longer-term marriages with children. A significant percentage had good incomes and high estate values. Process factors, rather than outcome factors, were the main reasons clients choose the Collaborative Process. After completing the process, responders reported that their satisfaction with the Collaborative Process was more strongly correlated with process factors than with outcome factors.

TRADITIONAL COURT PROCESS

This report is intended to relay the data results with respect to those who participated in the Traditional Court Process. Little or no attempt has been made to draw conclusions about the meaning behind or implications of the results. Hopefully, others will explore aspects of these results, and shine a light on learnings to be gained and possible deeper exploration of client experiences to conduct.

DEMOGRAPHICS OF RESPONDERS WHO USED THE TRADITIONAL COURT PROCESS

According to the data, the greatest percentage of users of the Traditional Court Process were between 25 and 40 years of age, had been married for 0-15 years, and were divorcing for the first time. The majority had children subject to the divorce process, claimed an income of between \$0 and \$50,000, and had a marital estate valued at between \$0 and \$150,000.

Of those using the Traditional Court Process, 50% were between 25 and 40 years of age, 36% were between 41 and 55 years of age, and 14% were between 56 and 75 years of age. In two-attorney cases respondents were generally just slightly older (44% were between 25 and 40 years of age, 40% were between 41 and 55 years of age, and 16% were between 56 and 70 years of age.)

Most respondents in the Traditional Court Process were married 15 years or less. 80% had been married to their most recent former spouse for 0-15 years, 16% for 16-30 years, and 4% for 31 years or more. In two-attorney cases, slightly more respondents had longer marriages (75% had been married to their most recent former spouse for 0-15 years, 20% for 16-30 years, and 5% for 31 years or more).

Including their most recent divorce, 73% had been through one divorce, 22% had been divorced twice, 4% three times, and 1% four times or more. The results were nearly identical for two-attorney cases.

Eighty-six percent (86%) of respondents had children and 69% had children subject to the divorce. Of those with children, 20% had no children subject to the divorce process, 44% had one child subject to the divorce process, 25% had two children subject to the divorce process, 8% had three children subject to the divorce process, and 3% had four children subject to the divorce process. The results were similar in two-attorney cases: (89% of respondents had children; of those, 13% had no children subject to the divorce process, 44% had one child subject to the divorce process, 31% had two children subject to the divorce process, 10% had three children subject to the divorce process, and 2% had four children subject to the divorce process).

Almost 60% of those using the Traditional Court Process had an income of \$50,000 or less, with 5% claiming no income the year a judge signed their final decree, and 54% claiming an income of up to \$50,000. Thirty-three percent (33%) claimed an income between \$50,001 and \$150,000, and only 8% claimed between \$150,001 and \$300,000. In two-attorney cases, slightly more respondents claimed an income between \$50,001 and \$150,000 (43% as compared to 33%) and slightly fewer claimed an income of \$50,000 or less (51% as compared to 60%).

Reported incomes for the spouses of Traditional Court Process respondents were somewhat similar. Almost 61% of those using the Traditional Court Process had an income of \$50,000 or less, with significantly more (15%) claiming no income the year a judge signed their final decree, and 46% claiming an income of up to \$50,000. Thirty-seven percent (37%) claimed an income between \$50,001 and \$150,000, and only 2% claimed between \$150,001 and \$300,000. Incomes of spouses in two-attorney cases were reportedly somewhat higher, with only 49% of spouses earning an income of \$50,000 or less and 51% earning \$50,001 to \$300,000.

Two-thirds of all respondents in the Traditional Court Process had marital estates valued at \$150,000 or less the year a judge signed their final decree, with 8% having marital estates valued at less than \$0 and 58% having estates valued between \$0 and \$150,000. Slightly more than a quarter of respondents (27%) had estates valued at between \$150,001 and \$500,000, 6% had estates valued between \$500,001 and \$1,000,000, and 1% had estates valued at between \$1,000,001 and \$2,000,000. In two-attorney cases, the size of marital estates was slightly larger (57% had estates valued at less than \$0 to \$150,000, 33% had estates valued at between \$150,001 and \$500,000, and 10% had estates valued between \$500,001 and \$2,000,000).

TRADITIONAL COURT PROCESS CHARACTERISTICS

Why Responders Chose the Traditional Court Process

All responders were asked about what process options they had been informed about prior to choosing a process. Those who used the Traditional Court Process reported as follows: forty-four percent (44%) reported having been informed about Collaborative Practice, forty-two percent (42%) reported having been informed of settlement processes other than Collaborative Practice, and forty-seven percent (47%) reported having been informed of their right to do their divorce on their own. Among two-attorney cases, process-awareness reports were similar (46% for both Collaborative and other settlement processes), though fewer reported being informed of their right to do their divorce on their own (37%).

Survey respondents were asked to identify, from a list of possible reasons for choosing a process, all that accurately described their reasons. The most commonly cited reason for choosing the Traditional Court Process – selected by twenty-nine percent (29%) of responders – was that the responder thought the process offered the legal representation they needed. The next four most commonly cited reasons for choosing the Traditional Court Process were:

- My lawyer recommended it (27%)
- I didn't believe my spouse and I could reach an agreement without a decision maker (23%)
- I believed our children's needs would be better met (20%)
- I believed the process would cost less (19%)

The other possible reasons for choosing a process, each chosen by approximately 18% of Traditional Court Process responders, were:

- I believed I would have more control over the outcome (18.40%)
- It was the only process my spouse would use (18.40%)
- I believed the process would be more respectful (18.10%)
- I believed I would receive a fair financial settlement (17.51%)

The following appeared to have little bearing on responders' choice to use the Traditional Court Process:

- I believed I would receive a fair sharing of parenting responsibilities (14.84%)
- I believed the process would offer more privacy (11.87%)
- It was the only process about which I was informed (10.98%)
- I believed the process would lay a foundation for me and my spouse to communicate effectively in future (10.39%)
- I don't trust lawyers (3.86%)

Among two-attorney cases, before choosing a process, of those who used the Traditional Court Process, forty-six percent (46%) reported having been informed about Collaborative Practice, forty-six percent (46%) reported having been informed of settlement processes other than Collaborative Practice, and thirty-seven percent (37%) reported being informed of their right to do their divorce on their own.

Among two-attorney cases, the two most commonly cited reasons for choosing the Traditional Court Process – thirty-five percent (35%) for each – were that the respondent's lawyer recommended it and that the respondent didn't believe they and their spouse could reach an agreement without a decision-maker. The next four most commonly cited reasons for choosing the Traditional Court Process were:

- I thought the process offered the legal representation I needed (34%)
- I believed the children's needs would be better met (26%)
- I believed I would receive a fair financial settlement (21%)
- I believed I would have more control over the outcome (21%)

The other possible reasons for choosing a process, chosen by 17% - 19% of Traditional Court Process responders, were:

- It was the only process my spouse would use (19.08%)
- I believed the process would be more respectful (17.34%)
- I believed I would receive a fair sharing of parenting responsibilities (16.76%)

The following appeared to have little bearing on responders' choice to use the Traditional Court Process in two-attorney cases:

- I believed the process would cost less (14.45%)
- It was the only process about which I was informed (10.98%)
- I believed the process would lay a foundation for me and my spouse to communicate effectively in future (9.83%)
- I believed the process would offer more privacy (8.67%)
- I don't trust lawyers (2.89%)

Professionals Used

Fifty-one percent (51%) of responders using the Traditional Court Process indicated that both parties were represented by attorneys. Twenty-six percent (26%) of the cases involved a mediator; sixteen percent (16%) included a financial professional; eleven percent (11%) involved a custody evaluator; eleven percent (11%) involved a parenting coordinator; ten percent (10%) involved a *Guardian ad Litem*; and seven percent (7%) involved an arbitrator.

Among two-attorney cases, involvement of other professionals was slightly more common: thirty-six percent (36%) of the cases involved a mediator; nineteen percent (19%) included a financial professional; fourteen percent (14%) involved a custody evaluator; twelve percent (12%) involved a parenting coordinator; eleven percent (11%) involved a *Guardian ad Litem*; and eleven percent (11%) involved an arbitrator.

Fees Paid

Where Traditional Court Process responders reported how much their attorney was paid, 70% reported that they spent \$10,000 or less on their attorney. Twenty-three percent (23%) spent \$10,001 - \$25,000. Five percent (5%) spent \$25,001 - \$50,000. One percent (1%) spent \$50,001 - \$75,000 and zero percent (0%) spent more than \$75,000.

Where Traditional Court Process responders reported how much their spouse's attorney was paid, seventy-six percent (76%) reported that their spouse spent \$10,000 or less on their attorney. Twenty percent (20%) spent \$10,001 - \$25,000. Three percent (3%) spent \$25,001 - \$50,000. One percent (1%) spent \$50,001 - \$75,000 and zero percent (0%) spent more than \$75,000.

Total fees paid in Traditional Court Process cases to all professionals were as follows:

\$10,000 or less – 63% of cases

\$10,001 - \$25,000 – 20% of cases

\$25,001 - \$50,000 – 11% of cases

\$50,001 - \$100,000 - 5% of cases

More than \$100,000 – 1% of cases

Not surprisingly, clients reported that total fees paid were generally higher in two-attorney cases: sixty-four percent (64%) reported that they spent \$10,000 or less on their attorney. Twenty-seven percent (27%) spent \$10,001 - \$25,000. Eight percent (8%) spent \$25,001 - \$50,000. One percent (1%) spent \$50,001 - \$75,000 and zero percent (0%) spent more than \$75,000.

Among two-attorney cases where Traditional Court Process responders reported how much their spouse's attorney was paid, seventy-one percent (71%) reported that their spouse spent \$10,000 or less on their attorney. Twenty-two percent (22%) spent \$10,001 - \$25,000. Four percent (4%) spent \$25,001 - \$50,000. Two percent (2%) spent \$50,001 - \$75,000 and zero percent (0%) spent more than \$75,000.

Total fees paid in Traditional Court Process two-attorney cases to all professionals were as follows:

- \$10,000 or less – 47% of cases
- \$10,001 - \$25,000 – 30% of cases
- \$25,001 - \$50,000 – 11% of cases,
- \$50,001 - \$100,000 - 10% of cases
- More than \$100,000 – 2% of cases

Length of Case

Forty-one percent (41%) of Traditional Court Process cases completed in six months or less. Another thirty-seven percent (37%) completed in seven to twelve months. Fifteen percent (15%) of cases took 13 to 24 months and eight percent (8%) took over 24 months.

Two-attorney Traditional Court Process cases generally took longer to settle than those where only one party was represented. Twenty-nine percent (29%) of those cases completed in six months or less. Another forty percent (40%) completed in seven to twelve months. Twenty-four percent (24%) of cases took 13 to 24 months and eleven percent (11%) took over 24 months.

Use of Other Processes

Eighty-four percent (84%) of Traditional Court Process cases reported that they used only one divorce process. Results were similar for two-attorney cases, with eighty percent (80%) of responders using the Traditional Court Process reporting that they used only one divorce process.

