

## What is Collaborative Family Law?

### 1. Cooperation, not confrontation

- Problem solving with lawyers and other professionals, as required, where you and your spouse try to understand each other.
- You and your spouse are responsible for gathering information and for solutions.
- Lawyers and other professionals help you and your spouse to:
  - find and focus on what is important to each of you;
  - understand each other's concerns;
  - gather facts and exchange information;
  - explore a wide range of possible choices; and
  - reach solutions acceptable to both of you.
- You and your spouse, the collaborative lawyers, and other professionals work as a team.
- It may take less time and money to settle matters using the Collaborative Process.

### 2. How will this happen?

- The collaborative team will meet together as often as you and your spouse need to meet.
- The collaborative team will sign a contract agreeing not to go to court. What happens in the meetings cannot be used as evidence in Court.
- During these meetings you and your spouse, with you're the help of the collaborative team, will:
  - identify what is important to each of you and your spouse;
  - gather facts and exchange information;
  - explore a wide range of possible choices; and
  - reach solutions acceptable to both of you.

**3. What will you and your spouse do?**

- First, you will each meet alone with your own lawyer to identify your concerns and learn about the Collaborative Process.
- Then, the collaborative team will meet so that all of you can discuss what is important to you and your spouse, explore possible ways of resolving matters, and ultimately assist the two of you in reaching a satisfactory solution for both of you.
- At all meetings the collaborative team will follow the Collaborative Process:
  - You will treat each other with respect.
  - You will listen to each other's perspectives, interests and concerns.
  - You will explore all possible choices.
  - You will both let go of the past in order to focus on the future.
  - While meetings vary in length; most are between 2.0 and 2.5 hours in length.

**4. What will your collaborative lawyers do?**

- Your lawyer will advise you of the law.
- Both lawyers will be honest and respectful.
- Both lawyers will guide the Collaborative meetings.
- Your lawyer will represent your interests, but will also listen to your spouse's interests. Your spouse's lawyer will represent your spouse's interests, but will also listen to you.
- Both lawyers are trained in this Process to manage emotional situations.
- Both lawyers will point out unreasonable expectations.
- Both lawyers will use clear language when speaking and writing.
- Both lawyers will cooperate in sharing all factual information.
- Both lawyers will work hard to help you and your spouse reach an agreement.
- Neither lawyer will go to court before you and your spouse reach an agreement.
- Once you and your spouse reach an agreement, both lawyers will help you to obtain any necessary court approval.

**5. Benefits of the Collaborative Law Process:**

- You may spend less money and time than you would using other methods for reaching separation or divorce solutions.
- You may produce an agreement better suited to your own unique needs now and in the future.
- You may find the Collaborative Process engaging, informative and a less stressful way of resolving your divorce or separation issues.
- You will have control over your own decisions when you participate in the Collaborative Process.
- You may improve communication between you and your spouse. You and your spouse will focus on creative problem solving, not blaming and revenge.
- You will have skilled legal advisors, and other professionals as necessary, throughout the process. Collaboratively trained professionals understand how to reach creative settlements. You are never on your own. Your collaborative lawyer is at your side, explaining issues and the law and helping you to achieve goals by mutual participation and agreement.
- The collaborative team will agree in advance to work only toward a settlement acceptable to both clients. Going to court (litigation) can never be threatened (but what may happen if you do not settle and choose to go to court may be explored). Neither you nor your spouse will be permitted to play games or take advantage of each other.
- The collaborative lawyers share with their clients a financial incentive to make the Collaborative Process work. The collaborative lawyers have not succeeded unless they help you create a win-win solution. They are “out of a job” if the Process breaks down.
- Clients and professionals work together as members of the settlement team; rather than working against each other as “opposing parties”.

**6. How do I find a collaborative professional?**

You can:

- look in the yellow pages of the phone book under “lawyers”;
- go to [www.collabsask.com](http://www.collabsask.com);
- Call 1-866-347-8545;
- ask your counsellor to suggest a collaborative professional.

When choosing a professional, ask if she or he is a member of the  
**Collaborative Professionals of Saskatchewan Inc.**