

Divorce Options: Mediation, Collaborative, and Limited Scope Legal Services

Many people represent themselves in their own divorce or hire lawyers for a courtroom battle. In Wisconsin, there are other options for ending a marriage with legal help that can reduce conflict, save money, and give families more control over the outcome. These include self-represented mediation, collaborative divorce, and limited scope (unbundled) legal services. These options offer different paths to a divorce. Deciding which path is right for your case should be based on the level of cooperation between spouses, the amount of legal support needed, safety and affordability.

If you are divorcing, you should get input about all options before making a decision about what options are best for you and your family.

Self-Represented Mediation

In Wisconsin, self-represented parties may agree to jointly hire one neutral lawyer as a mediator. The lawyer mediator can provide legal education, prepare all required legal documents, assist with the court-required financial disclosure, and assist parties in discussing options to help the parties reach agreements. This one lawyer mediation process can help assure informed decision making and compliance with court requirements needed for a final divorce.

How Voluntary Self-Represented Party Mediation Works

The lawyer mediator does not represent either party but helps the parties reach agreements and navigate the court process.

- The lawyer mediator can provide joint legal education but not individual legal advice
- Communication in mediation is private
- Additional guidance from child and financial specialists is an option
- The lawyer mediator can draft and file all court documents
- The lawyer mediator cannot appear in court
- Either or both parties may consult with a lawyer of their choice

Benefits of Self-Represented Mediation

- Lower conflict and more cost-effective than litigation
- Empowers the parties to make their own decisions
- Especially helpful to support positive co-parenting relationships going forward

Other Types of Divorce Mediation

Mediation is required if parties have custody or placement issues they cannot resolve before a judge will appoint a guardian ad litem or decide the issue. Judges may also order mediation when both spouses have lawyers but cannot reach an agreement. The lawyers and the parties are all involved in this type of mediation.

Collaborative Divorce

Collaborative divorce is a team-based process designed to help couples reach a respectful and fair settlement without going to court. The parties agree in advance that their lawyers will only work on settlement and cannot ask the judge to decide any issues.

How Collaborative Divorce Mediation Works

- Each spouse hires a specially trained collaborative lawyer
- Both spouses sign a collaborative participation agreement, committing to resolve all issues outside of court
- The process may involve a team of other professionals, such as child specialists and financial experts
- Most cases are resolved in the Collaborative process, but if no agreement is reached, both lawyers must withdraw, and the spouses must hire new lawyers

to take the case to court

Benefits of Collaborative Divorce Mediation

- Focuses on open communication and problem-solving
- Helps preserve relationships, which is especially important when children are involved
- Offers privacy, as negotiations stay out of public court records
- Gives both spouses more control over the outcome

Is Collaborative Divorce Mediation Legally Recognized?

Some states have a statute allowing the collaborative divorce process. While Wisconsin does not have a separate statute for collaborative divorce, the process is recognized as a valid alternative dispute resolution method. The Collaborative Family Law Council of Wisconsin has set forth ethical guidelines for the Collaborative process. Collaborative lawyers must also follow ethical rules established by the Wisconsin Supreme Court.

Limited Scope (Unbundled) Legal Services During Divorce

Limited scope representation (also known as unbundled legal services) allows individuals to hire a lawyer for specific parts of a divorce, rather than full representation.

Examples of Limited Scope Services

- Consultation
- Drafting or reviewing legal documents
- Preparing for a court hearing
- Coaching on negotiation strategy
- Assisting with calculations and creating options for settlement
- Representing a party at just one hearing

Is Limited Scope Representation Allowed in Wisconsin?

Yes. Wisconsin allows limited scope representation.² Lawyers must clearly define the scope of their work in writing.

Benefits of Limited Scope Representation

- **Affordable:** Pay only for the help you need
- **Flexible:** You stay in control while getting professional guidance
- **Accessible:** Ideal for people representing themselves (pro se) who want limited legal assistance

Wisconsin offers several options for divorcing couples looking to minimize conflict, save money, and have more control over their future. Before choosing a path, it's a good idea to speak with a family law lawyer who can help you understand which process fits your situation best. Many lawyers offer free or low-cost consultations to get started.

Last updated on July 22, 2025.

[Divorce Process](#) [Divorce](#) [Family Law](#)

Print

Table of Contents

Our Partners

This website is supported by

LSC | America's Partner
for Equal Justice

LEGAL SERVICES CORPORATION

LSC's support for this website is limited to those activities that are consistent with LSC restrictions.

WisTAF
investing in justice for all