

COLLABORATIVE LAW FACT SHEET

1. *What is Collaborative Law?*

Collaborative Law is a process by which agreement on property and financial matters, or arrangements for children (or both) can be reached following separation. Family collaborative solicitors work with both parties to find solutions that work for the whole family, giving priority to issues that are important to you and your partner.

The collaborative process enables you to work to an agenda and timetable that suits you and your circumstances and helps couples to separate without the conflict (and often delay and additional expense) involved in the Court process. A fundamental principle in the collaborative process is that neither party may issue proceedings in the Court (apart from the formalities of obtaining a divorce) or threaten to do so.

2. *Benefits of Collaborative Law*

Particular focus is placed on the needs and welfare of the children and on agreeing a fair financial settlement that meets the needs of the children.

If parents wish to discuss the arrangements for their children, as well as the financial settlement, collaborative lawyers will work with both parents to help them agree arrangements for effective co-parenting that enables the children to adapt successfully to living with their parents in separate households. Parents are assisted by the collaborative process in maintaining good communication with each other in the future with regard to their children.

3. *Who are Collaborative Lawyers?*

Collaborative lawyers are specialist family solicitors who have also undertaken additional collaborative training through Resolution. Before the joint meetings take place (and as frequently as you wish between the meetings) you will have a confidential consultation with your collaborative lawyer who will fully support and represent you throughout the process but this is *your* process of which you and your former partner will retain control.

4. *How much does it cost?*

Collaborative lawyers charge the same hourly rates as they do for specialist family advice. These rates depend upon the level of experience of the solicitor. The process is more cost effective than litigation and of course less confrontational. However, as the process involves a series of joint meetings, the costs can be higher than a settlement negotiated through solicitors in correspondence.

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Sometimes in the course of the collaborative process it is necessary to jointly instruct other experts such as an accountant or a specialist pension Independent Financial Adviser who will provide specialist advice and report to both parties and the collaborative lawyers.

The collaborative process enables separating couples to achieve a more creative and individual solution than may be possible in negotiations through solicitors or the more rigid Court system, and to do so with respect and dignity.

Contact any of the solicitors in the TWM Family Team for details of our collaborative law services.

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