



## Collaborative family law

Unfortunately, with around 40% of UK marriages ending in divorce, relationship breakdown is a common occurrence. It's a time when you need to make important and long-lasting decisions about your future that will affect both you, your children and others around you. It's also a time when you are likely to be experiencing considerable emotional turmoil.

At Wards Solicitors, our family lawyers are experienced in providing practical and supportive advice, helping you identify and prioritise the issues and offering solutions. In doing so, we can remove a significant part of the uncertainty and stress from the process.

We have lawyers who specialise in collaborative family practice, which is a way for divorcing or separating couples to work together as a team with trained professionals, to resolve disputes respectfully, without going to court.

Each client has the support, advice and guidance of his or her own lawyer. Together, the lawyers and clients form the collaborative component of Collaborative Practice. The lawyers agree that they are there to help the clients through the collaborative process, they are not there to take the case to court and are prevented from doing so.

The main elements of Collaborative Practice are set out in a contract called a Participation Agreement, which both the lawyers and the clients sign. The collaborative process can be used to discuss and resolve any arrangements which need to be made when a relationship ends including children, finances and property.

### How Collaborative Practice works

Collaborative practice is all about working as a team:

- You and your partner will each choose a specialist collaborative family lawyer.
- Your lawyer will discuss with you, during an introductory meeting, whether your case is suitable for this process.
- You and your lawyer will meet your partner and their lawyer to sign a Participation Agreement. This agreement sets out the ground rules for the Collaborative Process and stipulates that if either client commences court proceedings, both lawyers

must cease to act and both clients have to find new lawyers to take them through that court process.

- Underpinning the Collaborative Process is an understanding that you and your partner (and your respective lawyers) will act in good faith in all of your dealings with one another and respect the fact that differences may need to be expressed to achieve a fair settlement.
- The majority of the negotiations will take place at what are called '4 way meetings', where you, your partner and both lawyers will meet to discuss all of the issues. Having everyone present ensures that you and your partner retain control of the process and the scope for misunderstandings is reduced. Discussions take place in a non-confrontational manner, which is particularly important if you are parenting children together.
- The meetings are minuted and action points for future meetings are agreed upon.
- You will have the opportunity to meet with your lawyer separately to discuss issues that have arisen and further issues that still have to be addressed.
- There is no letter writing to address issues, these are all dealt with face-to-face at the meetings. This is a very effective way of ensuring that any and all areas of the process are discussed openly.
- Once agreement is reached, the lawyers can draw up an agreed document that can then be submitted to the court for approval. You and your partner will not need to attend court throughout this whole process.

### Who should I contact?

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For more information on divorce and relationship breakdown please follow the link [wards.uk.com/divorce-and-family](http://wards.uk.com/divorce-and-family).