

Collaborative Practice is an alternative way for you to resolve disputes respectfully, without going to court, while working with trained professionals who offer you support and guidance throughout the process.

Why choose the Collaborative Process?

- The Collaborative Process empowers you to resolve your legal disputes without judges, magistrates or court personnel making decisions for you.
- It provides you with specially trained Collaborative lawyers, mental health and financial professionals to educate, support and guide you in reaching balanced, respectful and lasting agreements.
- It offers you a safe and dignified environment to reduce the conflict and minimize its impact on you, your children, your family and your life.

What does the process involve?

- The collaborative approach addresses the needs of the whole family. Resolution is achieved through both of you meeting together at the same table, with help. It is a structured approach aimed at finding a mutually acceptable resolution.
- The parties sign a collaborative participation agreement describing the nature and scope of the matter.
- The parties voluntarily disclose all information which is relevant and material to the matter that must be decided.
- The parties agree to use good faith efforts in their negotiations to reach a mutually acceptable settlement.
- Each party must be represented by a lawyer whose representation terminates upon the undertaking of any contested court proceeding.
- The parties may engage extra mental health and financial professionals whose engagement terminates upon the undertaking of any contested court proceeding.
- The parties may jointly engage other experts as needed.

FAQs

1. How much will it cost?

In general, it is less expensive than going down the road of a legal battle through the courts. Each of our practitioners has a standard hourly rate for their time. The collaborative process does not involve open-ended court costs, or barristers' fees. How much time you spend will be unique to the individual needs of your family.

2. What must I bring to the process?

Bring yourself and a willingness to be open. Collaborative process is about disclosing all relevant information necessary to make good decisions. Bring a commitment and pledge not to go to court. The collaborative process is designed to help you reach an agreement outside of court. And thirdly bring a commitment to respect your partners goals throughout the process. Collaborative process takes into account the things that are important to both of you.

3. Who is on a Collaborative Team?

A Collaborative team consists of you and your collaborative lawyers and a family consultant/coach. You and your partner can choose to include other professionals such as financial professionals or child specialists all of whom will be collaboratively trained. Your collaborative team will guide and support you as problem-solvers, not as adversaries.

4. How is Collaborative Process different from Court?

Aside from the financial cost, litigation can be acrimonious, traumatic, and have a heavy emotional cost for your family. The different skill sets brought to the collaborative process by the interdisciplinary team provides supports that are not available in the traditional Court process.

By staying out of court you avoid adversity, relying on the timetable of the courts, you get to keep your process private that would not be possible with court involvement.

5. How long will my Collaborative Process take?

There really is no average time. The complexity of your situation and the level of conflict between you will determine the length of your process. The focus will be on problem solving and not blame and grievances. Overall the process usually takes less time than litigated case.

6. Is Collaborative Process available for Civil, Workplace and Estate disputes?

When key relationships need to be preserved, whether within couples, families, siblings or business partnerships, Civil Collaborative practice can be an effective way to prevent costly relationship ruining and time consuming court battles. The parties maintain control of the process and the decisions instead of handing them over to a judge or jury.