

ROADMAP OF THE COLLABORATIVE DIVORCE PROCESS

Both of you want to be treated fairly. “Fair” is a very subjective idea, however careful preparation and good communication can facilitate and perhaps shorten the process, and help you achieve an outcome that satisfies your procedural, substantive and psychological needs. Your Collaborative Law lawyers have developed this Roadmap to assist you in understanding the process and where we may be at any given time.

The precise course of your case will vary depending upon several variables, including your individual needs, the complexity of your finances, and the needs of your children.

FRIENDLY REMINDERS:

1. Failure to do your assignments in a timely way will cost additional time and money.
2. Deviating too far from the Roadmap may cost additional time and money.
3. Failure to use your coach to assist you in managing your emotions will cost additional time and money.

STAGE ONE: Signing on to the Process and Assembling the Team

- ___ 1.1 Clients meet and hire attorneys
- ___ 1.2 Attorneys confer and discuss assembling team, participation agreement and other documents to share with clients in advance of first meeting
- ___ 1.3 First 4 way meeting
 - ___ Review participation agreement and addendum for MHP’s
 - ___ Review road map
 - ___ Discuss team members, coaches, parenting specialists, certified divorce financial planners, appraisers, etc.
 - ___ Discuss cost of collaborative law process and discuss how it will be paid
 - ___ Discuss pressing concerns, temporary children issues, cash flow
 - ___ Schedule next meeting and discuss homework, and agenda for 5-way
- ___ 1.4 ___ Clients meet coaches and hire them
 - ___ Lawyers and coaches have post meeting conference call
- ___ 1.5 First 5 way meeting with coach
 - ___ Discuss Goals for the process together
 - ___ Discuss plan to gather and exchange financial information

- ___ 1.6 Clients meet with financial specialist and begin collecting and exchanging data
- ___ 1.7 Professional conference call to assess case and develop overall timing for the case

STAGE TWO: Communicate and Gather Information Regarding the Children and Finances

A better outcome is reached after you completely understand your financial situation and the best way to help your children. This stage involves the exchange of all necessary information and creates a good foundation for decision making.

Children and Communication

- ___ 2 a Coach(es) meet with you individually and determine whether to use a Child Specialist or have the coaches handle this work. Child specialist selected, if indicated and meet with parents.
- ___ 2 b Coach(es) have regular check in with you and meet with you as needed to stay centered and develop sense of priorities
- ___ 2 c Coach(es) and clients meets as indicated to develop a parenting plan and facilitate communication. These will be on-going throughout the process.
- ___ 2 d Child Specialist (if applicable) will meet with your children.

Finances

- ___ 2 e You jointly provide all necessary financial information
- ___ 2 f You jointly meet with the financial specialist as needed (2-3 times)
- ___ 2 g Financial Five-Way Meeting: attorneys, clients and financial specialist for presentation of financial picture and determination of what additional appraisals or assessment/valuation work is necessary
- ___ 2 h Additional work to follow up financial planning meeting is undertaken and completed; Financial specialist assembles the financial information for a complete financial picture
- ___ 2 i Second Financial Five Way, if needed
- ___ 2 j Professional Conference Call to decide who should be present at the which meetings during Stage Three and discuss any issues that have developed

STAGE THREE: Identifying Interests and Concerns

Both of you want an outcome that meets your most important concerns; in this stage will take the time to explore your values, your concerns, and your priorities, so that we will all be better able to find a mutually acceptable resolution. Instead of getting locked into positions, we need to focus on developing possibilities that lead to finding common ground, consistent with your original goals, and your values, in order to reach a satisfying resolution.

- ___ 3.1 Preparation Meetings. You meet with your lawyer and the coach to identify your interests and priorities
- ___ 3.2 Interest Meeting: You will meet as appropriate in either four way meetings with your attorneys, five ways (with financial specialists, or coach) or six ways with both financial specialist and coach(es) to discuss and understand each other's individual interests and priorities. The professionals will non-judgmentally support your brainstorming efforts for possible solutions.
- ___ 3.3 You will meet separately (or together with the appropriate professional team members) to review the possible solutions that were developed during the brainstorming meeting, to develop options for consideration and review the implications of different possibilities.
- ___ 3.4 You will meet jointly with the child specialist and your coach(es) for feedback from the child specialist, if applicable.
- ___ 3.5 Professional conference call to discuss financial and parenting decision making process, including who should be present and responsible for leading each effort.

STAGE FOUR: Making Decisions

Congratulations. You have been working hard. You have done all of your homework well, and you are now ready to reach resolutions that meet your needs and the needs of your children. To do this, we need to have an orderly exchange of ideas and proposals and continue the conversation (even when it becomes difficult) until we find a result that both of you can accept.

- ___ 4.1 You will meet jointly in a 4,5 or 6 way meeting with attorneys and other professionals as we all deem appropriate and necessary to present several financial packages, identifying interests served by each person by each of the possible solutions.
- ___ 4.2 You have a settlement meeting as needed with professionals to come to a conclusions regarding the financial plan.
- ___ 4.3 You meet with your coaches to develop the parenting plan.

- ___ 4.4 You meet jointly with your lawyer to finalize any open issues, and to take any next steps to implement the agreement (e.g., start refinancing, marketing the house, stock transfers, pension transfers, etc.)
- ___ 4.5 Professional conference call: Inform all team members of outcome and identify any recommendations for the couple for their future best interests. Team debriefing.

STAGE FIVE: Finalizing and implementing the Plan

To complete the process, decisions need to be made about timing and the implementation of the agreement. In order to complete our work, appropriate documents need to be signed by both of you.

- ___ 5.1 You jointly agree which attorney will draw up the agreement, and the other required documents for filing and choose the date you want the divorce to become absolute. The paperwork is prepared by the attorneys, and reviewed by your attorneys first, then shared with you.
- ___ 5.2 You decide whether to meet jointly or separately with your attorney to discuss the agreement as drafted. If there are revisions to make, we will meet jointly to discuss. If there are ancillary documents that must be prepared (deeds, transfer returns, QDRO's) we will discuss and make recommendations and get them drafted and approved prior to the final meeting.
- ___ 5.3 Last meeting. All professionals will be paid in full before signing the final agreement and documents. When ready, we all sign the papers and one of the attorney's will file the documents with the court, letting us know when that has been done. You will be kept informed about when the divorce has been granted by your attorney. You will sign the Acceptance of Service after the court grants the divorce, and the entire process is now complete.