

**DIVORCE RESOLUTION SERVICES**

Arbitration, Mediation & Collaborative Representation

133 Washington Street, Salem, Massachusetts 01970 (978) 744-9591

**Understanding Collaborative Divorce**

**By: Attorney Anthony C. Adamopoulos**

If you are facing divorce, you may be feeling a lot of uncertainty. This short article is intended to provide information and resources to help you make an informed decision about what type of divorce approach is best for you.

**What is Collaborative Divorce?**

Collaborative Divorce is a way for you and your spouse to end your marriage without the threat and uncertainty of going to court as in a traditional (adversarial) divorce. You and your spouse's goals for resolution are determined ahead of time and outlined in a contract signed by you, your spouse, both attorneys and a coach/facilitator. The contract includes a statement saying that your attorneys will be committed **only** to resolving your divorce by settlement. You and your spouse, assisted by your lawyers, the coach/facilitator and, only if needed, a financial specialist, collaborate in gathering information necessary to resolve issues. Since neither attorney will be concerned about a trial, each is free to consider all options for obtaining a satisfactory resolution.

If you or both you and your spouse decide to convert to the Adversarial Approach, both attorneys must withdraw from further representation, and certain information gathered in collaboration will not be used in the adversarial process.

**Benefits of Collaborative Divorce:**

- Collaborative Divorce allows couples to save the additional cost, time, loss of privacy and emotional distress associated with an adversarial divorce.
- Collaborative Divorce fosters open communication, encourages respect and helps to protect future working relationships between future former spouses.
- Collaborative Divorce focuses on problem solving and the resolution of issues from a client-driven and client-controlled perspective.
- Collaborative Divorce focuses on the best interests and concerns of both spouses and children.

- Collaborative Divorce uses a coach/ facilitator who helps the parties identify short and long term goals and therefore often saves the parties time and money in the process.

### **For whom is Collaborative Divorce Appropriate?**

- Collaborative Divorce is best for parties who trust each other and prefer to have an experienced divorce lawyer advocating for their respective interests.
- Collaborative Divorce is appropriate for couples with and without children.
- Collaborative Divorce is appropriate for couples that wish to maintain a functional and civil relationship after divorce.
- Collaborative Divorce is best for parties who, for personal reasons, seek or need privacy and confidentiality while resolving issues.

### **Important Considerations:**

Each spouse works with an attorney who is trained and certified in the practice of Collaborative Divorce. Not all lawyers are trained and certified to practice Collaborative Divorce. Certification requires completion of an intensive program of study.

### **More Information:**

- To learn more about and compare and contrast Collaborative Divorce, Divorce Mediation, Divorce Arbitration and Adversarial Divorce visit: [www.divorcingoptions.com](http://www.divorcingoptions.com)
- Massachusetts Collaborative Law Council: [www.massclc.org](http://www.massclc.org)
- North Shore Collaborative Divorce: [www.northshorecollaborativelaw.com](http://www.northshorecollaborativelaw.com)
- International Academy of Collaborative Professionals: [www.collaborativepractice.com](http://www.collaborativepractice.com)

Anthony C. Adamopoulos has over 25 years of divorce practice experience. He is a founding member and former director of the Massachusetts Collaborative Law Council and a founder of North Shore Collaborative Divorce.

He is a graduate of: The Center for Dispute Settlement, Washington, D.C. where he received Advanced Mediation Training and the Harvard Law School Program of Instruction

for Lawyers – Mediation Workshop; Negotiation Workshop. He has received specialized arbitration training from the American Academy of Matrimonial Lawyers, the American Arbitration Association and the Chartered Institute of Arbitrators.

This article is not intended as professional advice and should not be construed as such.