

Collaborative Divorce Process

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Estate Planning & Collaborative Divorce

► STEP 1

Initial Meeting with Attorney and Potential Client (1.5-2 Hours)

- a. Get acquainted and discuss goals and “interests”.
- b. Discuss the collaborative process, other options, and challenging circumstances.
- c. Evaluate the consequences of the different options.
- d. Discuss the best way to initiate the chosen option.
- e. If client wants to hire me as his/her collaborative attorney, discuss and sign fee agreement/engagement letter.

► STEP 2

Attorneys Work to Arrange First Face-to-Face Joint Meeting with Both Clients, Attorneys, and any Other Professionals Necessary for Process. Create Agenda for First Meeting.

► STEP 3

First Joint Meeting - Clients, Attorneys, Financial Neutral, & Communications Facilitator. (1.5-2 Hours)

- a. Understand and agree to the process—sign Collaborative Law Participation Agreement.
- b. If petition for divorce has not yet been filed, a joint petition for divorce is normally signed at this meeting.
- c. Discuss interest and goals.
- d. Deal with interim issues.
- e. Discuss what information needs to be gathered and start process of gathering, deciding who will provide what information.
- f. Determine who will draft minutes, set next meeting date, and review homework items for those involved.
- g. Each attorney meets briefly after the joint meeting with his/her client to debrief.



► STEP 4

Time Between First and Second Joint Meeting.

- a. One attorney drafts and distributes minutes via e-mail to full team for review and comment.
- b. Team reviews minutes, comments via e-mail, and works on homework items.
- c. In most cases, each client meets one-on-one with financial neutral to begin compiling financial spreadsheet.
- d. In most cases, each client meets one-on-one with communications facilitator to begin process of resolving issues of how to share time with children (if there are children).
- e. Each client meets with his/her attorney to prepare for next joint meeting.

► STEP 5

Second Joint Meeting.

- a. Review and sign minutes from first joint meeting.
- b. Review homework items to check status of tasks.

- c. Review financial spreadsheet to determine what information is still needed.
- d. Review status of child issues.
- e. May begin generating options for settlement at this meeting, or it may be necessary to wait until the next joint meeting.

► STEP 6

The process continues as information is gathered, options for settlement are generated, and then the parties negotiate a settlement with the help of the other team members.

► STEP 7

After a final settlement is reached, everyone signs the binding agreement and the attorneys get to work drafting the final divorce decree.