Following their divorce, twenty percent (20%) of all Traditional Court Process responders and twenty-one percent (21%) of two-attorney responders using the Traditional Court Process indicated that they went back to court to obtain a post-decree decision by a judge. Nineteen percent (19%) of all Traditional Court Process responders and twenty percent (20%) of two-attorney Traditional Court Process responders indicated that they used a professional such as a mediator, parenting consultant, parenting coordinator, coach, mental health professional or financial professional to assist with post-decree issues.

Difficulty Level of Traditional Court Cases

Forty percent (40%) of all Traditional Court Process responders and 53% of two-attorney case responders indicated that formal discovery was used in their case.

On a five-point scale, with one being very easy and five being very difficult, twenty-one percent (21%) of responders using the Traditional Court Process rated their case as a four or five, that is, difficult or very difficult. Of those responders, fifty percent or more identified the following factors as contributing to the difficulty of their case:

- Little or no cooperation (63%)
- Lack of trust (56%)

Twenty-five percent (25%) to fifty percent (50%) of responders identified the following factors as contributing to the difficulty of their case:

- Significantly different views about one or more substantive legal issues (49%)
- Emotional issues (42%)
- Refusal to disclose relevant information/documents (39%)
- Verbal abuse (39%)
- Spouse's attorney was uncooperative (32%)
- Imbalance of power (32%)
- Extreme lack of empathy for a spouse (31%)
- Lack of communication, teamwork and/or organization between professionals (31%)
- Unrealistic expectations about outcome (28%)

Those factors that seemed to have little or no bearing on the difficulty of cases, as evidenced by the low number of responders who selected them, are as follows:

- Invasion of privacy (16.67%)
- Different approaches/styles of advocacy (11.11%)
- Threats by one or more professionals to go to court (8.33%)
- Responder's attorney made decisions or acted without informing responder (8.33%)
- One or more attorneys acted unilaterally (5.56%)

Among two-attorney Traditional Court Process responders, on the five-point scale, thirty-two percent (32%) of responders using the Traditional Court Process rated their case as a four or five, that is, difficult or very difficult. Of those responders, similarly to all cases, fifty percent or more identified the following factors as contributing to the difficulty of their case:

- Little or no cooperation (67%)
- Lack of trust (62%)

Twenty-five percent (25%) to fifty percent (50%) of two-attorney responders identified the following factors as contributing to the difficulty of their case:

- Significantly different views about one or more substantive legal issues (47%)
- Refusal to disclose relevant information/documents (44%)
- Emotional issues (40%)
- Spouse's attorney was uncooperative (40%)
- Verbal abuse (36%)
- Extreme lack of empathy for a spouse (31%)
- Unilateral action by one spouse (29%)
- Lack of communication, teamwork and/or organization between professionals (29%)
- Spouse's attorney was unduly litigious (29%)
- Unrealistic expectations about outcome (27%)
- Imbalance of power (27%)
- The fees charged by one or more professionals (27%)
- Mental health issues (27%)

Those factors that seemed to have little or no bearing on the difficulty of cases, as evidenced by the few number of responders who selected them, are as follows:

- Different approaches/styles of advocacy (9.09%)
- Invasion of privacy (9.09%)
- One or more attorneys acted unilaterally (7.27%)
- Responder's attorney made decisions or acted without informing responder (7.27%)

SATISFACTION WITH PROCESS

All Survey responders rated their general satisfaction with the process used and rated several specific factors pertaining to the process used, on a five-point scale with five being very satisfied and one being very dissatisfied. Seventy percent (70%) of all Traditional Court Process responders and 63% of two-attorney Traditional Court Process responders were generally satisfied (a rating of a 4 or 5) with the Traditional Court process.

The greatest percentage of responders using the Traditional Court Process were satisfied with the following aspects of the process (rating the factor a 4 or 5):

- Level of privacy (73.68%)
- Scheduling of meetings to accommodate calendar (68.45%)
- Disclosure of information (67.38%)
- Opportunity to express self (67.38%)
- Respectfulness (67.37%)
- Attention to responder's needs and interests (66.87%)

Satisfaction with other aspects of the Traditional Court Process was generally high as well, as follows:

- Problem solving process used (64.6%)
- Efficiency of process (63.58%)
- The process itself (61.26%)
- Degree of cooperation (59.467%)
- Responder's control of process (57.75%)

Sixty-two percent (62%) of responders using the Traditional Court Process indicated that they probably or definitely would choose the Traditional Court Process again, if they had to do their divorce over. Six percent (6%) stated that they definitely would not use the Traditional Court Process again, and ten percent (10%) stated that they probably would not use the Traditional Court Process again.

Sixty-three percent (63%) of responders using the Traditional Court Process indicated that they definitely or probably would refer the process to a friend. Five percent (5%) indicated that they definitely would not refer it to a friend, and seven percent (7%) stated that they probably would not refer this process to a friend.

Among two-attorney cases, the greatest percentage of responders using the Traditional Court Process were satisfied with the following aspects of the process (rating the factor a 4 or 5):

- Level of privacy (68.67%)
- Scheduling of meetings to accommodate calendar (63.47%)
- Disclosure of information (62.94%)
- Opportunity to express self (62.50%)
- Attention to responder's needs and interests (61.27%)
- Respectfulness (58.82%)

Satisfaction with other aspects of the Traditional Court Process was generally high in two-attorney cases as well, as follows:

- Problem solving process used (55.69%)
- Efficiency of process (52.05%)
- The process itself (50.89%)
- Responder's control of process (49.41%)
- Degree of cooperation (46.47%)

Although process factors ranked from those with the greatest percentage satisfied to the least percentage satisfied, were similar between all Traditional Court Process responders and two-attorney Traditional Court Process responders, the percentage satisfied across process factors is less in two-attorney cases than in all cases.

Sixty-eight percent (68%) of responders using the Traditional Court Process indicated that they probably or definitely would choose the Traditional Court Process again, if they had to do their divorce over. Seven percent (7%) stated that they definitely would not use the Traditional Court Process again, and eight percent (8%) stated that they probably would not use the Traditional Court Process again.

Among two-attorney Traditional Court Process cases, sixty-two percent (62%) of responders indicated that they probably or definitely would choose the Traditional Court Process again, if they had to do their divorce over. Six percent (6%) stated that they definitely would not use the Traditional Court Process again, and ten percent (10%) stated that they probably would not use the Traditional Court Process again.

Sixty-nine percent (69%) of responders using the Traditional Court Process indicated that they definitely or probably would refer the process to a friend. Five percent (5%) indicated that they definitely would not refer it to a friend, and six percent (6%) stated that the probably would not refer this process to a friend.

Sixty-three percent (63%) of two-attorney responders using the Traditional Court Process indicated that they definitely or probably would refer the process to a friend. Five percent (5%) indicated that they definitely would not refer it to a friend, and seven percent (7%) stated that the probably would not refer this process to a friend.

SATISFACTION WITH FINANCIAL OUTCOMES

Sixty-four percent (64%) of responders choosing a Traditional Court Process were general satisfied with their financial outcomes (36% very satisfied and 28% somewhat satisfied). Twenty-seven percent (27%) were dissatisfied with financial outcomes (12% were somewhat dissatisfied and 15% were very dissatisfied).

When considering individual elements of the financial issues related to divorce, the results are consistent with the overall satisfaction level regarding financial outcomes.

Just under 60% (59.5%) were satisfied with the division of retirement, investments and bank accounts. The dissatisfaction level was 22% (8% were somewhat dissatisfied and 14% were very dissatisfied).

In terms of dividing debt, 61% of participants were satisfied with the resolution (36% were very satisfied and 25% somewhat satisfied), while 23% were dissatisfied (10% somewhat dissatisfied and 13% very dissatisfied).

When considering the results of housing decisions in the Traditional Court Process 65% were satisfied (35% were very satisfied and 30% somewhat satisfied), 12% were very dissatisfied and 12% were somewhat dissatisfied.

Slightly fewer were satisfied with alimony/spousal support outcomes. Approximately 59% were satisfied (32% very satisfied and 27% somewhat satisfied) and a 24% were dissatisfied (10% somewhat dissatisfied and 14% very dissatisfied).

Finally, in terms of child support issues, of those participating in the traditional process 61% were satisfied (29% very satisfied and 32% somewhat satisfied) and 26% were dissatisfied (11% somewhat dissatisfied and 15% very dissatisfied).

Of special note in terms of those using the traditional process, the percentage of those who were very satisfied with general financial outcomes dropped when there were two attorneys involved, from 36% to 25%. Somewhat similar drops in the percentage of very satisfied responders occurred regarding satisfaction with housing (very satisfied dropped from 35% to 29%), and the division of retirement, investment and bank accounts (very satisfied dropped from 35% to 25%). The percentage of those very satisfied with respect to alimony awards remained the same regardless of whether attorneys were involved or not (32% of all cases vs. 31% of cases involving two attorneys). Likewise, the percentage of those very satisfied with respect to allocation of debt remained the same regardless of whether attorneys were involved or not (36% of all cases vs. 35% of cases involving two attorneys).

SATISFACTION WITH PARENTING OUTCOMES

Seventy-nine percent (79%) of all respondents were satisfied with parenting outcomes generally, while 71% of the respondents using two lawyers were satisfied.

Reaching agreement regarding parenting time arrangements and allocation of decision-making responsibilities regarding the children are often difficult for divorcing families. Of all the respondents in the Traditional Court Process, 69% were satisfied with their parenting schedule and 68% were satisfied with the allocation of decision-making rights and responsibilities. Of the respondents using two lawyers, 67% were satisfied with parenting time arrangements and 66% were satisfied with the allocation of decision-making rights and responsibilities.

There is little difference in the two groups regarding their satisfaction with their ability to parent their children effectively with 74% of the group as a whole and 76% of the two-lawyer group being satisfied in this area.

There was also little difference in the two groups with regard to the respondent's satisfaction with their own ability to co-parent effectively. Of the general group, 73% were satisfied that they could co-parent effectively and in the two-lawyer group, 71% felt satisfied in their ability to co-parent. Respondents were less confident with the ability of themselves and their former spouse to co-parent together, however, with 63% of the general group and 61% of the two-lawyer group, feeling satisfied in this area, and 22% of the general group and 27% of the two-lawyer group feeling dissatisfied. The trend for the two-lawyer group to be slightly less satisfied is continued with the

respondent's satisfaction with their children's well-being post-divorce; 67% percent of the entire group and 65% of the two-lawyer group were satisfied with their children's well-being post-divorce.

SATISFACTION WITH POST-DIVORCE RELATIONSHIPS

Respondents were asked questions about their satisfaction regarding the post-divorce relationships among their family members. Generally, 66% of the entire group and 63% of the two-lawyer group were satisfied with their family relationships after the divorce. A high percentage of respondents (87%) were satisfied with their relationship with their children. In the two-lawyer group, the outcome was even stronger with 91% satisfied with their relationship with their children after the divorce.

When asked how they felt about their former spouse's relationship with the children, the results were quite different. Only 62% of the whole group and 60% of the two-lawyer group was satisfied that their former spouse had a positive relationship with the children after the divorce. Twenty-five percent of the general group was dissatisfied, with 15% being very dissatisfied. Twenty-seven percent (27%) of the two-lawyer group was dissatisfied, with 17% being very dissatisfied.

