



Benefits of Collaborative Family Law Over the Typical Court Process:

- Fairly and efficiently resolves all issues for you and your family, outside the courts
- Is typically less stressful
- Can be faster and less expensive
- Reduces the impact of separation on children
- Encourages participation, allowing you to create your own solutions, rather than having a third party impose a decision
- Allows both parties and their children to “win” as everybody works together to reach mutually-positive solutions

History of Collaborative Family Law

Collaborative Family Law was established in 1990 by Stu Webb, a lawyer in Minneapolis, Minnesota, with 25 years’ experience as a family lawyer. He was frustrated with the destructive impact the court process was having on families.

Since that time, **Collaborative Family Law** has gained recognition throughout North America and beyond. It began in Vancouver in 1998 and quickly spread to become a leading process for separation resolution across British Columbia.

The members of The Collaborative Association share a belief that, with skilled legal and emotional support, **parties can create solutions** to their problems which are superior to any other method.

Is Collaborative Family Law for me?

If you answer “yes” to most of the questions below, we suggest you share this brochure (or our website - www.nocourt.net) with your spouse or partner:

1. Do you want to **keep control** over the proceedings of your separation?
2. Are you concerned about the cost of court?
3. Do you want to have ownership over formulating **your own solutions** to the problems you both have identified?
4. Do you feel you are willing to try working **cooperatively** with your spouse or partner?
5. Are you open to **creative** and individual solutions that fit your situation?
6. Do you want a **flexible**, informal and private process to resolve your disputes?
7. Are you committed to full disclosure of financial and other relevant information to your lawyer and to each other?
8. Do you want neutral information about how the financial decisions you are making may impact you in the future?
9. Will you be committed to keeping **confidential** what is discussed in the four-way meetings?
10. Do you recognize that you and your spouse or partner have not been able to resolve the disputes on your own?
11. Are you willing to learn new ways to **communicate** with your spouse or partner?
12. If you have children together, are you both committed to making their **future a priority**?
13. Do you want neutral information about **parenting plans** that are best for your children?
14. Do you want to minimize the uncertainty, emotional pain and damage of separation - for yourselves and for your children?
15. Do you want to make a **smoother transition** to the next phase of your life?
16. Do you feel safe negotiating in the same room with your spouse?

When you make the decision to move forward with the Collaborative process, the next step is for each of you to independently **contact one of the Collaborative Family Law professionals listed on our website (www.nocourt.net)**.

COLLABORATIVE FAMILY LAW

An Effective Approach



 **The Collaborative Association**

Providing Collaborative Family Law Services for the B.C. Lower Mainland

www.nocourt.net

What is Collaborative Family Law?

Collaborative Family Law is a process where everyone agrees to work together to **create positive, fair, mutually-agreed solutions** for resolving disputes arising from the breakdown of a relationship.

Essential to the process is a **formal agreement** between the parties and their lawyers that, while seeking resolution through the **Collaborative Family Law** process, the **parties will not go to court.**

HOW DOES IT WORK?

Each party retains his/her own specially-trained lawyer. The parties and their lawyers attend 4-way meetings and **work together to reach a resolution.**

HOW IS COLLABORATIVE FAMILY LAW DIFFERENT FROM MEDIATION?

Mediation takes place with a neutral third party, who does not provide legal advice to either party. Each party must obtain independent legal advice.

In Mediation, a party who attends without a lawyer may have difficulty expressing himself / herself, as a mediator cannot advocate for or legally advise either party.

In Collaboration, **your lawyer is there negotiating with you.**

Collaborative Family Law requires mandatory disclosure of all information, including financial matters, and provides a mechanism to resolve

disputes using a team of specially-trained professionals.

HOW IS COLLABORATIVE FAMILY LAW DIFFERENT FROM THE COURT PROCESS?

Court is costly - financially and emotionally. In the court process, people end up using their financial resources to fight over their children and assets. As well, the outcome of their dispute is allowed to be determined by an impartial third party (the judge).

Collaborative Family Law directs all resources at developing solutions. Team members are able to **focus all their efforts on problem-solving** rather than on strategic preparation for court.

HOW MUCH WILL IT COST?

Collaboration is settlement-driven, and the cost is usually significantly less than going to court. Every situation is unique: for specific costs, consult a Collaborative Family Lawyer.

Who is the Collaborative Family Law Team?

The team is made up of Collaborative Family Lawyers and may include Divorce Coaches, Child Specialists and Financial Specialists who **guide you through the process.** Divorce Coaches, Child Specialists and Financial Specialists are not mandatory; however, they are an important part of the process, when required.

COLLABORATIVE FAMILY LAWYERS ARE:

- *experienced in Family Law*
- *trained in the Collaborative Law Process*
- *trained Mediators*

DIVORCE COACHES:

- *experienced mental health professionals*
- *trained in mediation and the Collaborative Law Process*
- *assist when there are complex emotional issues to deal with*

CHILD SPECIALISTS:

- *specially trained mental health professionals*
- *interview the children and help develop a parenting plan*

FINANCIAL SPECIALISTS:

- *assist when there are complex business and financial issues to resolve*

www.nocourt.net

