

## **Collaborative Divorce: A more humane and better way to end a marriage**

Collaborative Law Practice is a growing movement that promises to change the face of divorce. Although new to Pittsburgh, Collaborative Divorce **started in 1991** in St. Paul, and it has become the choice of many people in numerous states, including Ohio, New York, Maryland, Texas, California, Arizona, and Utah.

Many therapists and the Institute for Divorce Financial Analysts and have touted the **virtues of Collaborative Divorce** for some time, but there had been no Collaborative Law Practice group in Pittsburgh until I co-founded CLASP. A group of local family law attorneys formed the Collaborative Law Association of Southwestern Pennsylvania. Paula Hopkins is the President, Mark Gubinsky is the Treasurer, and I am the Secretary of CLASP. We view the key benefit of the collaborative divorce process as “the parties working out an agreement that makes sense to both of them and addresses the individual needs of their own family.”

How does the collaborative process work? The process recognizes that divorce is legal, financial, and emotional. It makes professionals in each of those areas available to the spouses/parents; they can choose whom they need to help them and when they need their help.

The **first step** is to hire a Collaborative Practice attorney. Through a Participation Agreement, both of the parties -- and their counsel -- agree in writing to not go to court. Then, each spouse meets both privately with his/her lawyer. Most of the work is accomplished in 4-way meetings, together in face-to-face discussions.

Additional experts, such as financial analysts, divorce coaches, child specialists, and mediators may join the process, and they may even be the first professionals that a client sees. The sessions between spouses and their counselors are intended to produce an honest exchange of information, a candid expression of needs, and a true sharing of expectations. Everyone negotiates in good faith to achieve a mutually agreed-upon settlement **outside of court**. The cooperative nature of Collaborative Divorce can greatly ease the emotional strain caused by the breakup of a relationship and protect the well-being of children.

Since divorce is both an ending and a beginning, the most important feature of collaborative divorce is the fact that the process is guided by the principle of **respect**. By setting a respectful tone, Collaborative Divorce encourages the spouses to demonstrate compassion, understanding, and cooperation. In addition, the collaborative professionals are trained in non-confrontational negotiation skills to keep discussions productive and help achieve the goal of the process: to build a settlement on areas of agreement, not to perpetuate disagreement. These specially trained attorneys are experienced in communication techniques that provide a supportive atmosphere to help the parties express their concerns and find common ground. The goal is to help the parties improve their communication so that they are able to resolve future disagreements without lawyers -- which is even more important when children are involved.

When it comes to cost, the immediate reaction of most people is to assume that because numerous professionals may become involved, collaborative divorce might cost more than a litigated divorce. Since time is money, the collaborative process is actually a **more direct and efficient** form of divorce. From the start, it focuses on problem-solving, not blaming or endlessly airing grievances. Full disclosure and open communications help to assure that all issues are discussed in a timely manner. Finally, because settlement is reached out of court, there are no motions, hearings, conciliations, and trials.

Educate yourself on the difference ways to get divorced, and choose what is best for you and your family. If you would like to learn more about collaborative divorce, **please contact me** to schedule a consultation.