

How does the Collaborative Process differ from Mediation?

Both processes offer an alternative to court. In **Mediation** the couple meets with a neutral third party (a Mediator), but the couple must negotiate and advocate for themselves. The Mediator cannot provide legal advice or advocate for either party. Attorneys generally do not participate in the mediation sessions. Some participants consult with their attorneys outside of the sessions.

In the **Collaborative Process**, the participants have the continuous support of a team of professionals (including their individual attorneys) who are available in any combination at any session.

Visit us on the web at:
collaborativedivorceassociation.com

See the section on **Find a Professional**.
Contact any member of the Collaborative Divorce Association of the Capital District, Inc.

Divorce With Dignity

The Collaborative Divorce Association of the Capital District includes attorneys; mental health professionals serving as facilitators, divorce coaches and/or child specialists; and financial advisors familiar with the unique problems facing separating and divorcing couples.

All members have completed special training in the Collaborative Process and are members of the International Association of Collaborative Professionals.

COLLABORATIVE DIVORCE



COLLABORATIVE DIVORCE ASSOCIATION OF THE CAPITAL DISTRICT

*Less adversity
More Civility
Less conflict
More Resolution*



Less stress
More Resolution

The Collaborative Process: *Dignified, Cooperative, Respectful*

- work together, with assistance of attorneys
- find solutions that recognize the interests of both participants
- voluntary and free exchange of financial and other information
- pledge not to go to court
- non-combative language
- encourage healthy parent-child relationships
- find creative ways to co-parent

Benefits of the Collaborative Process:

- diminishes hostilities
- focuses on the important issues
- reduces stress and anxiety
- confidential: no hearings, court transcripts or court filings

In the **Collaborative** Process, the participants have **complete control** over the outcome. In the **Court** process, parties take their chances and the outcome is always **uncertain**.



Divorce is painful but it need not be destructive. You planned your wedding; you should be able to plan your divorce - with respect, dignity, and open communication. Your values and priorities are best addressed when you and your spouse can control the process.

The Collaborative Approach

Collaborative Practice is a new way for you to resolve disputes **respectfully** - without going to court.

The heart of Collaborative Practice or Collaborative Divorce is to offer you and your spouse or partner the support, protection, and guidance you deserve, in a **dignified** process that **you control**. In addition to your attorneys, the Collaborative Process allows you the benefit of child and financial specialists, divorce coaches and other professionals all **working together on your team**.

Less battling
More Problem Solving

How does the Collaborative Process Work?

Each participant chooses their own attorney from a list of attorneys trained in Collaborative Practice. Both participants sign a Collaborative Agreement not to go to court, to treat each other with respect, and voluntarily offer all financial records. Participants and their attorneys work together to craft solutions on all issues. Mental Health professionals help with family issues needing further discussion. Financial Planners provide options regarding equitable distribution, investment valuation and retirement accounts.

