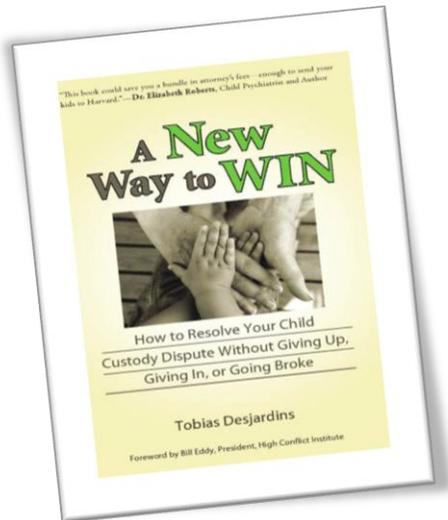


From **A New Way to Win: How to Resolve Your Child Dispute Without Giving Up, Giving in or Going Broke**, by Tobias Desjardins.
More info: www.ANewWaytoWin.com.



What is Collaborative Divorce?

According to the International Academy of Collaborative Professionals, Collaborative Divorce is a new way for parents to resolve disputes respectfully—without going to court—while working with trained professionals. The heart of Collaborative Divorce (also called "no-court divorce," "divorce with dignity," and "peaceful divorce") is to offer parents the support, protection, and guidance of working with their own lawyers without having to go to court.

In terms of process, collaborative divorce involves a series of in-person meetings with your ex where both attorneys attend. In some cases, depending on the issues involved, other collaboratively-trained experts, such as mental health or financial professionals, will also attend. The focus of the meetings is to identify each parent's interests, needs, priorities, and goals and to help them develop a fair settlement.

While this process may sound like court without a court room or a judge, it isn't. Forrest Mosten, one of the pioneers in this field eloquently explains in his new book, *Collaborative Divorce Handbook: Helping Families without Going to Court* (2009), that the difference is attitude. Mosten explains that as a young family law attorney, "I was told that a good settlement is when everyone feels badly, because all of the parties feel as if they lost. The collaborative definition of a good settlement is that everyone feels good, because all parties feel that they got as many of their needs met as possible."

Far less costly than a drawn-out court battle, the Collaborative Divorce process helps parents craft a fair settlement in a way that reduces anxiety and fear. The end result is a tailor-made agreement that is much more likely to reflect the unique needs of the parties, than an order issued by an overworked judge.

Finally, even if you don't think the collaborative process will work in your situation (e.g. the other parent wants to fight in court), I strongly encourage you to consider working with an attorney who has Collaborative Divorce training and experience. Experts at peacefully resolving custody disputes, both in the courtroom and outside of it, collaboratively trained lawyers are strong team players who will guide your situation in the right direction.