

# North Denver Divorce Law: Cooperative Divorce is an Option

*The goal of the divorce process is to reach a fair and mutually acceptable resolution*

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/EINPresswire.com/ -- For more than 34 years in the North Denver area, attorneys Leonard D. Tanis and Michael

McGonegal have represented clients seeking a divorce. Though the divorce rate in Colorado has trended downward – for example, the divorce rate decreased from 12% in 2021 to 11.90% in 2022 – the rate continues to be high. As one of North Denver’s premier law firms handling divorces, [Tanis McGonegal](#) Family Law wants individuals to know that they have options when



North Denver Divorce Lawyers

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*Leonard D. Tanis & Michael McGonegal, Divorce Lawyers*

considering a divorce. Costly and time-consuming litigation is not the only means to a fair divorce. One alternative is what Colorado defines as a cooperative divorce.

What is Colorado’s Cooperative Divorce?

In 2021, the Governor of Colorado, Jared Polis, signed into law the Uniform Collaborative Law Act which now governs cooperative divorces in Colorado (2021 Colorado Code Title 13 - Courts and Court Procedure - Article 24). The Act authorizes a cooperative law process for divorce and other family law proceedings. Disputes can be resolved in a non-adversarial setting without the intervention of a judge. The

one caveat is this: one of the key provisions of the Act is that the parties and their attorneys must enter into a written participation agreement that sets forth the terms of the [collaborative divorce](#) process.

The participation agreement must include a provision that the parties and their respective attorneys will not litigate the divorce and that the attorneys will withdraw from the case if the parties decide to litigate. The latter is necessary because the communications made during the cooperative law process are confidential and cannot be used in later proceedings, like litigation.

## Is a Cooperative Divorce a Good Option?

Many couples wish to avoid lengthy litigious divorces. Sometimes these couples seek divorce mediation, which is a very different approach. In mediation, for example, a mediator is used. This mediator does not take sides but should remain neutral. In a cooperative divorce, each party must be represented by their own attorney, which helps ensure their interests are appropriately addressed.

According to Tanis McGonegal Family Law partners Leonard D. Tanis and Michael McGonegal, if a couple seeks a divorce, they may want to consider the following questions to help them determine whether cooperating during their divorce is in both of their best interests.

1. Can the spouses remain civil while working together to settle their divorce? Divorce requires serious conversations and compromises on matters like spousal maintenance, child support, child custody, asset distribution, debt allocation, and more. On the other hand, maybe the couple has no children and limited assets, making cooperation an optimal choice.
2. Do the spouses want to avoid litigation? Some spouses may be willing to work out whatever issues they may have outside the court as opposed to inside the court, where a judge may make all the decisions for them.
3. Does the couple prefer privacy? Divorce litigation is a public affair, i.e., trials and hearings are held in open session and the divorce becomes part of a public record. If parties value their privacy and want to minimize mudslinging and name-calling, cooperating with each other may be the best option.
4. Is control over the outcome a priority? When couples cooperate during the divorce process, they can customize their divorce according to their own specific priorities, crafting unique solutions in the process. If the divorce is litigated, however, the judge – who does not have the time to customize a divorce case – will decide the outcome and the details of the outcome.
5. Does each spouse still want support while cooperating on a divorce settlement? Alongside having their own respective divorce attorney to represent them, there is the added benefit of outside professionals, like child psychologists, financial planners, real estate brokers, business or pension valuations, tax specialists, and others, who are neutral and there to help inform and educate everyone involved, which can help avoid wasting substantial time and money on unnecessary arguments.
6. Does each spouse want to save on costs and time? Two downsides of any divorce litigated within the court system is this: the costs and the time, and the more time it takes, the costlier it is. Couples, when they cooperate, are in a better position to control the costs and duration of the divorce.

To maximize the benefits of an uncontested divorce achieved through party cooperation, it is important to retain a divorce attorney who is sensitive to their client's needs while also being persuasive in their negotiations with the other party. The family law attorneys at Tanis McGonegal Family Law are client-focused and outcome-driven. They offer personalized service, extended hours, and strategic guidance to help make the divorce process for their clients go as

smoothly as possible.

## When May a Cooperative Divorce Not Be in One's Best Interests?

Some divorces are contentious from the start. Spouses simply know they will not agree on anything, and litigation is their only option. Some spouses may think they can cooperate with the other spouse during a divorce, but ultimately, they may not be able to do so. If a couple wants an alternative to litigation but is unsure whether a cooperative divorce will work, consider these questions.

1. Even if one spouse voluntarily decides to cooperate during the divorce, will the soon-to-be ex-spouse cooperate voluntarily? If one spouse has made clear they will not under any circumstance cooperate, then this alternative may not be the best solution.
2. Does one divorcing spouse want their day in court? Do they want to be in front of a judge to have their say about the divorce? Even when issues of a divorce can be solved rather matter-of-factly, some people just want to have their voices heard.
3. Can the parties afford to start over? Starting over means starting the entire process over, which will be a financial and emotional toll. Starting over also means the mediator must stop collaborating with the parties.

Consulting with the divorce attorneys at Tanis McGonegal Family Law is the first step to identifying whether a divorce through cooperation may be an efficient and sufficient means to a divorce. According to Tanis and McGonegal, the goal of the divorce process is simple: to reach a fair and mutually acceptable resolution. Cooperative divorce is one means to that end. But it is also important to remember that, regardless of the "type" of divorce process, divorce will require negotiation and compromises. Tanis McGonegal Family Law can assist a party if they choose a cooperative divorce or if they decide they need to let the Court decide.

Attorneys Leonard D. Tanis and Michael McGonegal are committed to their clients – their stellar reputation in the community is testimony to this fact. Part of that commitment is ensuring the best possible process to obtain a fair divorce. Tanis McGonegal Family Law believes everyone should receive comprehensive representation – their clients include married couples, couples with children, and same-sex couples choosing divorce. Leveraging their combined experiences and skill and working to protect what is in the best interests of their clients is what attorneys Leonard D. Tanis and Michael McGonegal do for fellow community members in the North Denver metropolitan area.

## About Tanis McGonegal Family Law

Tanis McGonegal Family Law partners Leonard D. Tanis and Michael McGonegal specialize in helping clients facing difficult divorce matters. Their approach is unique from other divorce law firms because they listen and take the time to guide families through all of their options with the family's best interests at heart and in mind at all times.

Tanis McGonegal Family Law's experienced attorneys genuinely understand the northwest Denver area and the issues faced by families in those communities. They help many local families with the unique challenges facing today's modern family, such as child tax credits and other tax considerations in divorce, child custody rights, grandparents' rights, LGBTQ+ family law issues, and other key factors that should be considered in ending a marriage.

Based in Broomfield and serving Northwest Denver including Boulder, Erie, Longmont, Louisville, Lafayette, Northglenn, Westminster, and the rest of Denver, Tanis McGonegal Family Law is one of the highest-rated divorce law firms in Colorado. Tanis McGonegal Family Law assists clients with family law matters, child custody issues, adoption, high asset cases, property division, high conflict cases, civil protective orders, domestic violence, Colorado common law marriage, and post-divorce issues. They also are experienced Child Support lawyers. In addition, the firm offers preparation of prenuptial and postnuptial agreements.

For those considering a divorce or in need of representation in a divorce, contact Tanis McGonegal Family Law today for a free case evaluation at (303) 465-4605.

Michael McGonegal  
Tanis McGonegal Family Law  
+1 303-465-4605  
[email us here](#)

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