



Collaborative Law

Settling Issues out of Court

The purpose of this series of fact sheets is to explain the different processes you might consider to settle your family law issues out of court. This particular fact sheet offers information about **coming to an agreement using the collaborative process.**



For more information on collaborative law see:

International Academy of Collaborative Professionals:
<https://www.collaborativepractice.com/>

The New Brunswick Bar Association:
<http://www.nb-cba.org/Sections/Collaborative-Law-Lawyers.aspx>

There are several options for coming to an agreement and only a few of them involve the court system. Whether you need to settle custody and access, support, or division of marital property, the best way to deal with family law issues is typically outside of the courtroom.

If possible, start by talking about your issues and trying to work out your differences. Even if you can only agree on some issues, this will save you time and money if you do have to go to court.

What is Collaborative Law?

Parents or former partners who are committed to a less adversarial process than going to court may use a collaborative law process. It is a voluntary dispute resolution process where parties settle without going to court.

Collaborative Practice provides you and your spouse or partner with the support and guidance of your own lawyers. You work with your lawyers as a team to understand each other's needs and come up with the best solution for both of you and your children.

In collaborative process:

- Lawyers with collaborative training represent each party.
- The parties and their lawyers meet together to reach an agreement on all issues.
- The parties agree to do their best to reach an agreement out of court, and the lawyers sign contracts that they will not continue to represent the parties if they do go to court.
- The parties voluntarily disclose all information which is relevant to the dispute.

- The emphasis is on open communication and respect.
- The parties may jointly hire other experts such as mental health or financial professionals, as needed.
- An agreement and/or divorce are finalized by the parties with both lawyers.



This is general information about the law and laws change from time to time. Anyone requiring advice on their specific situation should consult a lawyer. If you have questions on your options about coming to an agreement, call the toll-free **Family Law Information Line** at:

1-888-236-2444

info@familylawnb.ca

