



Taylor *Bracewell*

Your legal team | Your success

Family Law

Collaborative Law v1

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COLLABORATIVE LAW

When a relationship breaks down children are often caught in the middle. When there is a high level of conflict between parties it is very easy for that to spill over into issues concerning the children. The law tries to avoid that happening and keeps issues regarding children separate from those of divorce and finances.

What is collaborative family law?

The collaborative law process is a relatively new approach to family law, which allows specially trained professionals to help you manage your separation and divorce in a dignified manner. It allows you to work as a team with your ex-partner and your lawyers to resolve disputes without going to court. If you opt to use this method to resolve a family breakdown, each of you will have the support, protection and guidance of your own collaborative lawyer.

What are the principles of collaborative family law?

Whilst it might sound like a contradiction in terms, the collaborative law process aims to result in a 'good divorce', one in which the heartache, hurt, stress and anger are eased and the loss of self-esteem that often occurs during a contentious divorce is reduced.

The process is built on the principles of mutual respect, dignity and the desire to facilitate a solution that is fair and acceptable to all.

How does collaborative family law work?

You and your former partner agree to resolve your issues without going to court and sit down in the same room with your respective collaborative lawyers to work out your issues face to face in a non-confrontational way.

You need to have a genuine desire to make the process work for your own benefit and for that of your children and you need to be willing to discuss information about your assets openly and honestly.

The process is completely different from the contentious method of divorce that is usually based upon bargaining, which by its very nature puts people in conflict. It allows you to discuss issues that matter to you and your ex-partner at your own pace and provides a tailored solution to those issues.



What are the benefits of collaborative family law?

1. It is a dignified, non-confrontational and non-aggressive resolution to your issues.
2. You can prioritise those matters which are important to you and can bring any issues relating to your children to the forefront of your settlement.
3. You can take advantage of the knowledge, skill and experience of your own independent family lawyer who has been trained to work with you in this collaborative way.
4. You can avoid the animosity created by court litigation and have the opportunity of keeping a level of friendship with your partner that may be beneficial to you and your children.
5. You remain in control of your financial and other decisions, whilst benefiting from expert advice from both solicitors and jointly instructed accountants and/or financial advisors if needed.
6. You set the pace of the process - you are not governed by court dates and processes.
7. You can avoid court costs, which can be substantial.
8. You agree on a realistic settlement that is based on your own needs, interests and situation.



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