

COLLABORATIVE FAMILY LAW WHAT IS IT AND WHY IT MIGHT BE FOR YOU

Most people expect a divorce experience to be difficult at best and downright nasty at worst. They also have an expectation that it will be extremely expensive. It no longer has to be! Even lawyers become discouraged and disheartened from time to time from witnessing the negative effects that the court process has on families during family breakdowns. This is not surprising. It is an adversarial process. As such, a Minneapolis lawyer developed a new concept approximately 10 years ago – Collaborative Law. It was developed in an effort to remove the divorce experience from the court process and to offer the clients a new opportunity to experience a divorce with dignity, integrity and success for both parties.

The key concept of Collaborative Law is that the lawyers and their respective clients work together, through joint meetings towards a goal of reaching an efficient, fair and comprehensive settlement on all outstanding issues. The process involves all negotiation to occur at joint meetings involving all of the parties. The role of the lawyer switches from that of adversary to that of coach of their client in an effort to try and reach a settlement. An equally key concept to the process is that the parties enter into a written contract with their lawyer whereby it is agreed that the parties will negotiate in good faith. The lawyers will agree that if the collaborative process fails to achieve a settlement, and the parties choose to proceed with the court process, both lawyers must disqualify themselves.

There are considerable advantages to this process as opposed to the alternative. For instance:

1. It is generally a much faster process.
2. It is less expensive.
3. There is nothing hidden and lawyer's bills are not a surprise.
4. It encourages far more trust between the clients and the lawyers.
5. The settlement rate is significantly higher and the clients are generally much more satisfied with their settlement.

If you are experiencing a divorce or separation, and you think that Collaborative Law is for you, you can contact the Collaborative Lawyers of Saskatchewan Inc. for more information and a list of lawyers qualified who practice Collaborative Family Law. The toll free number is 1-866-347-8545.