Respondents were even less satisfied with their own relationship with their former spouse, with 50% of the whole group and 43% of the two-lawyer group being satisfied in this outcome. In the general group, 29% were dissatisfied, of which 18% were very dissatisfied. Within the two-lawyer group, 37% were dissatisfied with 26% being very dissatisfied. It is noteworthy that this is the only category where the satisfaction level is not over fifty percent.

SATISFACTION WITH POST-DIVORCE SENSE OF WELL-BEING

With regard to the respondent's satisfaction with their own overall well-being, 71% of the entire group and 68% of the two-lawyer group were satisfied.

Specifically, with respect to emotional well-being post-divorce, 74% of the larger group and 75% of the two-lawyer group reported being satisfied.

When well-being was assessed in terms of ability to make financial decisions and with an ability to make an income if necessary, post-divorce, the group using two lawyers in the Traditional Court Process was slightly more satisfied than the group as a whole. Eighty-six percent (86%) of the two-lawyer group and 83% of the entire group were satisfied with their ability to make financial decisions. Seventy-six percent (76%) of the two-lawyer group and 74% of the entire group were satisfied with their ability to earn an income.

SATISFACTION WITH PROFESSIONALS AND WITH FEES PAID TO PROFESSIONALS

Satisfaction with Professionals

Responders who used the Traditional Court Process indicated they were relatively satisfied with the professionals on their case.

- Seventy-four percent (74%) were satisfied or very satisfied with their lawyer (average rating of 3.9).
- Sixty percent (60%) were satisfied or very satisfied with their Mediator (average rating of 3.6).
- Fifty-four percent (54%) were satisfied or very satisfied with their arbitrator (average rating of 3.7).
- Sixty-two percent (62%) were satisfied or very satisfied with their *Guardian ad Litem* (average rating of 3.7).
- Fifty-eight percent (58%) were satisfied or very satisfied with their custody evaluator (average rating of 3.7).
- Sixty-two percent (62%) were satisfied or very satisfied with their parenting coordinator (average rating of 3.8).

The one exception was with regard to the lawyer representing the responder's spouse; only thirty-eight percent (38%) of responders were satisfied or very satisfied with the lawyer representing their spouse.

The satisfaction level in two-attorney cases was similar:

- Sixty-nine percent (69%) were satisfied or very satisfied with their lawyer (average rating of 3.7).
- Sixty-one percent (61%) were satisfied or very satisfied with their Mediator (average rating of 3.5).
- Fifty-nine percent (59%) were satisfied or very satisfied with their arbitrator (average rating of 3.7).
- Sixty-one percent (61%) were satisfied or very satisfied with their *Guardian ad Litem* (average rating of 3.6).
- Fifty-eight percent (58%) were satisfied or very satisfied with their custody evaluator (average rating of 3.7).
- Sixty-two percent (62%) were satisfied or very satisfied with their parenting coordinator (average rating of 3.8).

Again, as in all cases, the one exception in two-attorney cases was with regard to the lawyer representing the responder's spouse; only thirty-one percent (31%) of responders were satisfied or very satisfied with the lawyer representing his/her spouse (average rating of 2.8).

Satisfaction with Fees Paid to Own Lawyer

Responders who used the Traditional Court Process were mostly satisfied with the fees they paid to their lawyer. Sixty-six percent (66 %) were either very satisfied or somewhat satisfied with the fees they paid their lawyer. Somewhat surprisingly, only 8% of responders were very dissatisfied with the fees paid to their lawyer in the traditional process. Twelve percent (12%) were somewhat dissatisfied.

In two-attorney cases, slightly fewer respondents were satisfied with fees paid to their own lawyer: 58% were very satisfied or somewhat satisfied, 12% were very dissatisfied and 16% were somewhat dissatisfied.

Ninety-two percent (92%) of people who were very satisfied with the fees they paid their own lawyer were also either very satisfied or somewhat satisfied with the primary process they chose.

Satisfaction with Fees Paid to Spouse’s Lawyer

Responders who used the Traditional Court Process were not as satisfied with the fees their spouse’s lawyer charged: 42% were either very satisfied or somewhat satisfied and 25% were dissatisfied, with 16% being very dissatisfied and 8% being somewhat dissatisfied.

In two-attorney cases, again fewer respondents were satisfied with fees paid to their spouse’s lawyer: 38% were very satisfied or somewhat satisfied, 18% were very dissatisfied and 13% were somewhat dissatisfied.

Satisfaction with Fees Paid to Other Professionals

Responders who used the Traditional Court Process were very satisfied/somewhat satisfied, neutral or somewhat dissatisfied/very dissatisfied with the fees charged by each of other professionals in their case as follows:

	Very Satisfied/ Somewhat Satisfied	Neutral	Very Dissatisfied/ Somewhat Dissatisfied
Mediator	56%	27%	17%
Arbitrator	57%	27%	16%
<i>Guardian ad Litem</i>	63%	26%	12%
Custody Evaluator	55%	33%	11%
Parenting Coordinator	60%	33%	7%
Mental Health Professional	49%	38%	11%
Financial Expert	69%	23%	8%
Career/Vocational evaluator or counselor	60%	33%	7%

In two-attorney cases, the satisfaction rate with fees paid to other professionals was as follows:

	Very Satisfied/ Somewhat Satisfied	Neutral	Very Dissatisfied/ Somewhat Dissatisfied
Mediator	57%	21%	23%
Arbitrator	65%	14%	21%
<i>Guardian ad Litem</i>	61%	18%	21%
Custody Evaluator	61%	24%	15%
Parenting Coordinator	61%	27%	12%
Mental Health Professional	56%	24%	19%
Financial Expert	66%	24%	10%
Career/Vocational evaluator or counselor	53%	33%	14%

CORRELATION COEFFICIENT ANALYSIS

What factors drive participant satisfaction with a particular divorce process? Is it satisfaction with financial support received? Satisfaction with the parenting arrangements? Satisfaction with the degree of respect and cooperation received during the process? Other factors? A combination of many factors? And what can we learn from participants' satisfaction with other processes as compared to the Collaborative Process? How might we increase their satisfaction with the Collaborative process?

To respond to these questions and aid professionals in improving service delivery to families experiencing divorce by better understanding what drives their satisfaction, Don Winspear of Crescent Research analyzed the responses from the IACP Client Experience Study using a Correlation Coefficient Analysis to determine which factors lead to a high degree of satisfaction with the divorce process chosen.

First, we offer a basic explanation about the analysis. A correlation coefficient is a statistical formula that measures the strength of the relationship between two variables. It is the degree to which changes in one variable predict a change in the other. In mathematical terms, it measures the extent of the linearity of the relationship between the variables.

Correlation coefficients are expressed as values between +1 and -1. A coefficient of +1 indicates a perfect [positive correlation](#). Correlations are positive when the values increase together. So a change in one variable will predict a change in the same direction of the second variable. Coefficients between .9 and .5 are considered high positive with less than .5 a low positive

A coefficient of -1 indicates a perfect [negative correlation](#). Correlations are negative when one value decreases when the other increases. So a change in one variable predicts a change in the opposite direction of the second variable. Coefficients between -.5 to -.9 are considered a high negative with below 0 but above -.5 a low negative.

A coefficient of 0 or close to 0 indicates that the variables aren't linked.

The data has been organized in terms of what factors are highly, moderately, or weakly correlated, as well as those which are not correlated at all with the responders' satisfaction with their chosen process.

Satisfaction with Specific Process Factors

When reviewing the data and exploring the relationships between specific variables and responders' satisfaction with the Traditional Court Process, several process factors (as opposed to outcome factors) appeared to be among the most strongly correlated with satisfaction with the traditional court process. The problem solving process used was the factor most highly correlated with satisfaction with the Traditional Court Process (.696). Additional process factors strongly correlated with satisfaction with the Traditional Court Process were: responders' sense of control over the process (.657), attention to a responder's needs and interests (.655), the degree of cooperation (.657), efficiency of process (.654), disclosure of information (.613), experience of respectfulness exhibited in process (.636), and opportunity to express self (.636).

The scheduling of meetings to accommodate the responder's calendar and the level of privacy maintained were more moderately correlated with satisfaction with process (.549 and .585 respectively).

The length of the Traditional Court Process and how easy or difficult it was to resolve legal issues were somewhat weakly correlated with satisfaction with the Traditional Court Process (-.255 and -.430 respectively).

Satisfaction with Professionals and Fees Paid to Professionals

Responders' satisfaction with their own lawyer was also strongly correlated with their satisfaction with the Traditional Court Process (.628). Satisfaction with other professionals used in the process was somewhat less strongly correlated with satisfaction with the process (former spouse's lawyer - .489; mediator - .539; arbitrator - .503; *Guardian ad Litem* - .492; custody evaluator - .548; parenting coordinator - .530; other mental health professional - .525; financial expert - .518; career or vocational evaluator/counselor - .537).

With regard to satisfaction with fees paid to professionals, responders' satisfaction with fees paid to their own lawyers is somewhat more weakly correlated to satisfaction with process (.562) than is their satisfaction with fees paid to certain other professionals (arbitrator - .671; *Guardian ad Litem* - .627; Career/vocational evaluator/counselor - .616). Like satisfaction with fees paid to the responder's own lawyer, satisfaction with fees paid to many other professionals is moderately correlated with satisfaction with the Traditional Court Process: fees paid to former spouse's lawyer - .581; fees paid to mediator - .574; fees paid to custody evaluator - .560; fees paid to parenting coordinator - .530; fees paid to other mental health professionals - .533; and fees paid to financial expert - .516.

The amount of fees paid, as opposed to satisfaction with the fees paid, is not correlated with satisfaction with the Traditional Court Process (fees paid to responder's lawyer – -.171; fees paid to former spouse's lawyer - -.188; fees paid to all professionals - -.203).

Satisfaction with Substantive Outcomes

Financial Outcomes

The only substantive outcome that was relatively strongly correlated with satisfaction with the Traditional Court Process, was the resolution of financial outcomes generally (.602). Responders' satisfaction with more specific financial outcomes were more moderately correlated with satisfaction with the Traditional Court Process: alimony/spousal support agreements - .588; division of retirement, investment and bank accounts - .561; housing - .471; allocation of debt - .488; child support - .451.

Parenting Outcomes

Interestingly, satisfaction with the parenting time arrangement determined through the Traditional Court Process was weakly correlated with satisfaction with the process (.235). Satisfaction with all other parenting factors were moderately correlated with satisfaction with the traditional court process. The correlation between satisfaction with the resolution of parenting issues generally and with satisfaction with the Traditional Court Process was .527. Satisfaction with the allocation of decision-making rights and responsibilities was slightly more highly correlated with satisfaction with the Traditional Court Process (.585), as was satisfaction with the emotional well-being of the children (.537) and satisfaction with the responder's ability to effectively co-parent with their former spouse (.544). The responder's ability to parent their own children effectively was somewhat more weakly correlated with satisfaction with the process (.454).

Satisfaction with Family Relationships

While responder's satisfaction with their relationships among family generally is moderately correlated with their satisfaction with the Traditional Court Process (.445), their satisfaction with specific family relationships is only weakly correlated with their satisfaction with the process: satisfaction with relationship with former spouse - .356; satisfaction with relationship with children - .200; satisfaction with former spouse's relationship with children - .348.

