

REALISTIC EXPECTATIONS FOR THE COLLABORATIVE LAW PROCESS

<i>What Collaborative Family Law <u>is</u>:</i>	<i>What Collaborative Family Law <u>is not</u>:</i>
Non-adversarial dispute resolution	Conflict-free dispute resolution
Interest-based negotiation (focus on “why”)	Positional bargaining (focus on “what”)
Hard work, for parties, attorneys, and team	The “easy way out”
Moves at the pace of the slowest-moving party	Faster than going to court
An excellent alternative for high conflict cases because the parties are provided tools to solve their problems	Only for parties who already get along
More efficient use of client resources and professional expertise	Too expensive because of attorney involvement (rather than paralegals) and neutral professionals
Parties and attorneys are motivated from the beginning to reach a final agreement	Risky for the attorney because of opt-out requirement if the case proceeds to litigation
Ethical because of full disclosure of expectations and consequences	Unethical because of opt-out requirement
Safe, empowering, private, flexible	Unsafe – safeguards can be implemented as necessary when one party feels threatened or afraid
Parties learn problem solving skills so that they know how to deal with problems in the future. A plan for future dispute resolution may be included in the final order or decree.	Magic -- problems and conflicts may still occur in the future