

## The Vacca Insider



### Questions to Determine Whether Collaborative Divorce is Right for Your Clients

The last issue of the Vacca Insider focused on questions you should ask clients before you refer them to a divorce attorney. In this issue, we drill down a little more and focus on questions you should ask if you want to know if the collaborative divorce process in particular could be a good fit for those clients.

As a professional who works directly with clients, you may at times be asked to recommend a divorce lawyer. As you know, one of the primary ways the Vacca Family Law Group helps couples to end their marriages, is through the Collaborative Divorce process. This process is an excellent choice for couples who have more complicated financial, child-related or emotional issues to deal with during their divorce but are still committed to keeping the process as low-conflict as possible.

To help you lead your clients in the right direction, we've developed a list of questions you can ask to help determine whether they are good candidates for the collaborative divorce process.

#### **Are You and Your Spouse Willing and Able to Be in the Same Room (Or Zoom Room) Together?**

The Collaborative Divorce process requires the parties to speak directly to each other during meetings. During these meetings, their collaborative attorney will often be by their side, or they will be meeting with one of the other collaborative professionals. However, there is significant interaction between the parties and both partners need to be able to be willing and able to have their voice be heard and listen to the other. And both need to be able to set aside negative emotions long enough to work toward a common goal.

#### **Are You Both Committed to Staying Out of Court?**

At the start of the Collaborative Divorce process, each partner must pledge to work together to resolve all issues out of court. This means that when conflict arises, they must be willing to

## The Vacca Insider

compromise and not throw in the towel and demand that a judge make decisions for them. You know your clients—are they willing to compromise to find a solution that works? Or do they operate with an “all or nothing” philosophy? Compromise is essential to the Collaborative Divorce process.

### **Do You Want to Have an Amicable Relationship After the Divorce?**

Couples who have children together or friends in common are often committed to maintaining an amicable relationship with their ex after the divorce. Collaborative Divorce works well in these situations, particularly where parents see their children’s wellbeing as the top priority. Instead of the competitive atmosphere in a traditional divorce, the Collaborative Divorce process is all about cooperation. The aim is for both parties to walk away satisfied and ready to move forward. It truly can be one of those rare “win-win” situations.

### **Can You See the Value of the Team Approach to Divorce?**

Collaborative Divorce uses a team process to help couples resolve their disagreements and make decisions about their future. Each partner should have their own attorney who can explain their rights, help protect their interests, and ensure that the arrangements they devise fit legal requirements. Collaboratively trained financial professionals are also a critical component of the team. These financial professionals help a couple understand their financial situation, identify and prioritize their needs, and explain their options for dividing assets and liabilities. Collaborative financial professionals will never manage the couple’s assets after the divorce, so they have no stake in the outcome and remain completely neutral. A Collaborative Divorce team also relies on family specialists with mental health training to help develop parenting plans and help everyone involved manage emotions and work together toward a positive outcome. Clients who regularly work with outside advisers are likely to understand the value each professional contributes to the collaborative team and the opportunities offered through the Collaborative Divorce process.

If you have any questions about how the Collaborative Divorce process works and whether it would be a good fit for a particular client, don’t hesitate to contact us at Vacca Family Law Group.

If you know someone who needs a highly experienced family law attorney and mediator, have them contact Andrea at [avacca@vaccalaw.com](mailto:avacca@vaccalaw.com) or they can schedule a free introductory call online at [vaccalaw.com/vip](https://vaccalaw.com/vip).