

Collaborative Law

When they separate or divorce, couples must find a way to resolve their differences on all relevant issues. Collaborative practice is designed to minimize conflict while working toward that resolution. Parties to divorce and their attorneys agree to make a good faith attempt to reach a mutually acceptable settlement without going to court. Working together, they strive to dissolve the marriage in a way that addresses everyone's legal, financial, and emotional needs. At the beginning of the process husband, wife, and both attorneys sign a Participation Agreement. The agreement requires both parties to:

1. Exchange complete financial information so that each spouse can make well-informed decisions
2. Maintain absolute confidentiality during the process, so that each spouse can feel free to express his or her needs and concerns,
3. Reach written agreement on all issues and concerns outside of contested court proceedings
4. Authorize the attorneys to use the written agreement to obtain a final court decree.

The process then begins first with both spouses meeting with their respective collaborative attorneys to discuss individual needs and concerns. Then, the couple and their attorneys meet in four-way sessions to reach a settlement without involving the court. Every issue – including property division, custody, and support – is put “on the table” in these sessions. When a settlement is reached, attorneys file the appropriate paperwork required by the court. No court appearances are needed to obtain a final divorce or separation decree.

For more detailed information, take a look at the Collaborative Law Institute's website at <http://www.collaborativelaw.org/>