

THE CRISIS IN THE CALIFORNIA COURT SYSTEM

AND WHAT IT MEANS FOR YOU

The court system has been facing underfunding for the past several years. Now courts in California are facing unprecedented state budget cuts. Courts have been forced to make drastic cuts to services. Courtrooms have been closed and staffing has been reduced.

What does this mean for you? Why should you care?

If you plan to get divorced using the court system and you want the court to set spousal and/or child support, custody arrangements, or rule on the division of community property, you will need to plan for delay, delay, and more delay.

It is always a difficult decision to divorce. Once you've made the decision, you don't want your divorce to take years. You want to have a sense of closure to your marriage.

And, to compound the problem, all criminal matters have precedence over civil matters. This means that all civil matters such as divorces, disputes over contracts, small claims, and all other civil disputes are squeezed into fewer courtrooms with far fewer support personnel. This means that you will wait for your case to be put on the court's calendar. And even then your case may be continued to a future date likely to be months away because the judge simply has too many cases scheduled before yours.

How can you avoid having your divorce take years rather than months? What is the readily available solution?

Hire a mediator to work with you and your spouse so that you can reach mutually agreeable solutions to all divorce issues – support, parenting plans, retirement assets, medical insurance, etc. Mediation requires no court time, no court appearances, and all required documents are submitted to the court.

Remember that in mediation you will be in control of all agreements. Nothing can happen until you both reach agreement on every issue. You may think that it is impossible for you and your spouse to agree on anything. Most people are getting divorced because they can't agree on some very important issues. After all, isn't that why you are getting divorced? The fact that you can't agree on anything means that you need a mediator to help you work through all the issues – including some issues that you may not have even thought about but that are important. That is the mediator's job: to help you both understand your legal rights and the financial picture, and then to help you both move toward an agreement that you each will find acceptable.