

# Collaborative law

by Sophia Tutorial



## WHAT'S COVERED

As you learned previously, there are a variety of methods for conflict resolution. In this lesson, we will discuss:

1. Collaborative Law as a Conflict Resolution Process
2. Collaborative Law in Action

## 1. Collaborative Law as a Conflict Resolution Process

**Collaborative law**, also known as divorce mediation, is a conflict resolution process used to settle financial and/or child care and custody issues between divorcing or separating couples.

Couples who are going to separate or divorce will work with their lawyers, and maybe some family professionals that they want to bring in as well, to achieve a mutually agreed upon settlement.

By going through this mediation process, couples avoid a court decision and thus any uncertainty or contested litigation. For this reason, collaborative law is a really positive alternative for divorcing couples.

Couples may bring in a mediator to help them collaborate and reach their agreement; however, any agreement that the mediator helps them reach needs to be evaluated and approved by the couples' lawyers.



### TERM TO KNOW

#### **Collaborative Law**

Also called divorce mediation, a conflict resolution process used to settle financial and/or child care and custody issues between divorcing or separating couples.

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## 2. Collaborative Law in Action

A divorce mediation always starts with a **participation agreement**, which is an agreement by a divorcing or separating couple required to initiate divorce mediation.

By signing this agreement, the couple binds itself to this process. The agreement also prevents the couple's

lawyers from providing future representation in any kind of family case.



#### BIG IDEA

Collaborative law can be a wonderful alternative for divorcing couples if they're willing to work together towards a solution.

Using this method allows couples to avoid both the contentiousness of court and the uncertainty of a court decision.



#### TERM TO KNOW

### Participation Agreement

An agreement by a divorcing or separating couple required to initiate divorce mediation.



#### SUMMARY

In this lesson, you learned about **collaborative law**, or divorce mediation, **as a conflict resolution process**. You now understand what **collaborative law looks like in action**, and that it can provide a positive alternative the court system for couples who are willing to work together to solve the conflict. Good luck!

Source: Adapted from Sophia tutorial by Marlene Johnson.



#### TERMS TO KNOW

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