



# Finding solutions together

How the collaborative process can help ease the pain of family breakdown

Sometimes, talking things through can seem the hardest challenge of all. When relationships break down, hurt, bitterness and anger are often the strongest feelings.

But almost always, the very best solutions are those which you work out for yourselves – together.

At its simplest, that's what the collaborative process is all about – reaching solutions together, to ease the pain of family breakdown.

### **Changing the way people resolve family breakdown**

Traditionally, when couples split, they each take independent advice from specialist family lawyers. Working through their lawyers, they try to reach agreement on how best to settle their differences.

They work out how to share the assets – and the responsibilities, for the children for example – as they each go their separate ways.

In many cases, with the help of Resolution solicitors, couples reach agreement in this way. Where they don't, it is left to the family courts to decide, and that leads to uncertainty, and often more heartache.

So, imagine the alternative. You and your former partner, with the help of your own solicitors, whom you have appointed, all sit down together in the same room and work it out, face-to-face.

Rather than dealing through your solicitors, you work with them, to reach the best solutions for you and your family. Your solicitor may also suggest bringing other professionals into the process to help reach an agreement.

## What it needs to make it work

For the process to work it needs the right people, with the right frame of mind who have:

- a genuine desire to reach an agreement that is fair to the whole family;
- a willingness to disclose, fully and honestly, information about all assets;
- skilled, trained solicitors and other professionals who are practised in working in this way;
- commitment to reaching a solution without going to court.

## What makes it so successful?

You still benefit from having your own independent legal adviser. You are in control, without the threat of court proceedings hanging over you.

You set the agenda, so you talk about the things that matter most to you and your family. You set the pace – because you are not governed by court dates and appearances. Sometimes only a couple of meetings are needed, in other cases four or five. You will dictate how frequently the meetings happen.

You maintain contact with your former partner. That way, you have the best chance of understanding each other, and finding the right solutions.

Remember, if children are involved, you will both remain parents, and it will help your children to cope better with your separation if they see that you are working things out together. Most importantly, the key decisions you make about your future are yours – they are not made by a stranger in a courtroom.

“Both myself and my ex-wife wanted to try and keep the divorce as amicable as possible, particularly for our two daughters’ sakes but also family and friends.”

Jeff

“This process allows you to walk away without too much bruising and a sense of fair play and completion.”

Anita

Your lawyer will be by your side every step of the way. They can bring in other independent and impartial advisers who are familiar with the collaborative process if and when that support is needed. You can choose to involve a family consultant, child specialist, independent financial adviser, accountant or a collaboratively trained barrister who would act as a neutral expert, for example. All these professionals will collectively make up your 'collaborative team'.

You and your collaborative practitioners sign an agreement with you which disqualifies them from representing you in court if the collaborative process breaks down. That means they are absolutely committed to helping you find the best solutions by agreement, rather than through conflict.

Once an agreement is reached, your solicitors will put it into effect, obtaining a court order where needed.

**"During the round table sessions, at which we both had a lawyer present, everything was open for discussion, which meant that although compromises had to be made on both sides, it made us face up to the situation in which we found ourselves and understand what was truly important."**

**Miranda**

Resolution has set up a group of collaborative practitioners, who are trained and skilled in helping people like you to benefit from the collaborative approach to resolve family disputes.

To find out more about your options and Resolution, contact us.



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