

Finding solutions together

How working collaboratively can help ease the pain of separation



Finding solutions together

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 working collaboratively is all about – reaching solutions together, to ease the pain of separation.

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. Working collaboratively involves you and your former partner sitting down with the collaborative practitioners you have each appointed, to work things out together, with all the help and advice you need on hand.

Rather than communicating 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, such as a family consultant or financial adviser, forming a team to provide you with the best support in the most cost-effective way.

“*When we divorced, the priority was to keep things as amicable as possible, especially as our 2 daughters were young and we didn't want them to see mummy and daddy fighting all the time. We also knew we would continue to share friends and other family members after the divorce*”
Jeffrey

“*This process brings down the level of conflict and allowed us to work through problems together while seeing each other's point of view.*”

Amara

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 and that works for 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 collaboratively;
- 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 can ask questions and clarify legal issues in an open and transparent way, so that you and your former partner are hearing the same advice. Importantly, lawyers don't resort to combative letter-writing in this process. Instead, issues are discussed in meetings with all of you together.

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 choose how frequently the meetings happen.

Working together with your ex, alongside your collaborative practitioners gives you the best opportunity to understand each other and find the right solutions. This approach also helps build communication channels for the future, especially if you are co-parents. Research has shown that it helps the children of separated parents to see their parents working things out together in a constructive way, rather than fighting. Most importantly, the key decisions you make about your future are yours – they are not made by a stranger in a courtroom.

“*We resolved our separation at collaborative round table sessions where we each had a lawyer present. This allowed me to feel supported and have legal concepts explained. Discussions were open and honest, and while we both faced compromises, we could focus on what was really important to us going forward.*”

Miranda

What can I expect?

Your lawyer will be by your side every step of the way and can bring in other members of the team if and when they are needed. It's a team approach – depending on your individual requirements, your lawyer will advise you on how to involve a family consultant, child specialist, financial adviser, accountant or a collaboratively trained barrister who would act as a neutral expert, for example.

These third party professionals bring distinct expertise to bear on your decision-making process, allowing you to both make the best possible choices for your future.

You and your team sign an agreement that commits you to trying to resolve things together, working towards an agreement that works for you and your family. Everyone is absolutely committed to finding the best solutions by agreement, keeping conflict down and avoiding court proceedings. Once an agreement is reached, your lawyers will put it into effect, obtaining a court order where needed.

It is unusual for collaborative cases to remain unresolved. If however agreement isn't reached in round table meetings, your lawyers will counsel you on other methods of concluding the process without going to court. Arbitration is often suggested as a way to deal with any issues that remain unresolved. This involves instructing a private decision-maker of your choice to deal with your case in a practical, cost-efficient way.

Many Resolution members are able to offer a collaborative approach. They are trained and skilled in helping you access the best services, so you can reach agreement together – calmly and cost effectively.

We know that most people want to and can avoid costly proceedings and the inevitable delays that accompany them. Our collaboratively trained members feel the same. The 'No Court' commitment means that you can be sure that they will strive to find a solution with you.

Finding solutions together



To find out more about working collaboratively and other approaches to dealing with family relationship matters, please contact us.

www.resolution.org.uk/looking-for-help

You can also contact us at the address below.



91-95 Southwark Bridge Road
London
SE1 0AX

T 020 3841 0300
E info@resolution.org.uk
W www.resolution.org.uk

DX 155288 Southwark 13