

What is Collaborative Family Law

1. Cooperation - not confrontation

- Problem solving with attorneys where you and your spouse try to understand each other.
- You and your spouse are responsible for gathering information and solutions.
- Both attorneys help you and your spouse to:
 - find and focus on what is important to you;
 - understand each other's concerns;
 - gather facts to exchange information;
 - explore a wide range of possible choices; and
 - reach solutions acceptable to both of you.
- You and your spouse and both collaborative attorneys work as a team.
- It may take much less time and money to settle matters using the Collaborative Family Law process.

1. How will this happen?

- Both you, your spouse and both attorneys will meet together as often as you and your spouse need to meet.
- You, your spouse and both attorneys will sign a contract agreeing not to go to court. What happens in the meetings cannot be used as evidence in court.
- During these meetings you and your spouse, with your attorney's help, will:
 - identify what is important to you and your spouse;
 - identify what you and your spouse need to talk about (issues);
 - gather facts and exchange information;
 - explore a wide range of possible choices; and

- reach solutions acceptable to both of you.

2. What will you and your spouse do?

- First, you will each meet alone with your own attorney to identify your concerns and learn about the Collaborative Family Law process.
- Then you and your collaborative attorney and your spouse and his/her collaborative attorney will meet together so the 4 of us can discuss what is important to you and what you need to talk about (issues).
- At all meetings where you, your spouse and both attorneys are present, you will follow the Collaborative Family Law process.
- Meetings vary in length but most are less than 3 hours long.
- We will treat each other with respect.
- We will listen to each other's perspectives, interests and concerns.
- We will gather all of the facts and information you each need.
- We will explore all possible choices.
- You and your spouse will both let go of the past in order to focus on the future to find solutions acceptable to both of you.

3. What will your collaborative attorneys do?

- Your attorney will advise you of the law.
- Both attorneys will be honest and respectful.
- Both attorneys will guide the Collaborative Family Law meetings.
- Your attorney will represent your interests, but will also listen to your spouse. Your spouse's attorney will represent your spouse's interests, but will also listen to you.
- Both attorneys are trained in this process to manage emotional situations.
- Both attorneys will point out unreasonable expectations.
- Both attorneys will use clear language when speaking and writing.

- Both attorneys will cooperate in sharing all factual information.
- Both attorneys will work hard to help you and your spouse reach an agreement.
- Neither attorney will go to court before you and your spouse reach an agreement.
- Once you and your spouse reach an agreement, both attorneys will help you to obtain any necessary court approval.

4. Benefits of the Collaborative Family Law process:

- You may spend less money and time than you would using other methods for reaching separation or divorce solutions.
- You may produce an agreement better suited to your own unique needs now and in the future.
- You may find the Collaborative Family Law process engaging, informative and a less stressful way of resolving your divorce or separation issues.
- You will have control over your own decisions when you participate in the Collaborative Family Law process.
- You may improve communication between you and your spouse. You and your spouse will focus on creative problem solving, not blaming and revenge.
- You will have skilled legal advisors at every stage of the process. Both collaborative attorneys understand how to reach creative settlements. You are never on your own. Your collaborative attorney is at your side, explaining issues and helping you to achieve goals by mutual participation and agreement.
- Your spouse and both collaborative attorneys will agree in advance to work only toward a settlement acceptable to both clients. Going to court (litigation) can never be threatened. Neither you nor your spouse will be permitted to play games or take advantage of each other.
- The collaborative attorneys share with their clients a financial incentive to make the Collaborative Family Law process work. The collaborative attorneys have not succeeded unless they help you create a win-win solution. They are “out of a job” if the process breaks down.
- Clients and collaborative attorneys work together as members of the settlement team, rather than working against each other as “opposing parties”.

5. **How do I find a collaborative attorney?**

You can:

- look in the yellow pages of the phone book under “attorneys”.
- go to www.collaborativelaw.org.
- ask your therapist to suggest a collaborative attorney.

When choosing a collaborative attorney, ask if she or he is a member of the Collaborative Family Law Institute.