

The Creative Divorce Workshop Presents

The Divorce Agreement Newsletter



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Lack of Curiosity as a Professional Sin

Being a real professional is a lifelong learning experience. Part of that experience has to be a commitment to carry on the profession based upon its highest standards, and also to commit to making it serve society better.

What’s in this Issue:

Some of the most impressive professionals I know are lawyers in family law practice. So it puzzles me why there aren’t more efforts to generate some obvious needed improvements in the American family law system.

The starting point is *professional curiosity*. This needs to be more than just attending continuing professional education courses. Those are often helpful, but mostly they deal with changes that have already taken place.

Some Lessons from Steve Jobs

The excellent new movie, “Steve Jobs,” portrays a future-oriented genius who transformed a nearly bankrupt tech company into one of the most valuable businesses in the world. Jobs did not suffer fools gladly. He was intolerant of anyone who looked backwards and challenged even the best technicians who worked for him. But he revolutionized the tech industry.

American family law needs a Steve Jobs. Someone needs to “raise hell” with one of the more backward areas of the American legal system. In the late 1990’s as Jobs was developing the iPod, imagine his response if a technician were to hand him a model device that did many of the things he wanted it to do, but looked like a Sony Walkman! That’s very like what even some of our “Super Lawyer” firms do in drafting agreements from 30-year old form files.

Lots of research supports the proposition that using the adversarial and outmoded terms “custody” and “visitation” makes it more difficult to get agreements on parenting plans. The current system of civil discovery in family law is an antiquated bureaucratic process that often wastes time and money and still doesn’t get effective results. In a world of Skype and Zoom, the existing system of family law motion practice is also frequently wasteful. There is no good reason for styling family law cases in the adversarial format we inherited from the British in colonial days. American family law mostly operates behind, not in advance of, social changes. Getting a divorce in America can be way too expensive, stressful, and time-consuming.

I certainly don’t think of myself as a reincarnation of Steve Jobs. I don’t possess his brilliance and I’m probably a nicer person. But there is a need to remind some of our divorce-related professionals that we are now 15 years into the 21<sup>st</sup> century. If divorce lawyers, mediators and collaborative professionals don’t actively work to improve the system known as “divorce American style,” it will be reformed from the outside. Those changes will then be generated by the efforts of leaders such as Joe Sorge, the multi-millionaire physician who produced the documentary “Divorce Corp” and has organized a national drive for divorce law reform.