

The Groundbreaking Work of Forrest “Woody” Mosten

A true innovator in divorce settlements. Over the past four decades there is one person who has consistently been in the forefront of efforts to improve the legal process of divorce. Forrest “Woody” Mosten was one of the first generation pioneers in the new field of divorce mediation, commencing his mediation practice in 1979. His books and articles are among the best resource materials for anyone seeking to promote the cause of divorce agreements over litigation. Woody is responsible for three of the most important books on mediation, unbundled legal services, and collaborative practice, each published by the American Bar Association. He has taught at a number of different law schools and has been Adjunct Professor of Law at UCLA Law School since 2002. Woody teaches Family Law Practice, Mediation, and Lawyer-Client Relations at UCLA. He is one of the most respected trainers in the United States for his workshops for professionals on mediation and collaborative practice. Woody is a Certified Family Law Specialist in the State of California. The office for his mediation center and collaborative practice is in Los Angeles.

The Complete Guide to Mediation. This ABA book appeared in its latest version in 2015, with Elizabeth Potter Scully as co-author. The subtitle is “How to Effectively Represent Your Clients and Expand Your Family Law Practice.” It is one of the most comprehensive and reliable books available on family mediation. This is a useful book not only for lawyers who work as divorce mediators, but also for attorneys who represent clients going through mediation with other mediators. It contains not only a series of valuable guidelines, but also a number of practical forms.

Unbundled Legal Services: A Family Lawyers Guide. This book was published by the ABA in 2017, also with Elizabeth Potter Scully as co-author. It is the successor to his *Unbundling Legal Service*. The concept of unbundling legal services is to permit an attorney and his or her client to limit the scope of legal representation. This concept is helpful for clients in a variety of different situations. One of the four main ways of reaching agreement is spouse-to-spouse negotiations. There are a variety of ways attorneys can assist spouses who want to work out their own agreement without retaining a full-service lawyer. These include consulting advice, lawyers as coaches, participating in negotiation sessions, legal research, fact gathering, assisting with the exchange of disclosures, drafting an agreement and/or a pension order, and filing the divorce action once an agreement has been signed. Because of his influence and advocacy for the possibilities of such limited representation, Woody is often credited with being the “Father of Unbundling.” Any attorney who is interested in this concept would do well to read this latest book on the subject, both to become aware of the potential of unbundling and to become aware of the practical and ethical issues that are involved.

Building a Successful Collaborative Family Law Practice. Woody’s latest book, which is an anthology he organized, was just published by the ABA. His co-author is Adam B. Conover. This book has a prologue and a concluding chapter by the co-authors and 23 chapters by various other specialists on a range of practical topics about collaborative family law practice. It is directed primarily, but by no means exclusively, to attorneys in their function as collaborative professionals. The individual chapters are especially intended to provide helpful answers to the following two topics:

(1) how to set up and organize a successful collaborative practice, and (2) how to make collaborative practice work effectively to promote a fair and practical agreements. For many attorneys in collaborative practice, this book may be most valuable in covering a range of topics that aren't addressed either in one's regular law practice or in the collaborative practice training courses. The scope of topics that Woody and his collaborators cover in this book is impressive. Note that this book is focused not on collaborative practice as an abstraction, but rather on collaborative family law cases.

The goal of this section. These three books are very comprehensive and specific for each of the areas covered. If you have a particular interest in the subject of any of these books, therefore, you will want to purchase the book. Each of these books is up-to-date, well-organized and edited, and authoritative. Woody Mosten deserves great credit for providing detailed texts for three important areas of professional practice that didn't even exist as such when he started out.