



ROADMAP FOR THE COLLABORATIVE SETTLEMENT PROCESS

Now that you have chosen the Collaborative Process to address the issues arising from your separation, you may feel like you are in unfamiliar terrain. We have developed this Roadmap to assist you with navigating the process, so that you know where you are at any given time.

A separation is a life-changing event with interconnected legal, emotional, and financial (LE&F) aspects. The collaboratively trained professionals working with you will be your guides through this Collaborative journey. Using the ‘right professional, at the right time, for the right task,’ saves you time, money and stress.

- Your neutral family professional works with you to improve communication, helps you to resolve parenting issues (if applicable), and assists you in managing the emotional aspects of the separation.
- Your collaborative lawyer is your personal advisor and will ensure you understand your legal rights and obligations. When necessary, your lawyer will also advocate on your behalf in negotiations with your former spouse, in a way that remains cooperative and is not adversarial to the other participants in the process.
- Your neutral financial professional facilitates the completion of full financial disclosure, and can assist you and your former spouse to understand the financial consequences of various settlement options, including future lifestyle outcomes.

The vast majority of the issues arising from separation are not legal in nature, but financial and emotional, so it makes the most sense to use the right professional at the right time for the right task.

The Collaborative Process seeks to achieve a resolution that is acceptable to both former spouses. Careful preparation and good communication can facilitate the process and help to keep the length of time it takes to achieve a settlement as short as possible. The precise course of your particular case will vary depending upon several factors, including your individual needs, the complexity of the finances, whether you have children, the needs of your children (if applicable), and the level of conflict between you and your former spouse.

It is important to remember that you have control over the decisions that must be made in this process. Because of this, you will save time and money if you:

1. Complete your assignments in a timely way;
2. Stick to the Roadmap; and,
3. Allow the professionals working with you to assist you with managing your emotions.

The Collaborative process proceeds in several stages. It is important to follow these stages as it is costly, in both time and money (not to mention frustration), if we jump ahead and then find we have to backtrack. In other words, following the map is the surest way to reach the destination. What follows is a description of those stages and some of the particular aspects of each stage.

Stage One: Signing on to the Process and Assembling the Team

You meet with a collaborative professional, which may be a lawyer, a financial professional, or a family professional. Information about the Collaborative Team Process (CTP) is provided to you and you have a discussion on how to engage your spouse.

- _____ 1.1 The collaborative professionals will discuss CTP with you to assess if this process is the right for you and your spouse.

Do not be surprised if you learn that this process is not the right fit for you and your spouse at this point in time. You or your spouse may not be emotionally ready to enter into settlement negotiations right now. You and your spouse will be expected to participate in an evaluation of your readiness to negotiate a settlement. Assessment tools may include: SDRI resource tool and/or a family professional readiness assessment interview. Spouses are asked to sign consents so the collaborative team can discuss the assessment results and your next best steps.

- _____ 1.2 For initial meetings which begin with a lawyer, the lawyer will work with you to encourage your spouse to consider the collaborative process. Strategies to involve your spouse in the collaborative process may include: a second lawyer introduction, an initial lawyer meeting with both spouses, a referral for an early neutral consultation with a professional, or an invitation email to you to share with your spouse.

- _____ 1.3 Both spouses, with guidance from their professionals, select the roadmap option that best suits you for the next step. The professionals will send introductory emails or telephone calls to other potential team members, as needed depending on what option is selected:
- Other party goes directly to another collaborative lawyer
 - Both spouses go to the family professional
 - Both spouses go to the financial professional

- _____ 1.4 The professionals confer regarding assembling the Team: the two lawyers, the financial professional, and the family professional.

Professional Team Only (PTO) conference call, or face-to-face meeting, takes place using the “Agenda for First Professional Team Meeting” resource.

- _____ 1.5 Have initial joint meeting with both spouses and all members of the professional team to:
- discuss the process,
 - sign the Participation Agreement,
 - review the roadmap,
 - determine the issues which need to be resolved,
 - deal with any urgent issues,
 - assign homework and other tasks so that all necessary and relevant information is accumulated before informed and intelligent decisions can be made,
 - set a series of future meeting dates. Doodle poll is a great way of scheduling meetings involving multiple participants.

Stage Two: Communication and Information Gathering regarding the Issues you have identified in Stage One

This stage involves the exchange of all necessary information and creates a good foundation for decision-making. A better outcome is reached if you completely understand your financial situation and have some better communication skills. As well, if children are involved, it is important to have a clear idea of the best way to help your children.

