



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.

The collaborative process involves you and your former partner sitting down with the collaborative practitioners you have each appointed, in the same room, to work things out face-to-face.

Rather than dealing through your solicitors, you work with them, to reach the best solutions for you and your family. You will have the opportunity to involve other professionals in the process, such as a family consultant or financial adviser, to create a team to provide you with the best support in the most cost-effective way.

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 and can bring in other members of the team if and when that support is needed. You can choose to involve a family consultant, child specialist, 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 team sign an agreement that commits you to trying to resolve the issues without going to court and prevents them from representing you in court if the collaborative process breaks down. This means that everyone is absolutely committed to finding the best solutions by agreement, rather than through conflict or court proceedings.

Once an agreement is reached, your lawyers 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.



www.resolution.org.uk
info@resolution.org.uk
Resolution, 91-95 Southwark Bridge Road
London SE1 0AX
DX 155288 Southwark 13
020 3841 0300
Resolution is the trading name of the Solicitors Family Law
Association, which is a company limited by guarantee.
Company number 05234230. February 2019

