



Family Law

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YOUR EX DOES!

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Simply put, you have three choices: Mediation, a Separation Agreement, or Litigation.

Mediation is a good solution for separating couples that are going through an amicable split, where there are no issues of abuse/intimidation, or one party being unreasonable. The couple meets with the Mediator and works out an agreement on all issues. The second option is a Separation Agreement addressing all issues and written to your requirements. One person hires a lawyer to draft the Agreement, and the other person then hires a different lawyer to review and sign the Agreement with them, called Independent Legal Advice. The signed Agreement can then be filed with the Court. The third option is Litigation. This is a good choice when your spouse

is being unreasonable, and it is useful for both of you to hear a Judge's opinion on the issues.

There are advantages and disadvantages to each of these. Mediation is generally the quickest and least expensive, but unless both of you have signed the Mediation Agreement, the Courts are unable to enforce it. A Separation Agreement is useful when both people are motivated to reach a common goal and are able to negotiate a settlement. However, if one person continues to maintain an unreasonable position, you may find yourself spending significant time and money trying to reach settlement. Litigation is initially the most costly of the three options, however it does provide a definitive resolution to your problems. Your friends at Shank Law.



M. Omar Khan
Lawyer

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I am going through a separation. What is the best way to settle this?



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