

DIVORCE

A DIFFERENT WAY



OKLAHOMA ACADEMY OF
COLLABORATIVE
PROFESSIONALS

Divorce A Different Way

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WHY COLLABORATIVE DIVORCE?

The end of a marriage is hard. It's hard even when you know it's what you want. With the exception of the death of a spouse or child, the end of a marriage and divorce are likely the most stressful events you will go through life.¹

Many people experience a roller coaster of turbulent, and sometimes conflicting emotions as they grieve the end of a marriage.

The process of ending a marriage is more complicated than beginning one. What begins as a commitment between two people and a piece of paper slowly becomes interwoven into every aspect of life.

"Marriage is unparalleled when it comes to the intermingling of a legal union between two people with shared emotional attachments. And when a marriage ends, untangling these associations, while at the same time trying to minimize the damage to the individual threads, can be difficult." ²



It is this intermingling that makes the divorce process so difficult.

Unfortunately, until collaborative law was developed in 1990 by Stuart Webb, a Minnesota family law attorney, people didn't have many alternatives to divorce litigation. The problem with divorce litigation is that it was never intended to deal with the intricate nuances of marriage.





The litigation process was created to resolve disputes where one party alleged injury by another. It is by nature an adversarial process. When two people who are experiencing the emotional turbulence associated with the end of a marriage enter into a legal process that was originally created for determining who's right and who's wrong, the process can quickly become contentious. It can happen to spouses who began with the best of intentions.

This is where collaborative practice shines. Collaborative practice takes the process of solving divorce disputes out of the context of litigation and places it within a framework of open and honest communication, transparency, and interest-based negotiation.

Open & Honest Communication **TRANSPARENCY** Interest-based Negotiation

In a collaborative divorce, spouses have the ongoing guidance and help of their own collaborative divorce attorneys, as well as a team of neutral collaborative professionals all working together to help them find solutions in the interest of all parties. And because all parties make a commitment to resolving the issues without litigation, the spouses can feel more freedom to cooperate towards mutually acceptable solutions.

HOW COLLABORATIVE DIVORCE WORKS

While you will always need to have Collaborative lawyers, you may also choose to start the process with a Collaborative Divorce Coach or a Collaborative Financial Professional.

You will meet privately and in joint sessions with your professionals. Collaborative Practice is unique in that it calls for both spouses, and your lawyers, to meet for face-to-face discussions and negotiations-outside the courtroom.

In an atmosphere of openness and honesty, all assets are disclosed, needs are communicated, and solutions are explored. When there are children, their interests are given top priority.

The end result of Collaborative Practice is a divorce agreement that has been achieved through mutual problem solving.

You, along with your lawyers and other chosen collaborative professionals, take control of shaping the final agreement, rather than having a settlement imposed on you by the court.

WHAT ARE THE ADVANTAGES OF COLLABORATIVE DIVORCE ?

- ✓ You keep control of the process, without going to court.
- ✓ Children's needs are given priority.
- ✓ You and your spouse commit to reaching agreement through a problem-solving approach.
- ✓ An atmosphere of respect minimizes conflict.
- ✓ Open communication allows both of you to express your needs for moving forward and gives you new tools for effective problem-solving in the future.
- ✓ There is full disclosure of facts and information.
- ✓ Face-to-face meetings in the presence of lawyers make negotiations direct and efficient and allow for mutually created resolutions.
- ✓ The Collaborative process helps both of you plan for your own future and that of your children, and begin new lives.

IS COLLABORATIVE DIVORCE RIGHT FOR YOU?

Divorce is a highly personal matter, and no one approach is right for everyone. However, many couples have found that Collaborative Practice is a welcome alternative to the potentially destructive aspects of conventional divorce.

To determine if Collaborative Practice is right for you, ask yourself if these values are important to you:

- Maintaining respect
- Minimizing conflict
- Prioritizing the needs of your children.
- Being able to listen objectively to your spouse's needs
- Having your needs be given equal consideration.
- Working cooperatively
- Seeing beyond the frustration and pain of the present to plan for your future.
- Keeping control of the divorce process, and staying out of the court system.

If you and your spouse agree with these basic principles, Collaborative Practice may be a viable option for you.

THE NEXT STEP

At this point you probably have a lot of questions.

The next step is to visit YourDivorceChoice.com and schedule a consultation with one of our collaborative professionals. You can schedule an appointment with one of our attorneys, or if you feel more comfortable you can contact a financial professional or divorce coach.