Satisfaction with Responder's Own Sense of Well-being

As with satisfaction with family relationships, the responder's satisfaction with their own sense of well-being post-divorce is moderately correlated with their satisfaction with the traditional court process (.477). Their satisfaction with elements of well-being however, is only weakly correlated with satisfaction with the process: satisfaction with emotional well-being - .380; satisfaction with ability to co-parent - .324; satisfaction with ability to make financial decisions - .357; satisfaction with ability work and earn an income - .428.

Demographic Factors

The data reveals that there is no correlation between satisfaction with the Traditional Court Process and demographic factors such as the income of the responder (.070), income of the former spouse (-.159) and the value of the marital estate (-.102).

CONCLUDING SUMMARY

Traditional Court Process participants were equally likely to be under or over 41 years of age. They were generally in shorter-term marriages with no prior divorces, with approximately two-thirds having children subject to the divorce. The majority of Traditional Court Process clients earned less than \$50,000 and had marital estates valued at \$150,000 or less.

No clear reason or reasons emerged as to why responders chose the Traditional Court Process. Lawyer recommendation and representation by a lawyer were among the most cited reasons for choosing the Traditional Court Process, but these reasons were chosen by less than one-third of the respondents. Legal representation by both spouses in the Traditional Court Process was not a given; approximately fifty percent of cases involved representation for each spouse.

Expense also was not a given in a Traditional Court Process case. Well over half of the respondents in this process reported that total fees in their case were \$10,000 or less.

Slightly more than two-thirds of respondents were satisfied with the Traditional Court Process. Several *process* factors, as opposed to *outcome* factors, were among the most strongly correlated with satisfaction with the traditional court process. The *problem solving process used* was the factor most highly correlated with satisfaction with the Traditional Court Process (.696). Slightly less than two-thirds of respondents were satisfied with financial outcomes, and significantly more than two-thirds were satisfied with parenting outcomes, although satisfaction with parenting outcomes was less correlated with satisfaction with the process than satisfaction with financial outcomes or satisfaction with various process factors. Approximately two-thirds of respondents were satisfied with their post-divorce relationships generally, but this factor was only somewhat weakly correlated with satisfaction with the Traditional Court Process.

Representation by a lawyer seems to make a difference. Three-quarters of those who had attorneys were satisfied with their attorney, and this satisfaction was strongly correlated with satisfaction with the process (.628).

OTHER SETTLEMENT PROCESS

This report is intended to relay only the data results with respect to those who participated in a process described as Other Settlement Process. Little or no attempt has been made to draw conclusions about the meaning behind or implications of the results. Hopefully, others will explore aspects of these results, and shine a light on learnings to be gained and possible deeper exploration of client experiences to conduct.

DEMOGRAPHICS OF RESPONDERS WHO USED OTHER SETTLEMENT PROCESSES

According to the data, an almost equal percentage of users of Other Settlement Processes were between 25 and 40 years of age, and between 41 and 55 years of age. The majority were married for 0-15 years, were divorcing for the first time, had children, claimed between \$0 and \$50,000 in income, and had a marital estate valued at between \$0 and \$150,000.

Of those using Other Settlement Processes 41% were between 25 and 40 years of age, 40% were between 41 and 55 years of age, and 19% were between 56 and 75 years of age. In two-attorney cases respondents were generally just slightly younger (42% were between 25 and 40 years of age, 41% were between 41 and 55 years of age, and 17% were between 56 and 70 years of age).

Most respondents using Other Settlement Processes were married 15 years or less. Seventy percent (70%) had been married to their most recent former spouse 0-15 years, 27% 16-30 years, and 2% 31 years or more. In two-attorney cases, slightly more respondents had longer marriages (68% had been married to their most recent former spouse for 0-15 years, 29% for 16-30 years, and 3% for 31 years or more).

Including their most recent divorce, 75% had been through one divorce, 17% had been divorced twice, 5% three times, and 2% four times or more. In two-attorney cases, 82% had been through one divorce, 12% had been divorced twice, 6% three times, and 0% four times or more.

Eighty-one percent (81%) had children and 64% had children subject to the divorce. Of those who had children, 22% had no children subject to the divorce, 28% had one child subject to the divorce process, 39% had two children subject to the divorce process, 10% had three children subject to the divorce process, and 2% had four children subject to the divorce process. In two-attorney cases, of those who had children, 28% had no children subject to the divorce process, 22% had one child subject to the divorce process, 38% had two children subject to the divorce process, 12% had three children subject to the divorce process, and 1% had four children subject to the divorce process.

Five percent (5%) claimed no income the year a judge signed their final decree, 59% claimed up to \$50,000, 33% claimed between \$50,001 and \$150,000, and 3% claimed between \$150,001 and \$300,000. In two-attorney cases, 6% claimed no income the year a judge signed their final decree, 46% claimed up to \$50,000, 43% claimed between \$50,001 and \$150,000, and 4% claimed between \$150,001 and \$300,000.

Reported incomes for the spouses of Other Settlement Process respondents were similar: sixty-four percent (64%) of those using Other Settlement Processes had spouses with an income of \$50,000 or less, with five percent (5%) claiming spouses had no income the year a judge signed their final decree, and fifty-nine percent (59%) claiming spouses had an income of up to \$50,000. Thirty-four percent (34%) claimed spouses had an income between \$50,001 and \$150,000, and only 3% claimed spouses earned between \$150,001 and \$300,000. Among two-attorney cases, six percent (6%) of spouses had no income, forty-nine (49%) of spouses earned an income of \$50,000 or less, thirty-six percent (36%) earned \$50,001 to \$150,000, and nine percent (9%) earned between \$150,001 and \$300,000.

Five percent (5%) of respondents had marital estates valued at less than \$0 the year a judge signed their final decree, 61% had estates valued between \$0 and \$150,000, 22% had estates valued at between \$150,001 and \$500,000, and 9% had estates valued between \$500,001 and \$1,000,000, and 2% had estates valued at between \$1,000,001 and \$2,000,000. Among two-attorney cases, 1% had marital estates valued at less than \$0 the year a judge signed their final decree, 57% had estates valued between \$0 and \$150,000, 24% had estates valued at between \$150,001 and \$500,000, and 12% had estates valued between \$500,001 and \$1,000,000, and 6% had estates valued at between \$1,000,001 and \$2,000,000.

OTHER SETTLEMENT PROCESS CHARACTERISTICS

Why Responders Chose Other Settlement Processes

All responders were asked about what process options they had been informed about prior to choosing their process. Those who used Other Settlement Processes reported that forty-seven percent (47%) had been informed about Collaborative Practice, seventy-five percent (75%) had been informed of the Traditional Court process, and fifty-five percent (55%) had been informed of their right to do their divorce on their own. Among two-attorney cases, process-awareness reports were similar (46% for Collaborative, 78% for Traditional Court, and 51% for doing it on their own).

Survey respondents were asked to identify, from a list of possible reasons for choosing a process, all that accurately described their reasons. The most commonly cited reason for choosing an Other Settlement Process – selected by thirty-five percent (35%) of responders – was that the responder thought the process would cost less. The next four most commonly cited reasons for choosing the Other Settlement Process were:

- I believed the process would be more respectful (30%)
- I believed the process would lay a foundation for us to communicate effectively in the future (25%)
- I didn't believe my spouse and I could reach an agreement without a decision maker (23%)
- I thought the process offered the legal representation I needed (23%)

The other possible reasons for choosing a process, each chosen by approximately 15%-21% of Other Settlement Process responders, were:

- I believed I would receive a fair financial settlement (20.61%)
- I believed I would have more control over the outcome (16.36%)
- I believed our children's needs would be better met (15.76%)
- My lawyer recommended it (15.15%)

The five least common reasons for choosing the Other Settlement Process, selected by 7% - 12% of Other Settlement Process responders, were:

- It was the only process my spouse would use (12.12%)
- I believed the process would offer more privacy (10.30%)
- I don't trust lawyers (10.30%)
- I believed I would receive a fair sharing of parenting responsibilities (8.48%)
- It was the only process about which I was informed (7.27%)

Among two-attorney cases, before choosing a process, of those who used Other Settlement Processes, forty-six percent (46%) reported having been informed about Collaborative Practice, seventy-eight percent (78%) reported having been informed of the Traditional Court Process, and fifty-one percent (51%) reported being informed of their right to do their divorce on their own.

Among two-attorney cases, the most commonly cited reason for choosing the Other Settlement Process – forty-one percent (41%) – was that the respondent didn't believe they and their spouse could reach an agreement without a decision-maker. The next five most commonly cited reasons for choosing Other Settlement Process were:

- I thought the process offered the legal representation I needed (32%)
- My lawyer recommended it (29%)
- I believed the process would cost less (25%)
- I believed the process would be more respectful (23%)
- I believed the process would lay a foundation for me and my spouse to communicate effectively in future (22%)

The other possible reasons for choosing a process, chosen by 13% - 19% of Other Settlement Process responders, were:

- I believed I would receive a fair financial settlement (19%)
- I believed the children's needs would be better met (17%)
- I believed I would have more control over the outcome (17%)
- I believed the process would offer more privacy (13%)

The four least common reasons for choosing the Other Settlement Process, selected by 6% - 10% of Other Settlement Process responders, were:

- I believed I would receive a fair sharing of parenting responsibilities (10.14%)
- I don't trust lawyers (10.14%)
- It was the only process about which I was informed (8.70%)
- It was the only process my spouse would use (5.80%)

Professionals Used

Forty-two percent (42%) of responders using the Other Settlement Process indicated that both parties were represented by attorneys. Forty-five percent (45%) of the cases involved a mediator; eight percent (8%) included a financial professional; five percent (5%) involved a custody evaluator; five percent (5%) involved a parenting coordinator; eight percent (8%) involved a *Guardian ad Litem*; and five percent (5%) involved an arbitrator.

Among cases where both parties had a lawyer, sixty percent (60%) involved a mediator; fourteen percent (14%) included a financial professional; six percent (6%) involved a custody evaluator; four percent (4%) involved a parenting coordinator; twelve percent (12%) involved a *Guardian ad Litem*; and seven percent (7%) involved an arbitrator.

Fees Paid

Where Other Settlement Process responders reported how much their attorney was paid, eighty-three percent (83%) reported that they spent \$10,000 or less on their attorney. Twelve percent (12%) spent \$10,001 - \$25,000. Five percent (5%) spent \$25,001 - \$50,000, and zero percent (0%) spent more than \$50,000.

Where Other Settlement Process responders reported how much their spouse's attorney was paid, eighty-four percent (84%) reported that their spouse spent \$10,000 or less on their attorney. Ten percent (10%) spent \$10,001 - \$25,000. Six percent (6%) spent \$25,001 - \$40,000, and zero percent (0%) spent more than \$40,000.

Total fees paid in Other Settlement Process cases to all professionals were as follows:

- \$10,000 or less – 76% of cases
- \$10,001 - \$25,000 – 11% of cases
- \$25,001 - \$50,000 – 10% of cases
- \$50,001 - \$100,000 - 3% of cases
- More than \$100,000 – 0% of cases

Among two-attorney cases where Other Settlement Process responders reported how much their attorney was paid, eighty-one percent (81%) reported that they spent \$10,000 or less on their

attorney. Fifteen percent (15%) spent \$10,001 - \$25,000. Four percent (4%) spent \$25,001 - \$50,000, and zero percent (0%) spent more than \$50,000.

