

## Collaborative Professionals

Collaborative professionals work effectively together to resolve matters without the need for adversarial court proceedings. They undertake specialist collaborative training and are committed to assisting couples to find tailor made solutions.

The four way meetings mean that issues are discussed face to face. This enables the couple to ask questions and understand all the issues involved. The four way meetings allow the collaborative professionals to provide further information and advice as well as potential solutions.

Couples must each have independent legal advice from their own collaborative lawyers. Other collaborative professionals are usually instructed by the couple jointly to provide neutral advice to assist the couple to reach realistic and practical agreements about the issues that are important to them.

Norfolk collaborative professionals have many years of experience in dealing with the kinds of issues that affect families that are based in Norfolk, as well as international couples with personal or business links to the UK.

### Collaborative Lawyers

Collaborative lawyers will explain the process and provide legal advice. Their role includes identifying the relevant legal issues, as well as focusing and facilitating negotiations. Each person appoints their own collaborative lawyer. They adopt a co-operative approach, which is different to the opposing positions adopted by lawyers in litigated court proceedings.

### Collaborative Accountants

An accountant can suggest creative and commercially viable ideas and solutions. If the issues that need settling involve a business, a private company, or even a minority or controlling interest in a listed company, an accountant can assist couples to reach an agreement on how to deal with these assets.

## Collaborative Professionals

### Collaborative Family Consultants

Family consultants are experienced counsellors or therapists used to helping couples and families.

The experience of separation has a far deeper impact over a longer timescale than the strictly “legal” approach can address. Some couples may need help from a family consultant to adjust to the practical reality of separation, which is likely to result in changes in finance, accommodation, and the care of children. Family consultants can also assist couples to learn how to manage discussions and the negotiation process, as well as come to terms with loss and the end of a relationship.

### Collaborative Surveyors / Valuers

It is often necessary to ascertain the value of properties before agreements can be reached about financial issues. For some couples the family home may be the main asset, for others the value of a home abroad may be important. A valuer can provide background information on the property assets, such as the Market Value, provide comparable evidence and a view of the market.

### Collaborative Independent Financial Advisers

Discussions about finance are usually a critical part of the divorce process. In collaborative cases, the active involvement of an impartial and independent financial adviser can assist couples in working out their financial position, helping them to reach key financial decisions and to understand the implications of any options under discussion. Specific advisers hold Resolution accreditation, qualifying them to provide advice in collaborative cases.

Assets such as a business or a pension scheme may well need to be taken into account in determining a financial solution, and the adviser will obtain values as needed to facilitate full financial disclosure by both parties.

## What is collaborative family law?

Collaborative Family Law finds practical and amicable solutions to family issues without litigated court proceedings.

Each person appoints their own collaborative family lawyer, so benefits from independent legal advice. Instead of the lawyers negotiating by letter or telephone, the couple and their collaborative lawyers take part in focused meetings to work things out face to face.

The collaborative process creates a safe and confidential environment in which the couple can express their concerns and negotiate an agreement. The couple can call on advice from other collaborative professionals as necessary.

There is no set or rigid timetable (as there is with financial court proceedings) so this means that the timescale can fit the needs of the couple. Generally speaking collaborative agreements are reached much faster than taking financial issues through the courts to a final court hearing.

### Contact us



[www.collaborativelawnorfolk.co.uk](http://www.collaborativelawnorfolk.co.uk)



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better solutions  
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Collaborative Family Law is a non-adversarial, solution orientated process.

It can assist couples to manage their divorce or separation in a dignified manner. Couples can also use the process to reach pre-nuptial, pre-civil partnership, cohabitation, post-nuptial and post-civil partnership agreements.

The process can resolve financial matters as well as issues concerning children. It avoids the aggravation, delay and considerable expense of litigated Court proceedings.

Norfolk collaborative professionals guide couples through the collaborative process and assist them to reach agreements about the issues that are important to them.



### Is Collaborative Law the same as Mediation?

No. A mediator is a neutral third party facilitator, but cannot provide legal advice. Collaborative lawyers act as facilitators and provide legal advice.

### What are the benefits of the Collaborative Process?

- The couple retain control over issues relating to children and finances.
- The process is confidential and private.
- It avoids litigated court proceedings and the couple will not attend court.
- It allows a couple to maintain a working relationship in the future, which can be important if the couple have children, or share social or business networks.
- The process is a non aggressive and dignified way of resolving matters.

### Do we have to provide financial information?

Yes. Under the terms of the Collaborative Agreement the couple agree to make full and frank financial disclosure. Either of the couple can withdraw from the process and seek to set aside any agreement reached without proper financial information.

### What happens if the process does not work?

If the process does not work the couple are free to take matters to court. The couple cannot retain the same collaborative lawyers, although they can retain any financial information exchanged. This means the couple and their advisors are more likely to try to work through issues and find an acceptable solution, rather than abandon the process.

The process itself consists of a series of meetings.

At the start the couple meet separately with their own collaborative lawyers to see if the collaborative process is right for them.

Once the couple are comfortable with the process, meetings between the couple and both collaborative lawyers will be the mechanism for resolving all issues. Their meetings are known as “four way meetings”.

### Four Way Meetings

At the first four way meeting a Collaborative Agreement will be signed to confirm everyone’s commitment to the process. The Agreement sets out the principles of collaborative law and the ground rules that the couple and their collaborative lawyers agree to follow during their process.

Meetings will be needed to make sure appropriate financial information is provided and that everyone understands the information.

Meetings will also take place to deal with specific issues and concerns. If appropriate they will involve other collaborative professionals, for example financial specialists, family consultants, accountants or valuers.

The number of meetings necessary will vary from case to case.

### Final Meeting

Once all issues are resolved, the couple will sign a document prepared by their collaborative lawyers setting out the details of their agreements.

Financial agreements following relationship breakdown can be converted into court orders without the need to attend court.

