

PRINCIPLES AND GUIDELINES
FOR THE PRACTICE OF COLLABORATIVE LAW

I.
GOALS

1. Our goal is to create settlement options for the benefit of ourselves and our families; and to minimize, if not eliminate, the negative economic, social and emotional consequences of divorce for ourselves and our families.
2. We will strive to be honest, cooperative and respectful as we work in this process to achieve the future well being of our families.
3. We commit ourselves to the collaborative law process and agree to seek a positive way to resolve our differences justly and equitably.
4. We believe it is in our best interests to avoid litigation.

II.
NO COURT INTERVENTION

1. We agree to direct our attorneys, accountants, financial specialists, therapists, appraisers, and other consultants to work in a cooperative manner to resolve issues without resort to litigation.
2. We agree to give full, honest and open disclosure of all information, whether requested or not.
3. We agree to engage in informal discussions and conferences to settle all issues.
4. We commit ourselves to reach resolution without the need for court intervention.

III.
CHILDREN'S ISSUES

- 1. We agree to keep the children's interests as our highest priority.**
- 2. We agree to insulate our children from involvement in our disputes.**
- 3. We agree to promote a caring, loving and involved relationship between our children and both of us.**

IV.
DYNAMICS OF THE COLLABORATIVE PROCESS

- 1. We will work honestly, respectfully and cooperatively with each other, our attorneys, and our consultants.**
- 2. We shall maintain a high standard of integrity. We shall not take advantage of the miscalculations or the inadvertent mistakes, but shall identify and correct them.**
- 3. The collaborative process may not eliminate our differences, which have lead to our separation. However, we are both committed to seeking a cooperative resolution. Our success will depend upon our mutual commitment to making the process work.**
- 4. Cooperation does not mean that we must ignore our own interests. Rather, we believe that the collaborative process will provide the greatest likelihood of better serving each of our interests and the interests of our family.**
- 5. Our collaborative attorneys share our commitment to the collaborative process described. At the same time, each attorney has a professional obligation to represent his or her own client diligently, and is not the attorney for the other party.**
- 6. Each of us will negotiate in good faith. We will take reasoned positions in all disputes. Where such positions differ, each of us will use our best efforts to create proposals that meet the fundamental needs of both of us. If it is necessary we will make compromises to reach a settlement of all issues.**
- 7. Although each of us may discuss the likely outcome of a litigated result, none of us will use threats of litigation as a way of forcing settlement.**

V.
CONSULTANTS AND COACHES

- 1. If consultants are needed, we will retain them jointly unless we agree otherwise.**
- 2. We may also choose to bring in one or more coaches to help us in this process.**
- 3. We shall direct all consultants and coaches to follow the spirit of these principles and guidelines.**

VI.
RULES AND PROCEDURES

- 1. At the time we enter into the collaborative process we will sign an agreement setting forth the rules and procedures for our process.**
- 2. We will each enter into a written retainer agreement with our own collaborative attorneys.**
- 3. If the attorney for either party withdraws for any reason we may continue in the collaborative process by hiring another collaborative attorney.**
- 4. We understand that neither of our attorneys can represent us in court in any litigated proceeding against the other.**
- 5. If either of us decides that the collaborative process is no longer appropriate, either of us may terminate the status of the case as a collaborative case. The agreement which we will sign will set forth the manner of doing this.**