Among two-attorney cases where Other Settlement Process responders reported how much their spouse's attorney was paid, eighty-three percent (83%) reported that their spouse spent \$10,000 or less on their attorney. Twelve percent (12%) spent \$10,001 - \$25,000. Five percent (5%) spent \$25,001 - \$40,000, and zero percent (0%) spent more than \$40,000.

Total fees paid in two-attorney other-settlement-process cases to all professionals were as follows:

\$10,000 or less – 58% of cases

\$10,001 - \$25,000 – 19% of cases

\$25,001 - \$50,000 – 19% of cases

\$50,001 - \$100,000 - 4% of cases

More than \$100,000 – 0% of cases

Length of Case

Forty-five percent (45%) of Other Settlement Process cases settled in six months or less. Another thirty-five percent (35%) settled in seven to twelve months. Fifteen percent (15%) of cases took 13 to 24 months and five percent (5%) took over 24 months.

Two-attorney Other Settlement Process cases generally took longer to settle. Twenty-eight percent (28%) of those cases settled in six months or less. Another forty-three percent (43%) settled in seven to twelve months. Thirty-two percent (32%) of cases took 13 to 24 months and six percent (6%) took over 24 months.

Use of Other Processes

Eighty-seven percent (87%) of Other Settlement Process cases reported that they used only one divorce process. Results were similar for two-attorney cases alone, with seventy-eight percent (78%) of responders using Other Settlement Processes reporting that they used only one divorce process.

Following their divorce, ten percent (10%) of all Other Settlement Process responders and thirteen percent (13%) of two-attorney case responders using Other Settlement Processes indicated that they went back to court to obtain a post-decree decision by a judge. Six percent (6%) of all other settlement process responders and six percent (6%) of two-attorney other settlement process responders indicated that they used a professional such as a mediator, parenting consultant, parenting coordinator, coach, mental health professional or financial professional to assist with post-decree issues.

Difficulty Level of Traditional Court Cases

Twenty-seven percent (27%) of all Other Settlement Process responders and 45% of two-attorney case responders indicated that formal discovery was used in their case.

On a five-point scale, with one being very easy and five being very difficult, nineteen percent (19%) of responders using Other Settlement Processes rated their case as a four or five, that is, difficult or very difficult. Of those responders, fifty percent or more identified the following factors as contributing to the difficulty of their case:

- Significantly different views about one or more substantive legal issues (69%)
- Little or no cooperation (66%)
- Lack of trust (59%)

Twenty-five percent (25%) to fifty percent (50%) of responders identified the following factors as contributing to the difficulty of their case:

- Emotional issues (47%)
- Verbal abuse (44%)
- Spouse's attorney was uncooperative (41%)
- Unrealistic expectations about outcome (38%)
- Unrealistic expectations about the process (38%)
- The fees charged by one or more professionals (38%)
- Refusal to disclose relevant information/documents (34%)
- Imbalance of power (31%)
- Extreme lack of empathy for a spouse (31%)
- Lack of communication, teamwork and/or organization between professionals (31%)
- My spouse's attorney was unduly litigious (28%)
- Domestic violence (25%)

Those factors that seemed to have little or no bearing on the difficulty of cases, as evidenced by the few number of responders who selected them, are as follows:

- Substance abuse (6.25%)
- Different approaches/styles of advocacy (6.25%)
- One or more professionals acted unilaterally (6.25%)
- The two attorneys had a very adversarial relationship (3.13%)
- Responder's attorney made decisions or acted without informing responder (0.00%)
- Lack of trust among professionals (0.00%)

Among two-attorney case Other Settlement Process responders, on the five-point scale, thirty-two percent (32%) rated their case as a four or five, that is, difficult or very difficult. Of those responders,

fifty percent or more identified the following factors as contributing to the difficulty of their case:

- Significantly different views about one or more substantive legal issues (86%)
- Little or no cooperation (77%)
- Lack of trust (64%)
- Verbal abuse (50%)
- The fees charged by one or more professionals (50%)

Twenty-five percent (25%) to fifty percent (50%) of two-attorney case responders identified the following factors as contributing to the difficulty of their case:

- Emotional issues (45%)
- Unrealistic expectations about outcome (45%)
- Refusal to disclose relevant information/documents (45%)
- Extreme lack of empathy for a spouse (45%)
- Unrealistic expectations about process (45%)
- Spouse's attorney was uncooperative (45%)
- Lack of communication, teamwork and/or organization between professionals (36%)
- Spouse's attorney was unduly litigious (36%)
- Imbalance of power (32%)
- Unilateral action by one spouse (32%)
- One or more professionals, other than my attorney, were unavailable (27%)

Those factors that seemed to have little or no bearing on the difficulty of two-attorney cases, as evidenced by the few number of responders who selected them, are as follows:

- Mental health issues (9.09%)
- One or more attorneys acted unilaterally (9.09%)
- Substance abuse (4.55%)
- Different approaches/styles of advocacy (4.55%)
- The two attorneys had a very adversarial relationship (4.55%)
- Lack of trust among professionals (0.00%)
- Responder's attorney made decisions or acted without informing responder (0.00%)

SATISFACTION WITH PROCESS

All Survey responders rated their general satisfaction with the process used and rated several specific factors pertaining to the process used, on a five-point scale with five being very satisfied and one being very dissatisfied. Seventy-three percent (73%) of all Other Settlement Process responders and 70% of two-attorney Other Settlement Process case responders were generally satisfied (a rating of a 4 or 5) with the Other Settlement Process.

The greatest percentage of responders using Other Settlement Processes were satisfied with the following aspects of the process (rating the factor a 4 or 5):

- Level of privacy (73.33%)
- Disclosure of information (69.38%)
- Respectfulness (68.52%)
- Scheduling of meetings to accommodate calendar (67.33%)
- Problem-solving process used (67.11%)

The satisfaction rate with other aspects of Other Settlement Processes was generally high as well, as follows:

- Opportunity to express self (63.98%)
- Efficiency of process (63.19%)
- Attention to responder's needs and interests (60.63%)
- The process itself (60.37%)
- Responder's control of process (58.64%)
- Degree of cooperation (53.37%)

Sixty-two percent (62%) of responders using Other Settlement Processes indicated that they probably or definitely would choose other settlement processes again, if they had to do their divorce over. Six percent (6%) stated that they definitely would not use Other Settlement Processes again, and ten percent (10%) stated that they probably would not use Other Settlement Processes again.

Fifty-three percent (53%) of responders using Other Settlement Processes indicated that they definitely or probably would refer the process to a friend. Three percent (3%) indicated that they definitely would not refer it to a friend, and ten percent (10%) stated that the probably would not refer this process to a friend.

Among two-attorney cases, the greatest percentage of responders using Other Settlement Processes were satisfied with the following aspects of the process (rating the factor a 4 or 5):

- Level of privacy (72.46%)
- Scheduling of meetings to accommodate calendar (72.06%)
- Respectfulness (64.71%)
- Disclosure of information (64.71%)
- Opportunity to express self (60.87%)
- Problem-solving process used (58.82%)

Satisfaction rates with other aspects of other settlement processes was as follows:

- The process itself (50.72%)
- Responder's control of process (50.72%)

- Efficiency of process (50.72%)
- Attention to responder's needs and interests (47.83%)
- Degree of cooperation (37.31%)

Among two-attorney Other Settlement Process cases, thirty-six percent (36%) of responders indicated that they probably or definitely would choose the Other Settlement Process again, if they had to do their divorce over. Nine percent (9%) stated that they definitely would not use the Other Settlement Process again, and thirteen percent (13%) stated that they probably would not use the Other Settlement Process again.

Forty-nine percent (49%) of two-attorney responders using Other Settlement Processes indicated that they definitely or probably would refer the process to a friend. Seven percent (7%) indicated that they definitely would not refer it to a friend, and ten percent (10%) stated that the probably would not refer this process to a friend.

SATISFACTION WITH FINANCIAL OUTCOMES

Of those responders in the Other Settlement Process cases, the data about overall satisfaction with financial outcomes shows a 58% overall satisfaction level (very satisfied and somewhat satisfied), and a 25% level of dissatisfaction (very dissatisfied and somewhat dissatisfied). When two attorneys were involved, the satisfaction level drops to just over 52% and the dissatisfaction level increases to 35%.

The percentage of satisfied respondents choosing the Other Settlement Process rose somewhat with regard specifically to the division of retirement accounts, investments and bank accounts. Nearly 63% were very satisfied or somewhat satisfied, regardless of whether or not both parties were represented by an attorney, though the dissatisfaction level (very dissatisfied and somewhat dissatisfied) across all cases was 25%, and 31% if two attorneys were involved.

The level of satisfaction dropped regarding allocation of debt, with 57% of respondents in all cases indicating they were very satisfied or somewhat satisfied, and 48% in two-attorney cases indicating they were very satisfied or somewhat satisfied. There was an overall dissatisfaction level of 31% among respondents in all cases and 41% in cases involving two attorneys.

When dealing with housing issues the overall percentage of those who were satisfied (very satisfied and somewhat satisfied), with or without two attorneys, was approximately 61%. The overall dissatisfaction level in all cases was at 22%, and 27% in two-attorney cases.

Fifty-two percent (52%) of respondents in all Other Settlement Process cases were very satisfied or somewhat satisfied with the resolution of the issue of alimony, with 32% indicating they were dissatisfied. The percentage of those who were satisfied increased noticeably if two attorneys were involved; 63% of respondents were satisfied with the resolution of this issue; the percentage of those who were dissatisfied dropped to 28%.

On the resolution of the issue of child support, 57% of respondents in all Other Settlement Process cases were satisfied, while 52% of respondents in cases with two attorneys were satisfied. The percentage of those dissatisfied increased in two-attorney cases, with 31% of responders indicating dissatisfaction with the resolution of this issue in two-attorney cases, as compared to 26% in all cases.

SATISFACTION WITH PARENTING/RELATIONSHIP OUTCOMES

Regarding overall satisfaction with parenting outcomes, 69% of the larger group and 73% of the group using two lawyers were satisfied with outcomes in this category.

Decisions regarding parenting time and decision-making are central to the parenting plan used going forward after the divorce. There was only a slight difference in the two groups with 65% of the larger group and 64% of the group using two lawyers being satisfied with their parenting time arrangements. Seventy-two percent of the larger group and 74% of the group using two lawyers were satisfied with the allocation of decision-making rights and responsibilities.

Of the respondents, 63% of the larger group and 62% of the group using two lawyers were satisfied with the emotional well-being of their children after the divorce. Most parents felt satisfied that they were able to parent their children effectively (70% of the larger group and 73% of the two lawyer group) after the divorce. Of the larger group, 68% felt that they had the ability to co-parent with their former spouse and 64% of the two-lawyer group felt this way. Interestingly, however, only 53% of the larger group and 49% of the two-lawyer group felt satisfied with their co-parenting relationship with their former spouse.

