

# NOWELL MELLER SOLICITORS LTD

## FAMILY LAW SERVICE

### LEAFLET NO.15A – FINDING SOLUTIONS TOGETHER – COLLABORATIVE FAMILY LAW

#### **Introduction**

Sometimes, talking things through can seem the hardest challenge of all. Especially when relationships break down, hurt, bitterness and anger are often the strongest feelings.

But almost always, the very best solutions are those which you work out for yourselves, together – in which everyone involved can share.

At it's simplest, that's what collaborative law is all about – reaching solutions together, to ease the pain of relationship breakdown and create the best chance of building a brighter future.

#### **Changing the way people resolve family breakdown**

Traditionally, when couples split, they each take independent advice from specialist family lawyers. Working through their lawyers, they try to reach agreement on how best to settle their differences. They work out how to share the assets – and the responsibilities, for the children for example – as they each go their separate ways.

In many cases, often with the help of Resolution lawyers, couples reach agreement in this way. Where they don't, it is left to the courts to decide, and that leads to uncertainty, and often more heartache.

So, imagine the alternative. You and your partner sit down and, with the help of your own solicitors, all together in the same room, you work it out face-to-face.

Rather than dealing **through** your solicitors, you work **with** them, to reach the best solutions for you and your family.

#### **What it needs to make it work**

It sounds so straight-forward. But to make it work it needs the right people with the right frame of mind:

- A genuine desire to make it work;

- A willingness to disclose, fully and honestly, information about all assets;
- Skilled, trained solicitors who are practised in working in this new collaborative way;
- An agreement that you **will** reach a solution without going to court.

### **What makes it so successful**

You still benefit from having your own independent legal advisor. But you are in control, without the threat of court proceedings hanging over you.

You set the agenda, so you talk about the things that matter most to you and your family.

You set the pace – because you are not governed by court dates and appearances.

You maintain contact with your former partner. That way, you have the best chance of understanding each other, and finding the right solutions.

Remember, if children are involved, you will both remain parents, and it will help your children to cope better with your separation if they see that you are working things out together.

Most importantly, the key decisions you make about your future are yours – they are not made by a stranger in a courtroom.

### **The collaborative approach**

The collaborative approach is fundamentally changing the way people think about family law. For couples who genuinely seek a fair solution, and want to minimise the pain of family breakdown, it may offer the best way ahead.

Collaborative lawyers sign an agreement with you which disqualifies them from representing you in court if the collaborative approach breaks down. This means that they are absolutely committed to helping you find the best solutions by agreement, rather than through conflict.

### **Finding out more about collaborative law**

Uniquely in the UK, the specialist family law group, Resolution, has set up a group of collaborative lawyers, who are trained and skilled in helping people like you to benefit from the collaborative approach to resolving family disputes. Collaborative lawyers are now practising in many parts of the UK and are on hand to help you.

Our Steve Kirwan is one of the few solicitors in Staffordshire to be trained as a collaborative family lawyer and he can be contacted on 01785 273141 or by e-mail at [steve@nowellmeller.co.uk](mailto:steve@nowellmeller.co.uk)

To find out more about the Staffordshire group, visit [www.staffscollaborativelaw.co.uk](http://www.staffscollaborativelaw.co.uk) or [www.collabfamilylaw.org.uk](http://www.collabfamilylaw.org.uk) for a national view.

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NOTE: The above is intended as a general guide for your information. It is NOT intended as a substitute for proper legal advice. Each case is different and advice cannot be given without a proper analysis of your own circumstances.

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