

Frequently Asked Questions about **Collaborative Law**

Collaborative law offers an alternative to the traditional, often adversarial, family law process. The collaborative process is designed to help couples resolve family law matters such as divorce, child custody, and property division, through cooperation rather than conflict.

How is Collaborative Law different from Mediation? While both Mediation and Collaborative Law are alternatives to litigation, the primary difference is that the parties agree to not engage in the litigation process via a signed agreement at the very beginning of the Collaborative Law process. In contrast, Mediation is often utilized before (with the possibility of a lawsuit coming) or during the litigation process, as a Mediation can also be Court-ordered.

What types of issues can Collaborative Law address? Collaborative Law is utilized in various areas of law, including Family Law. Therefore, anyone enduring a family law dispute such as a divorce, property division, child custody, child support, alimony, and other legal issues can benefit from the Collaborative Law process.

Who should consider Collaborative Law? The Collaborative Law process works best for couples who are willing to communicate openly, share information honestly, and prioritize long-term solutions over short-term wins. It is particularly effective when children are involved, as it minimizes conflict and fosters cooperative co-parenting.

How long does the Collaborative Law process take? The timeline varies depending on the legal matter's complexity, how quickly both sides gather information and documentation, and how many third party professionals are involved (such as a child therapist, a business valuator, a financial advisor, etc.. Some cases can be resolved in a few months or even a few weeks, which is often faster than going through the court system.

What happens if we are unable to reach an agreement in the Collaborative Law process? If the parties are simply unable to resolve any or all of the pending legal matters or if either party decides to stop the collaborative process, both Collaborative Law attorneys must withdraw from the case. Each party can hire a new attorney or represent themselves to proceed with litigation. One important caveat: any details of a settlement offer cannot be used in Court as evidence.

Is this process less expensive than going to court? Generally, yes. By avoiding drawn-out litigation battles, discovery disputes, and Court delays, the collaborative law process often proves beneficial from a financial, emotional and time perspective.