Generally, 69% of the larger group and 70% of the two-lawyer group were satisfied with their post-divorce relationships among their family members. Specifically, 84% of the larger group and 92% of the group using two lawyers were satisfied with their relationship with their children after the divorce. This is the largest gap between the two groups on any variable in this set.

With regard to satisfaction with the responder's former spouse's relationship with the children, 60% of respondents in the larger group and 52% in the two-lawyer group were satisfied with those relationships post-divorce. The lowest level of satisfaction occurred with regard to responder's view of their post-divorce relationship with their former spouse, with 44% of the larger group and 40% of the two-lawyer group feeling satisfied with this relationship. In the larger group, 38% were dissatisfied with their relationship with their former spouse, while in the two-lawyer group, 41% were dissatisfied. This dissatisfaction (with the post-divorce relationship with the former spouse) in the two-lawyer group is the only instance, in any process, in which the dissatisfied group is larger than the satisfied group.

The study asked respondents to evaluate their overall sense of well-being after their divorce. Seventy percent (70%) of the larger group and 62% of the two-lawyer group felt satisfied in this regard. Satisfaction specifically with a post-divorce sense of emotional well-being was somewhat similar with 64% of the larger group and 62% of the two-lawyer group indicating satisfaction. With regard to

satisfaction with an ability to make financial decisions, 73% of the larger group and 71% of the two-lawyer group were satisfied. Finally, 75% of the larger group and 72% of the two-lawyer group felt satisfied that they were able to earn an income if necessary.

SATISFACTION WITH PROFESSIONALS AND WITH FEES PAID TO PROFESSIONALS

Satisfaction with Professionals

On a five point scale, with five being very satisfied and one being very dissatisfied, responders who used the Other Settlement Processes indicated they were largely satisfied with their own attorney. Seventy-eight percent (78%) were satisfied or very satisfied with their lawyer. Among two-attorney cases, seventy-six percent (76%) were satisfied or very satisfied with their lawyer (average rating of 3.8). But only twenty-six percent (26%) of Other Settlement Process responders were satisfied or very satisfied with the lawyer representing their spouse; among two-attorney cases the level of satisfaction was even lower: twenty-one percent (21%).

Some Other Settlement Process responders were dissatisfied with their attorney. 5.8% were very dissatisfied with their lawyer, and 8.7 % were somewhat dissatisfied. Among two-attorney cases, 9.0% were very dissatisfied with their lawyer, and 10.4% were somewhat dissatisfied. As expected, there was somewhat more dissatisfaction with respect to the lawyer representing the responder's spouse; 29.6% of Responders were very dissatisfied and 14.8% were somewhat dissatisfied. Among two-attorney cases, 27.3% of Responders were very dissatisfied and 16.7% were somewhat dissatisfied.

With regard to professionals involved in other-settlement-process cases, 70% were satisfied or very satisfied with a mediator (67% in two-attorney cases); 65% were satisfied or very satisfied with an arbitrator (68% in two-attorney cases); 73% were satisfied or very satisfied with a *Guardian ad Litem* (86% in two-attorney cases); 46% were satisfied or very satisfied with a custody evaluator (36% in two-attorney cases); 63% were satisfied or very satisfied with a parenting coordinator (69% in two-attorney cases); 66% were satisfied or very satisfied with a mental health professional (60% in two-attorney cases); 74% of responders were satisfied or very satisfied with a financial professional hired to handle a discrete issue, such as appraising a home (83% among two-attorney cases); and 75% were satisfied or very satisfied with a vocational evaluator/counselor involved in their case (73% in two-attorney cases).

Among Other Settlement Process responders who were dissatisfied with professionals, 6.0% were very dissatisfied and 8.4% were somewhat dissatisfied with a mediator (2.2%/11.1% in two-attorney cases); 2.8% were very dissatisfied and 5.6% were somewhat dissatisfied with an arbitrator (0%/10% in two-attorney cases); 3.3% were very dissatisfied and 3.3% were somewhat dissatisfied with a *Guardian ad Litem* (0%/0% in two-attorney cases); 0% were very dissatisfied and 3.6% were somewhat dissatisfied with a custody evaluator (0%/0% in two-attorney cases); 3.2% were very dissatisfied and 3.2% were somewhat dissatisfied with a parenting coordinator (0%/0% in two-

attorney cases); 3.4% were very dissatisfied and 6.9% were somewhat dissatisfied with a mental health professional (6.7%/6.7% in two-attorney cases); 6.5% were very dissatisfied and 4.3% were somewhat dissatisfied with a financial professional hired to handle a discrete issue, such as appraising a home (4.3%/4.3% among two-attorney cases); and 0% were very dissatisfied and 4.2% were somewhat dissatisfied with a vocational evaluator/counselor involved in their case (0%/9.1% in two-attorney cases).

Satisfaction with Fees Paid to Professionals

Where Other Settlement Process responders reported how much their attorney was paid, eighty-three percent (83%) reported that they spent \$10,000 or less on their attorney. Twelve percent (12%) spent \$10,001 - \$25,000. Five percent (5%) spent \$25,001 - \$50,000, and zero percent (0%) spent more than \$50,000.

Where Other Settlement Process responders reported how much their spouse's attorney was paid, eighty-four percent (84%) reported that their spouse spent \$10,000 or less on their attorney. Ten percent (10%) spent \$10,001 - \$25,000. Six percent (6%) spent \$25,001 - \$40,000, and zero percent (0%) spent more than \$40,000.

Total fees paid in Other Settlement Process cases to all professionals were as follows:

\$10,000 or less – 76% of cases

\$10,001 - \$25,000 – 11% of cases

\$25,001 - \$50,000 – 10% of cases

\$50,001 - \$100,000 - 3% of cases

More than \$100,000 – 0% of cases

Among two-attorney cases where Other Settlement Process responders reported how much their attorney was paid, eighty-one percent (81%) reported that they spent \$10,000 or less on their attorney. Fifteen percent (15%) spent \$10,001 - \$25,000. Four percent (4%) spent \$25,001 - \$50,000, and zero percent (0%) spent more than \$50,000.

Among two-attorney cases where Other Settlement Process responders reported how much their spouse's attorney was paid, eighty-three percent (83%) reported that their spouse spent \$10,000 or less on their attorney. Twelve percent (12%) spent \$10,001 - \$25,000. Five percent (5%) spent \$25,001 - \$40,000, and zero percent (0%) spent more than \$40,000.

Total fees paid in two-attorney Other Settlement Process cases to all professionals were as follows:

\$10,000 or less – 58% of cases

\$10,001 - \$25,000 – 19% of cases

\$25,001 - \$50,000 – 19% of cases

\$50,001 - \$100,000 - 4% of cases

More than \$100,000 – 0% of cases

Satisfaction with Fees Paid to Own Lawyer:

Responders who used the Other Settlement Processes were mostly satisfied with the fees they paid to their lawyer. In fact, 78% were either very satisfied or somewhat satisfied with the fees they paid their lawyer. Among two-attorney cases, 68% were either very satisfied or somewhat satisfied with the fees they paid their lawyer. 11.2% of responders were very dissatisfied with the fees paid to their lawyer in other settlement processes, 14.9% in two-attorney cases.

Satisfaction with Fees Paid to Spouse's Lawyer:

Responders who used Other Settlement Processes were not as satisfied with the fees their spouse's lawyer charged. Only 26% were either very satisfied or somewhat satisfied (also 26% in two-attorney cases) and 28% (25.5% in two-attorney cases) were either somewhat dissatisfied or very dissatisfied with the fees charged by their spouse's lawyer. Slightly more than thirty-six percent (36.3%; two-attorney cases: 48.9%) were neither satisfied nor unsatisfied with the fees their spouse's lawyer charged in the Other Settlement Process cases.

Satisfaction with Fees Paid to Other Professionals:

Responders who used the Other Settlement Processes were very satisfied/somewhat satisfied, neutral or somewhat dissatisfied/very dissatisfied with the fees charged by each of other professionals in their case as follows:

	Very Satisfied/ Somewhat Satisfied	Neutral	Very Satisfied/ Somewhat Satisfied
Mediator	71%	14%	14%
Arbitrator	67%	25%	8%
<i>Guardian ad Litem</i>	73%	20%	7%
Custody Evaluator	46%	50%	4%
Parenting Coordinator	61%	32%	6%
Mental Health Professional	66%	24%	10%
Financial Expert	76%	13%	11%
Career/Vocational evaluator or counselor	75%	21%	4%
Other	64%	36%	0%

Among two-attorney cases, responders who used the Other Settlement Processes were very satisfied/somewhat satisfied, neutral or somewhat dissatisfied/very dissatisfied with the fees charged by each of other professionals in their case as follows:

	Very Satisfied/ Somewhat Satisfied	Neutral	Very Satisfied/ Somewhat Satisfied
Mediator	69%	18%	13%
Arbitrator	65%	25%	10%
<i>Guardian ad Litem</i>	92%	8%	0%
Custody Evaluator	36%	64%	0%
Parenting Coordinator	64%	36%	0%
Mental Health Professional	60%	27%	13%
Financial Expert	83%	9%	9%
Career/Vocational evaluator or counselor	73%	18%	9%
Other	33%	67%	0%

CORRELATION COEFFICIENT ANALYSIS

What factors drive participant satisfaction with a particular divorce process? Is it satisfaction with financial support received? Satisfaction with the parenting arrangements? Satisfaction with the degree of respect and cooperation received during the process? Other factors? A combination of many factors? And what can we learn from participants' satisfaction with other processes as compared to the Collaborative Process? How might we increase their satisfaction with the Collaborative Process?

To respond to these questions and aid professionals in improving service delivery to families experiencing divorce by better understanding what drives their satisfaction, Don Winspear of Crescent Research analyzed the responses from the IACP Client Experience Study using a Correlation Coefficient Analysis to determine which factors lead to a high degree of satisfaction with the divorce process chosen.

First, we offer a basic explanation about the analysis. A correlation coefficient is a statistical formula that measures the strength of the relationship between two variables. It is the degree to which changes in one variable predict a change in the other. In mathematical terms, it measures the extent of the linearity of the relationship between the variables.

Correlation coefficients are expressed as values between +1 and -1. A coefficient of +1 indicates a perfect [positive correlation](#). Correlations are positive when the values increase together. So a change in one variable will predict a change in the same direction of the second variable. Coefficients between .9 and .5 are considered high positive with less than .5 a low positive

A coefficient of -1 indicates a perfect [negative correlation](#). Correlations are negative when one value decreases when the other increases. So a change in one variable predicts a change in the opposite direction of the second variable. Coefficients between -.5 to -.9 are considered a high negative with below 0 but above -.5 a low negative.

A coefficient of 0 or close to 0 indicates that the variables aren't linked.

The data has been organized in terms of what factors are highly, moderately, or weakly correlated, as well as those which are not correlated at all with the responders' satisfaction with their chosen process.

Satisfaction with Specific Process Factors

When we explore satisfaction on the part of participants in Other Settlement Processes there is a slightly stronger correlation with satisfaction with what happened during the process than with the outcomes (.612 versus .564 for financial outcomes and .503 for parenting outcomes). Satisfaction with the problem solving process used was most strongly correlated with satisfaction with the Other Settlement Process (.704), followed by respectfulness in the process (.615), opportunity to express oneself (.606), control in the process (.606), and attention to needs and interests (.602).

