



Are You Separating?

- ▶ Do you want to reach agreement about your children and/or property without going to court?
- ▶ A collaborative family lawyer can explain options for reaching agreement, including the collaborative process.

What is Collaborative Law?

Collaborative Law is a process which:

- ▶ Resolves disputes without going to court;
- ▶ Involves lawyers for each client attending meetings between the clients;
- ▶ May involve other professionals such as counsellors, child experts and financial advisers;
- ▶ Focuses on meeting the needs of each client and any children involved;
- ▶ Involves a team approach;
- ▶ Is confidential, respectful and future-focused;
- ▶ Encourages cooperation not confrontation; and
- ▶ Develops skills to manage any future disputes.

More Information

You can find out more about collaborative practice by visiting the **Collaborative Law in Australia** website.

- ▶ **Collaborative Law in Australia**
For links to collaborative professionals in your State or Territory,
visit: www.collaborativelaw.asn.au

You can find out more about the **Law Council of Australia** by visiting the Law Council website.

- ▶ **Law Council of Australia**
For links to law societies in your State or Territory,
visit: www.lawcouncil.asn.au
or call: +61 2 6246 3788

You can find out more about Family Law by visiting the website of the Law Council of Australia's **Family Law Section** at www.familylawsection.org.au.

You can find out more about collaborative law and its practice internationally by visiting the **International Academy of Collaborative Professionals** website at www.collaborativepractice.com.



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Collaborative Family Law



Why Choose Collaborative Law?

You may choose Collaborative Law if you want:

- ▶ A fair outcome for everyone involved, including any children;
- ▶ To avoid the financial and emotional costs of going to court;
- ▶ To make your own decisions with the help of lawyers and other experts;
- ▶ To control the process of making decisions;
- ▶ To maintain an agreeable relationship with others involved;
- ▶ To gain skills to manage any future disputes; and
- ▶ To maintain your privacy and to keep your agreement confidential.

How Does Collaborative Law Work?

Each client, lawyer and any professionals involved:

- ▶ Signs an agreement to negotiate in good faith without going to court or threatening to go to court;
- ▶ Attends a series of meetings to resolve the dispute;
- ▶ Discloses any information necessary to resolve the dispute;
- ▶ Agrees to use joint experts; and
- ▶ Agrees that the lawyers and professionals will withdraw if the collaborative process is not adhered to and that the lawyers cannot represent the clients in any subsequent, related litigation.

How is Collaborative Law Different?

- ▶ You will have a lawyer with you.
- ▶ Collaborative lawyers will assist you to work out solutions as part of the team looking at everyone's needs, not as neutral third parties.

How Can I Find a Collaborative Lawyer?

- ▶ You can go to the Collaborative Law in Australia website at www.collaborativelaw.asn.au or contact your State or Territory law society.
- ▶ For links to law societies, go to the Law Council of Australia website at www.lawcouncil.asn.au.
- ▶ Collaborative lawyers can also find other collaborative professionals for you. Collaborative professionals can include counsellors, child experts and financial advisors.
- ▶ As collaborative practice is new to Australia, you may not find collaborative lawyers in all areas. You should search for the area closest to you and contact a collaborative lawyer in that area for assistance.

Some steps in Collaborative Law

- ▶ At your first meeting with your collaborative lawyer, you will decide whether collaborative law will work for you and your partner.
- ▶ Your partner also needs to find a collaborative lawyer.
- ▶ The collaborative lawyers will arrange a joint meeting involving you, your partner and them.
- ▶ You will sign the collaborative agreement.
- ▶ You will all identify your needs and what information and support you need to explore options for meeting those needs.
- ▶ You may decide to involve other collaborative professionals.
- ▶ You will continue to have joint meetings to decide on the best option to meet your needs and those of any children involved.
- ▶ Once you reach agreement, you will formalise and sign the necessary documents in your last joint meeting.

