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Your questions answered

HOW DOES COLLABORATIVE DIVORCE WORK?

A collaborative divorce involves both parties having their own separate lawyers that work together to achieve a settlement that suits the whole family, avoiding going to court.

Having recently qualified as a collaborative lawyer (as well as being a Resolution Accredited Specialist in Complex Financial Remedies and Private Children), Katie Kilburn from the Stowe Family Law offices in Wetherby and Ilkley joins us to explain the positive benefits adopting a collaborative approach can have on the outcome of your divorce.

How does collaborative divorce work?

Many people believe that divorce = disaster. Cue lots of arguments and court battles about money and children. However, that doesn't have to be the case.

With a sensible attitude and a reasonable approach, it is possible to divorce amicably and retain the respect for each other you once had. After all, whilst things may no longer be as they used to, you did at one stage love and care for each other, sometimes for many years.

One of the alternative options available to separating couples is to divorce using the collaborative process. This involves both parties having their own separate lawyers, but all working together to achieve a settlement that suits the whole family.

Rather than each party pitting themselves against each other and competing for the best deal for themselves at the expense of the other, it ensures that both parties needs are considered fairly, with the children's interests given priority.

The collaborative process

The collaborative process enables a couple to discuss, in a safe environment, their hopes and concerns. It allows them to retain control over the decision-making process, rather than a judge, who may only meet them for the first time at a final hearing, deciding the settlement.

As it is based upon having face to face meetings, it ensures couples are more involved in the process and reduces the risk of words being misinterpreted. It can also be more cost-effective than going to court and quicker.

Going to court, or threatening to go to court, is prohibited, with both spouses and their lawyers signing up to an agreement that they will not do so. This reinforces everyone's commitment to making the process work and finding a solution.

The best approach for children

Collaborative divorce is a particularly good option if you have children together. No matter what age your children are, it is important that parents can continue to enjoy a constructive and cooperative relationship together.

After all, you are parents for a long time even after a divorce takes place. Whilst many people tend to think of the shorter-term relationship with their co-parent, it does not end simply when the children turn 18.

You would hope, for example, that you could both attend and enjoy their graduation, wedding or the birth of a grandchild. A good future relationship is so important, and the collaborative process can assist in building this.

Need more information?

Call our Client Care Team on **0330 838 7456** to speak with one of our specialist family lawyers or visit www.stowefamilylaw.co.uk



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