Process factors with a more moderate correlation with satisfaction with the Other Settlement Process were level of privacy maintained (.585), efficiency of the process (.572), degree of cooperation (.567), disclosure of information (.527), and scheduling of meetings to accommodate Responder's calendar (.456).

The responder's subjective sense of the difficulty level of their case (whether very easy, easy, moderate, difficult or very difficult) was somewhat weakly correlated with satisfaction with process (-.435). The length of time to complete the divorce process had no correlation with satisfaction with the process.

Satisfaction with Professionals and Fees Paid to Professionals

The data depicted a strong association between the responders' satisfaction with their own lawyer (.695) and satisfaction with the process. There was a fairly weak correlation between their satisfaction with the process and satisfaction with their spouse's lawyer (.376).

Modest correlations existed between satisfaction with the following professionals and satisfaction with the process: *Guardian ad Litem* - .508. mediator - .499; custody evaluator - .438; and financial expert - .413.

Little or no correlation existed between satisfaction with an arbitrator and the process (.115), a parenting coordinator and the process (.235), other mental health professionals and the process (.006) and a career or vocational evaluator/counselor and the process (.150).

The total fees paid to the responder's own lawyer and to their former spouse's lawyer were not correlated with the responder's satisfaction with process (-.096 and -.082 respectively). The total

fees paid to all professionals on responders' cases was weakly correlated with satisfaction with the process (-.302).

The responders' reported satisfaction with fees paid to his or her lawyer and to the mediator, however, had some correlation with satisfaction with process (.530 and .471 respectively). Responders' satisfaction with fees paid to their former spouse's lawyer and to the financial expert was weakly correlated with satisfaction with process (.333 and .262 respectively). There was little or no correlation between responders' satisfaction with the process and their satisfaction with fees paid to the following professionals: arbitrator - .129; *Guardian ad Litem* - .013; custody evaluator - .138; parenting coordinator - .163; other mental health professionals - -.044; career or vocational evaluator/counselor - .116

Satisfaction with Substantive Outcomes

Financial Outcomes

Financial outcomes were moderately or weakly correlated with satisfaction with the Other Settlement Process. Satisfaction with financial outcomes generally speaking, was moderately correlated with satisfaction with process (.564), as were the specific financial factors of alimony/spousal support (.450) and allocation of debt (.449).

Other specific financial outcomes were more weakly correlated with satisfaction with process: division of retirement, investment and bank accounts (.419), satisfaction with housing (.409), and satisfaction with child support (.373).

Parenting Outcomes

Parenting outcomes were moderately or somewhat moderately correlated with satisfaction with the Other Settlement Process. Satisfaction with parenting outcomes generally speaking, was moderately correlated with satisfaction with the Other Settlement Process (.503). The correlation between satisfaction with parenting time arrangements and satisfaction with the Other Settlement Process was slightly higher (.556). The correlations between satisfaction with the Other Settlement Process and several other parenting factors were just slightly weaker: responders' ability to parent effectively (.459); emotional well-being of children (.452); the ability of the other partner to parent effectively (.432) and allocation of decision-making rights and responsibilities (.406).

Satisfaction with Family Relationships

Responders' satisfaction with their post-divorce family relationships generally and with the Other Settlement Process, are moderately correlated (.489). However, responders' satisfaction with specific post-divorce family relationships is more weakly correlated or not correlated with satisfaction with the process: relationship with their former spouse (.394); relationship with children (.323), and responders' former spouse's relationship with the children (.181).

Satisfaction with Responder's Own Sense of Well-being

Responders' satisfaction with their post-divorce general sense of well-being is moderately correlated with their satisfaction with the Other Settlement Process (.510). Again, however, responders' satisfaction with specific factors pertaining to well-being are more weakly correlated with satisfaction with process: ability to co-parent (.406); emotional well-being (.370); ability to make financial decisions (.346); ability to work and earn an income (.276).

Demographic Factors

The data reveals that there is no correlation between responders' satisfaction with the Other Settlement Process and demographic factors such as the income of the responder (-.045), income of the former spouse (.097) and the value of the marital estate (.042).

CONCLUDING SUMMARY

Other Settlement Process participants are equally likely to be 25-40 years of age and 41-55 years of age. They are generally in shorter-term marriages with no prior divorces, with slightly less than two-thirds having children subject to the divorce. The majority of Other Settlement Process participants earn less than \$50,000 and have marital estates valued at \$150,000 or less.

No clear reason or reasons emerged as to why responders chose the Other Settlement Process. The most commonly cited reason for choosing the Other Settlement Process – selected by thirty-five percent (35%) of responders – was that the responder thought the process would cost less.

The most frequently used professionals in Other Settlement Process cases were attorneys and mediators. Forty-two percent (42%) of cases involved legal representation for both spouses. Mediators were used in 45% of cases.

Cost in Other Settlement Process cases is relatively low with three-quarters of responders reporting that total fees were \$10,000 or less.

Almost three-quarters of respondents were satisfied with the Other Settlement Process. Several *process* factors, as opposed to *outcome* factors, were among the most strongly correlated with satisfaction with the Other Settlement Process. The *problem solving process used* was the factor most highly correlated with satisfaction with the Other Settlement Process (.704).

Satisfaction with financial outcomes, generally speaking, was somewhat low with only 58% being satisfied; however, this factor is only moderately correlated with satisfaction with process (.564). Satisfaction with parenting outcomes was somewhat higher (69%) but also was only moderately correlated with satisfaction with process (.503). Approximately two-thirds of respondents were satisfied with their post-divorce relationships generally, but this factor was somewhat weakly correlated with satisfaction with the Other Settlement Process.

Representation by a lawyer seems to make a difference. Slightly more than three-quarters of those who had attorneys were satisfied with their attorney, and this satisfaction was strongly correlated with satisfaction with the process (.695).

DO-IT-YOURSELF (DIY) PROCESS

This report is intended to relay only the data results with respect to those who handled their divorce on their own, without the assistance of any professionals (“DIY Process”). Little or no attempt has been made to draw conclusions about the meaning behind or implications of the results. Hopefully, others will explore aspects of these results, and shine a light on learnings to be gained and possible deeper exploration of client experiences to conduct.

DEMOGRAPHICS OF RESPONDERS WHO USED DO-IT-YOURSELF PROCESSES

The greatest percentage of users of a DIY Process were between 25 and 40 years of age, had been married for 0-15 years, and were divorcing for the first time. Slightly less than one-half of all participants had no children. The majority claimed income between \$0 and \$50,000, and had a marital estate valued at between \$0 and \$150,000.

Of those using the DIY Process 55% were between 25 and 40 years of age, 38% were between 41 and 55 years of age, and 7% were between 56 and 75 years of age.

Most respondents were married 15 years or less. Eighty-five percent (85%) had been married to their most recent former spouse for 0-15 years, 14% for 16-30 years, and 1% for 31 years or more.

Including their most recent divorce, 77% had been through one divorce, 17% had been divorced twice, 6% three times, and 1% four times or more.

Sixty-nine percent had children and 53% had children subject to the divorce. Of those who had children 23% had no children subject to the divorce process, 43% had one child subject to the divorce process, 22% had two children subject to the divorce process, 7% had three children subject to the divorce process, and 4% had four children subject to the divorce process.

Six percent (6%) claimed no income the year a judge signed their final decree, 58% claimed up to \$50,000, 33% claimed between \$50,001 and \$150,000, and 3% claimed between \$150,001 and \$300,000.

Reported incomes for the spouses of the DIY Process respondents were similar: sixty-eight percent (68%) had spouses with an income of \$50,000 or less, with nine percent (9%) claiming spouses had no income the year a judge signed their final decree, and fifty-nine percent (59%) claiming spouses

had an income of up to \$50,000. Twenty-nine percent (29%) claimed spouses had an income between \$50,001 and \$150,000, and only three percent (3%) claimed spouses earned between \$150,001 and \$300,000.

Ten percent (10%) of respondents had marital estates valued at less than \$0 the year a judge signed their final decree, 68% had estates valued between \$0 and \$150,000, 20% had estates valued at between \$150,001 and \$500,000, 1% had estates valued between \$500,001 and \$1,000,000, and 1% had estates valued at between \$1,000,001 and \$2,000,000.

DIY PROCESS CHARACTERISTICS

Why Responders Chose the DIY Process

All responders were asked about what process options they had been informed about prior to choosing a process. Of those who used the DIY Process: twenty-two percent (22%) reported having been informed about Collaborative Practice, seventy-seven percent (77%) reported having been informed of the Traditional Court Process, and twenty-three percent (23%) reported having been informed about Other Settlement Processes.

Survey respondents were asked to identify, from a list of possible reasons for choosing a process, all that accurately described their reasons. The most commonly cited reason for choosing the DIY Process – selected by sixty-four percent (64%) of Responders – was that the responder thought the process would cost less. The next two most commonly cited reasons for choosing the DIY Process were:

- I believed the process would be more respectful (25%)
- I believed I would have more control over the outcome (24%)

The other possible reasons for choosing this process, each chosen by approximately 11%-14% of DIY Process responders, were:

- I believed the process would lay a foundation for us to communicate effectively in the future (13.86%)
- I believed the process would offer more privacy (13.86%)
- I believed our children's needs would be better met (12.68%)
- It was the only process my spouse would use (10.91%)

The seven least common reasons for choosing the DIY Process, selected by 1% - 9% of DIY Process responders, were:

- I believed I would receive a fair financial settlement (9.44%)
- I believed I would receive a fair sharing of parenting responsibilities (9.14%)
- It was the only process about which I was informed (9.14%)

- I don't trust lawyers (9.14%)
- I thought the process offered the legal representation I needed (8.26%)
- I didn't believe my spouse and I could reach an agreement without a decision maker (7.96%)
- My lawyer recommended it (1.18%)

Professionals Used

Notwithstanding the stated Survey definition of DIY Process as involving no professionals, those choosing the DIY Process were allowed to answer a Survey question asking about professionals used, so as to learn more about participants' self-selection into this process. The data results indicate that of those choosing the DIY Process, twenty-two percent (22%) used a mediator; five percent (5%) used a financial professional; five percent (5%) involved a custody evaluator; six percent (6%) involved a parenting coordinator; six percent (6%) involved a *Guardian ad Litem*; and six percent (6%) involved an arbitrator. This may imply that those who chose the DIY Process perceived DIY Process to mean without the engagement of attorneys. This raises questions for future exploration.

Fees Paid

Slightly less than one-half of all DIY Process responders paid no fees in their process. From our discovery about the engagement of "other professionals" in the DIY Process, we found that 53% of DIY Process responders paid some fees as follows:

- \$0 – 47%
- \$1 – \$5,000 – 37% of cases
- \$5,001 - \$7,500 – 3%
- \$7,501 - \$10,000 – 5%
- \$10,001 - \$25,000 – 6% of cases
- \$25,001 - \$50,000 – 2% of cases,
- \$50,001 - \$100,000 - 1% of cases
- More than \$100,000 – 1% of cases

Those who retained a professional and/or paid fees to a professional are not excluded from the data summary below.

