

Collaborative Practice



RESOLVING DISPUTES RESPECTFULLY

Getting a divorce, no matter how simple or complex, puts an emotional strain on everyone.

There are many unsettling changes to deal with: new living arrangements, new financial responsibilities, parenting time and custody, and uncertainty about the future.

The prospect of going to court can be equally intimidating.

That's why more and more people choose the Collaborative divorce method. Guided by a professional team, couples work together to reduce conflict and reach a fair settlement.

“Our children never dealt with months of arguments or uncertainty about where they would live or what would happen to them. They could see we were working together to make the best choices for our family.”



In Collaborative Practice, couples work together, guided by a team of professionals, to reach a divorce settlement in a fair, child-friendly way without going to court.

A marriage may end,
but the family goes on.

In Collaborative divorce, each party has their own attorney and signs an agreement to reach a settlement without going to court.

A professional team supports the family as they resolve legal, financial, and emotional issues in a way that preserves family relationships and builds a clear path to the future.



Divorce with an
eye to the future.



The focus is on solutions,
not on blame.

Clients and their attorneys sign an agreement that:

- Sets forth an out-of-court process directed by the parties, not the court
- Promotes full and open disclosure
- Enables couples to reach a settlement based on the family's needs and priorities
- Encourages a settlement based on the best interests of the children.

All members of the collaborative team, including both attorneys, must withdraw from the case if:

- Negotiations break down
- Either party abandons the process or acts in a confrontational way that makes it impossible to reach a settlement.

HOW COLLABORATION WORKS

The parties and their attorneys begin by discussing the differences between collaborative divorce and a traditional divorce settlement decided by a court.

Collaborative divorce is a team approach involving each party's attorney, a neutral financial expert, mental health professionals (also called divorce coaches), and at times, a child specialist or mediator.

The financial expert helps the parties make informed financial decisions. Divorce coaches help couples manage the emotional ups and downs while their attorneys work on the details of the divorce.

For a list of Collaborative professionals, please visit www.CollaborativePracticeMI.org.

EVERYONE BENEFITS FROM COLLABORATION

Collaboration encourages good-faith problem-solving and honest communication to reach a settlement agreeable to both sides. There are many advantages:

- Collaboration reduces stress and conflict.
- Past differences and unproductive behavior patterns are left behind.
- The process builds trust.
- Parenting decisions put the interests of children first.
- The collaborative team focuses on the interests of the entire family.
- The dignity of the family is respected.
- The privacy of the family is preserved.
- Compliance with the final settlement is usually greater.



LESS COSTLY IN MANY WAYS

Collaboration may reduce the time and conflict involved in divorce by:

- Requiring full disclosure of assets rather than resorting to a lengthy investigation
- Engaging one neutral financial expert rather than two
- Allowing the parties and professionals to control the pace of negotiations.

Costs are largely determined by the parties' readiness to settle—a powerful incentive to negotiate in good faith toward an equitable outcome in the best interests of the family.