A - Communication

- _____ 2.1-A Family professional meets with both of you individually and together to draft a mission statement, review the Family Anchor Statement, discuss concerns and interests, discuss parenting issues (if any), and resolve any urgent issues, as necessary.
- _____ 2.2-A Family professional regularly meets with you as needed to help you stay centered and develop positive ways to communicate.

If children are involved

- _____ 2.3-A With the family professional, you determine whether to use a child specialist or have the family professional handle this work.
- _____ 2.4-A Family professional meets with you to develop a parenting plan and facilitate communication. There may be ongoing sessions with the family professional throughout the process, if appropriate.

B - Finances

- _____ 2.1-B You jointly meet with the financial professional to begin financial information data gathering.
- _____ 2.2-B You jointly provide all necessary financial information.
- _____ 2.3-B You jointly have meetings with the financial professional to complete the information gathering process.
- _____ 2.4-B Financial team meeting: participants and professionals meet for presentation of financial picture and determination of what additional appraisal or assessment work is necessary.
- _____ 2.5 -B Additional appraisals or assessment work undertaken and completed; assemble all financial information for a complete financial picture.
- _____ 2.6 -B Second Financial team meeting, if needed.
- _____ 2.7 -B Professional conference call (PTO) to decide who should be present at which meetings during Stage Three (below) and discuss any issues that have developed.

Stage Three: Identifying Interests and Exploring Options

Each of you wants an outcome that meets your most important concerns and interests. At this stage, we take the time to explore your values, your concerns and your priorities, so that we will be better able to find a mutually acceptable resolution. Instead of being locked into positions, we need to develop possibilities that help us find the common ground to reach resolution.

- _____ 3.1 *Three-Way Preparation:* You will meet in a three-way with your lawyer and the family professional to identify your interests and priorities.
- _____ 3.2 *Interest Meeting:* A team meeting is held for you and your spouse to discuss and understand each other's individual interests and priorities.
- _____ 3.3 *Brainstorming Session:* Group brainstorming regarding possible options. If possible, we develop an outline as to what an ideal solution would be which achieves both spouses' highest priorities.
- _____ 3.4 *Development of Alternatives:* You meet with appropriate professional team members to review and discuss the possible options which were developed during brainstorming.
- _____ 3.5 *Child Needs Feedback:* If applicable, you meet with the child specialist and the family professional.
- _____ 3.6 Professionals conference call (PTO) to discuss the financial and parenting decision-making process.

Stage Four: Making Decisions

Having completed our homework, we are now ready to reach conclusions that meet the needs of both of you (and your children). To do this, we need to have an orderly exchange of ideas and proposals, and continue the conversation until we find a result that both of you can accept.

- _____ 4.1 You meet jointly with lawyers and other professionals, as necessary, to consider several financial settlement options, identifying the interests served for each person by each of the possible solutions.
- _____ 4.2 You have settlement meetings as needed with professionals to come to a conclusion regarding the financial plan.
- _____ 4.3 You meet with the family professional (or as otherwise arranged) to finalize the parenting plan. You may also agree on follow up with a family professional/child specialist regarding the children in the future.
- _____ 4.4 You meet jointly with the lawyers to finalize any open issues, and take any steps necessary for implementing the agreement (for example, arrange for refinancing or marketing the house, discuss stock transfers, decide how you are going to do pension transfers, if necessary, and as otherwise may be applicable for your particular financial situation). You may also agree on follow up with family professional/child specialist regarding the children in the future.
- _____ 4.5 Professional conference call (PTO): Inform all team members of outcome and identify recommendations for the parties in the future.

Stage Five: Finalizing and Implementing the Plan

To complete the process, decisions may need to be made about timing and the implementation of the agreement. In order to complete our work, appropriate documents need to be signed by both spouses.

- _____ 5.1 You jointly agree which lawyer will draw up the agreement and whether to divorce immediately or wait; paperwork is drawn up by the lawyers.
- _____ 5.2 The draft Separation Agreement is circulated among the professional team for edits and agreement before sending to spouses.
- _____ 5.3 Team meeting with both spouses to review and sign the separation agreement and any ancillary paperwork (deed, titles, etc.) as well as discuss any recommendations from the team.
- _____ 5.4 Divorce paperwork and pension paperwork completed, if applicable.
- _____ 5.5 Spouses are sent online survey to gain feedback and testimonials.