Length of Case

Sixty-five percent (65%) of DIY Process cases settled in six months or less. Another twenty-two percent (22%) settled in seven to twelve months. Nine percent (9%) of cases took 13 to 24 months and four percent (4%) took over 24 months.

Post-Decree Issues

Following their divorce, eleven percent (11%) of all DIY Process responders indicated that they went back to court to obtain a post-decree decision by a judge. Twelve percent (12%) indicated that they used a professional such as a mediator, parenting consultant, parenting coordinator, coach, mental health professional or financial professional to assist with post-decree issues.

Difficulty Level of DIY Cases

On a five-point scale, with one being very easy and five being very difficult, eight percent (8%) of responders using the DIY Process rated their case as a four or five, that is, difficult or very difficult. Of those responders, fifty percent or more identified the following factor as contributing to the difficulty of their case:

- Little or no cooperation (52%)

Twenty-five percent (25%) to fifty percent (50%) of responders identified the following factors as contributing to the difficulty of their case:

- Lack of trust (37%)
- Emotional issues (33%)
- Unrealistic expectations about outcome (33%)
- Significantly different views about one or more substantive legal issues (30%)
- Refusal to disclose relevant information/documents (30%)
- Imbalance of power (30%)
- Extreme lack of empathy for a spouse (26%)
- Unrealistic expectations about process (26%)

Those factors that seemed to have little or no bearing on the difficulty of cases, as evidenced by the few number of responders who selected them, are as follows:

- Unilateral actions by one spouse (15%)
- Mental health issues (15%)
- Invasion of privacy (11%)
- Substance abuse (7%)

SATISFACTION WITH PROCESS

All DIY Process responders rated their general satisfaction with the process used and rated several specific factors pertaining to the process used, on a five-point scale with five being very satisfied and one being very dissatisfied. 83.13% of all DIY Process responders were generally satisfied (a rating of a 4 or 5) with the DIY Process.

The greatest percentage of responders using the DIY Process were satisfied with the following aspects of the process (rating the factor a 4 or 5):

- Level of privacy (83.33%)
- Disclosure of information (79.88%)
- Efficiency of process (79.82%)
- Respectfulness (78.92%)
- Opportunity to express self (77.47%)
- The process itself (77.30%)
- Responder's control of process (76.97%)
- Problem solving process used (76.62%)

The percent who were satisfied with other aspects of the DIY Process was generally high as well, as follows:

- Attention to responder's needs and interests (73.62%)
- Degree of cooperation (72.73%)
- Scheduling of meetings to accommodate calendar (72.25%)

Seventy-eight percent (78%) of responders using the DIY Process indicated that they probably or definitely would choose the DIY Process again, if they had to do their divorce over. Four percent (4%) stated that they definitely would not use the DIY Process again, and six percent (6%) stated that they probably would not use the DIY Process again.

Sixty-eight percent (68%) of responders using the DIY Process indicated that they definitely or probably would refer the process to a friend. Four percent (4%) indicated that they definitely would not refer it to a friend, and eight percent (8%) stated that they probably would not refer this process to a friend.

SATISFACTION WITH FINANCIAL OUTCOMES

In a divorce setting the DIY Process, from all the process options, provides a couple with the most autonomy in putting together their financial resolution. There are no attorneys involved and there is more direct communication between the parties about the terms of their agreements. This increased level of autonomy correlates directly to a higher level of satisfaction and a lower level of dissatisfaction across all of the distinct areas that make up the financial resolution. Whether or not this is a direct cause and effect relationship would be an area for further study.

In terms of the overall financial resolution, 74% of those DIY Process responders were satisfied with the overall financial result, 6% were somewhat dissatisfied and only 7% were very dissatisfied.

When looking at the division of retirement, investments and bank accounts, 69% were somewhat or very satisfied, 3% somewhat dissatisfied, and 7% very dissatisfied.

When parties allocated their debt, 66% of responders were satisfied, 8% were somewhat dissatisfied and 8% very dissatisfied.

In terms of housing, 70% of responders were satisfied with their result, 5% were somewhat dissatisfied, and 7% were very dissatisfied.

With regard to alimony/spousal support agreements 64% of people were satisfied, 8% somewhat dissatisfied and 8% very dissatisfied.

With regard to child support agreements, 68% of responders were satisfied, 7% somewhat dissatisfied, and 6% very dissatisfied.

SATISFACTION WITH PARENTING/RELATIONSHIP OUTCOMES

In general, respondents who reported handling their divorce on their own felt satisfied with their experience when considering parenting outcomes (79%), relationships among family members (76%), and their own well-being (82%).

With regard to parenting outcomes achieved in their process, 74% were satisfied with the decisions made for sharing parenting time and 72% were satisfied with the allocation of decision-making rights and responsibilities concerning the children. They also felt satisfied (75%) with the emotional well-being of the children after the divorce. These parents (78%) felt that they were able to parent their children effectively and 75% were satisfied with their own ability to co-parent. Slightly fewer, however, felt satisfied (70%) with their co-parenting relationship with their former spouse.

When asked about their satisfaction with the relationships among family members, 88% reported being satisfied with their relationships with their children and 68% were satisfied with the relationship that their former spouse has with the children. They were less satisfied (63%) with their own relationship with their former spouse.

When it came to their own well-being after their divorce, 81% were satisfied with their emotional well-being. Eighty-two percent were satisfied with their ability to make financial decisions and 80% were satisfied that they would be able to earn an income if it was necessary to do so.

CORRELATION COEFFICIENT ANALYSIS

What factors drive participant satisfaction with a particular divorce process? Is it satisfaction with financial support received? Satisfaction with the parenting arrangements? Satisfaction with the degree of respect and cooperation received during the process? Other factors? A combination of many factors? And what can we learn from participants' satisfaction with other processes as

compared to the Collaborative Process? How might we increase their satisfaction with the Collaborative Process?

To respond to these questions and aid professionals in improving service delivery to families experiencing divorce by better understanding what drives their satisfaction, Don Winspear of Crescent Research analyzed the responses from the IACP Client Experience Study using a Correlation Coefficient Analysis to determine which factors lead to a high degree of satisfaction with the divorce process chosen.

First, we offer a basic explanation about the analysis. A correlation coefficient is a statistical formula that measures the strength of the relationship between two variables. It is the degree to which changes in one variable predict a change in the other. In mathematical terms, it measures the extent of the linearity of the relationship between the variables.

Correlation coefficients are expressed as values between +1 and -1. A coefficient of +1 indicates a perfect [positive correlation](#). Correlations are positive when the values increase together. So a change in one variable will predict a change in the same direction of the second variable. Coefficients between .9 and .5 are considered high positive with less than .5 a low positive

A coefficient of -1 indicates a perfect [negative correlation](#). Correlations are negative when one value decreases when the other increases. So a change in one variable predicts a change in the opposite direction of the second variable. Coefficients between -.5 to -.9 are considered a high negative, with below 0 but above -.5 a low negative.

A coefficient of 0 or close to 0 indicates that the variables aren't linked.

The data has been organized in terms of what factors are highly, moderately, or weakly correlated, as well as those which are not correlated at all with the responders' satisfaction with their chosen process.

Satisfaction with Specific Process Factors

When exploring the relationships between responder satisfactions in the DIY Process, there is a similar strong correlation between satisfaction with the DIY Process and what happened in the process generally (process factors) and satisfaction with the DIY Process and financial and personal well-being outcomes generally (.613 for process, .617 for financial and .636 for the responder's sense of well-being). The correlation between satisfaction with the DIY Process and satisfaction with parenting outcomes (.562) and with post-divorce relationships among family members (.472) is somewhat weaker.

Satisfaction with specific process factors, are strongly or fairly strongly correlated with satisfaction with the DIY Process: efficiency of the process (.618), attention to needs and interests (.610), respectfulness (.605), control over process (.601), degree of cooperation (.570), opportunity to

express self (.560), problem solving (.549), disclosure of information (.539), privacy (.523) and scheduling to accommodate calendars (.500).

Satisfaction with Professionals and Fees Paid to Professionals

As including professionals in DIY Process cases was not anticipated, correlations between satisfaction with the DIY Process and satisfaction with professionals used and fees paid to professionals were not determined.

Satisfaction with Substantive Outcomes

Financial Outcomes

There was a strong correlation between satisfaction with the DIY Process and the resolution of financial issues generally (.617). However a slightly lower, although still moderately strong correlation was indicated when responders were questioned about specific financial outcomes such as, satisfaction with division of retirement/investment/ bank accounts (.566), satisfaction with housing (.552), allocation of debt (.516) and satisfaction with alimony/spousal support agreements (.514). Satisfaction with child support agreements was the weakest correlation (.434).

Parenting Outcomes

There was a moderate correlation between responders' satisfaction with the DIY Process and parenting outcome (.562). Satisfaction with specific parenting outcomes are more weakly correlated with satisfaction with the DIY Process: emotional well-being of children (.498), the allocation of decision making and responsibilities (.488), ability to co-parent effectively (.482) and parenting time (.470). The ability to parent effectively was even more weakly correlated with satisfaction with the DIY Process (.335).

Satisfaction with Relationships

Responders' satisfaction with their post-divorce family relationships is somewhat weakly correlated with their satisfaction with the DIY Process (.472). Satisfaction with specific family relationships is even more weakly correlated with satisfaction with the DIY Process: relationship with former spouse (.391), with children (.337) and the former spouse's relationship with children (.331).

Satisfaction with Responder's Own Sense of Well-being

Responders' satisfaction with their post-divorce general sense of well-being is strongly correlated with their satisfaction with the DIY Process (.636). However, responders' satisfaction on specific well-being factors is less strongly correlated with satisfaction with the DIY Process: ability to make financial decisions (.489), ability to work and earn an income (.479) and ability to co-parent (.383).

Demographic Factors

The data reveals that there is no correlation between satisfaction with a DIY Process and demographic factors such as the income of the responder (.004), income of the responder's spouse (.014) or value of the marital estate (-.047).

CONCLUDING SUMMARY

DIY Process responders were generally young, with the majority being under 41 years of age. They were in shorter-term marriages with no prior divorces, and only 53% had children subject to the divorce. The majority of DIY Process participants earned less than \$50,000 and more than three-quarters had marital estates valued at \$150,000 or less.

The most commonly cited reason for choosing the DIY Process – selected by sixty-four percent (64%) of responders – was that the Responder thought the process would cost less.

While DIY Process respondents did not have legal representation, almost a quarter acknowledged working with a mediator. It is possible that these responders finished their divorce on their own, which is why they self-identified into the DIY Process.

Fees, while not non-existent, were modest. Slightly less than half of DIY Process respondents paid no fees, and 37% paid \$5,000 or less.

Generally, those using the DIY Process did not see their case as difficult. The vast majority (83%) were satisfied with their process. The process factors most highly correlated with their satisfaction with process were efficiency (.618) and attention to their own needs and interests (.610). Almost three-quarters were satisfied with their financial outcomes, and this satisfaction was fairly strongly correlated with satisfaction with the process (.617). More than three-quarters (79%) were satisfied with parenting outcomes; however, this satisfaction was only moderately correlated with satisfaction with the process (.562). Finally, three-quarters were satisfied with their post-divorce relationships, but this satisfaction was only somewhat weakly correlated with satisfaction with the process (.472).