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"COLLABORATIVE [PRACTICE] IS THE ART AND PRACTICE OF SETTLING CASES WITH LEGAL COUNSEL, BUT WITHOUT COURT INTERVENTION AT ANY STAGE."

- STU WEBB, FOUNDER OF COLLABORATIVE LAW



## WELCOME

The choices a divorcing or separating couple makes at the beginning of their negotiations determine how that process works, the kind of relationship they have throughout that process and in the future, and how their children adjust...

In the traditional adversarial system—from the very outset—the parties are labeled as “opposing parties” where each party’s goal is to win his or her case. This focus may unduly aggravate issues about which the couple may disagree, infuses the process with inherent conflict and mistrust, and masks areas where common ground may exist. In attempting to resolve the issues between them in this “win/lose” framework, the parties may surrender or lose their ability to control the process, leaving the Court (Judge) to ultimately determine the final outcome.

## What is Collaborative Practice?

The heart of Collaborative Practice is the belief—shared by the parties and their attorneys—that it is in everyone’s best interests to resolve differences by working them out together without going to court.

All negotiations take place in four-way conferences between parties and their attorneys. Each party has built-in legal

advice and advocacy during negotiations and each attorney is committed to guiding their clients toward a reasonable settlement. During the collaborative process no one, neither the parties nor the attorneys, can go to court or even threaten to go to court; settlement is the only goal. However, if despite everyone's best efforts, negotiations do break down, the parties terminate the collaborative process and either party wants to go to court, both parties must then retain new attorneys.

The attorneys encourage and help their clients communicate what is important to them – their real needs and interests. A safe and confidential environment is established so that each client can openly discuss and consider the needs of each other and the children. The four-way conferences foster creative problem-solving and resolution of the issues in a way that is tailored to the particular needs of each couple.

