

Collaborative law, also known as collaborative practice, is a legal process for couples who have decided to separate or end their marriage and who want to work together, with the support of their lawyers, to achieve a settlement without the cost and upset of court proceedings.

Typically, the process requires both parties to sign a 'Participation Agreement' – a contract – binding them to the proceedings. Because Collaborative Law is a mutual process, rather than an adversarial one, it can be both faster and cheaper than other approaches, and it avoids much of the pressure and unpleasantness that can emerge through court proceedings – and which can be upsetting for any children involved.

At Morrisons, we are experienced in helping couples to reach settlement through Collaborative Law and can help you with all aspects of the process, and with identifying and working with any other specialist advisers you may want to involve in the proceedings.

The Aim

- To achieve a fair, negotiated agreement on all issues for the benefit of the whole family to enable both partners to move on in their lives
- To help both parents to maintain their relationships with their children
- To avoid the stress and high financial cost of a lengthy Court dispute
- To reach agreement that will be embodied in a Separation Agreement or Consent Order once the process has been discussed and agreed

The Ethos

- Discussions in good faith
- Treating each other with respect and dignity
- Finding solutions for the future, not punishing your partner or yourself over past issues and actions
- A more holistic approach; if necessary a family consultant can give one or both of you the emotional support to work through personal or marital issues
- No litigation
- Working as a team exchanging financial papers and information in an open and honest way
- Equal responsibility for input and resolution

The Process

- No correspondence apart from administrative requirements
- Agenda set by Collaborative Lawyers for first four-way meeting and thereafter agreed by all at the end of each four-way meeting
- Pre-meetings: client/solicitor and solicitor/solicitor
- Four or five-way meetings, with both partners and both solicitors present, and potentially a family Consultant
- Debrief meetings: client/solicitor and solicitor/solicitor/family consultant
- Minutes prepared and circulated after each four-way meeting.
- Payment for the collaborative process: funds to be made available for both parties' costs