

# Collaborative Law

Collaborative law is another alternative method which enables clients to resolve all issues arising from their separation or divorce without going to a final court hearing.

In the collaborative law process both parties are represented by a trained “collaborative lawyer”. The case is dealt with mostly in four-way meetings between the couple and their respective lawyers. Other professionals such as accountants, valuers may also join the meetings to give neutral information

Each party signs a contract to provide full disclosure, negotiate in good faith and not to use the court process save by agreement. The last aspect is fundamental to collaborative law. It is perceived by some as its greatest strength. If either party issues court proceedings such as an application to the court, then the collaborative law process ends, both parties – not just the one issuing proceedings – must change lawyers and both the collaborative lawyers will have no further involvement in the case.

Collaborative law combines the commitment to endeavour to reach a settlement which is at the core of mediation, with the added benefit that each party is represented by their own lawyer to advise and guide them in the negotiation process.

It is a process that is suitable and attractive for some people and some couples. The International Family Law Group includes a trained collaborative lawyer, Ann Thomas.

However if there is believed to be any reason why either your spouse may issue proceedings or, crucially, you may need to do by reasons of the actions of your spouse, then collaborative law is not for you. It is not normally good to change lawyers during a case. It adds to delays and increases costs. Having to leave the collaborative law process can put the more vulnerable party into a very difficult position as they may be unable to afford to instruct a new firm of lawyers.

If you have any questions about the process, please contact us

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