

COLLABORATIVE BULLET POINTS

1. Collaborative Divorce is a specific dispute resolution process authorized by the Texas Family Code.
2. 3 Primary Differences from Traditional Divorce:
 - a. Both spouses and their attorneys agree not to go to court to resolve differences.
 - b. All information is produced voluntarily and if experts are needed, they are engaged jointly and by agreement.
 - c. Negotiations are interest-based wherein we look for solutions that meet the chief goals of both parties. Most negotiation work takes place in “joint” meetings with clients, lawyers, and any experts.
3. To be a Collaborative Divorce, both parties need Collaboratively Trained Lawyers.
 - a. If the parties have an agreement and only one spouse is hiring a lawyer, this is an “agreed divorce” and not a Collaborative Divorce.
 - b. Collaborative Divorce does not mean “easy” or that the parties already agree—parties might agree on nothing other than neither wants to go to court and have a judge make the decisions.
4. Goal of Collaborative Divorce is to reach an agreement regarding children and property that is good for the family and acceptable to both parties.
5. For some couples, benefits of Collaborative Divorce are:
 - a. Creative, customized solutions for their family
 - b. Opportunity for better communication as co-parents post divorce

- c. Nothing happens to you without your consent
- d. Control over process, outcome, timeline, and fees/costs.
- e. Privacy - nothing is done in court
- e. Possibility of involving neutral mental health professional to assist with parenting plan work (at a lower hourly rate)
- f. Possibility of involving a neutral financial professional to assist with gathering financial information, drafting of budgets, and answering tax questions (at a lower hourly rate).
- g. Typically takes less time to complete a Collaborative Divorce—but clients control the timeline and we go as fast or as slow as clients want to go.

6. Collaborative Divorce does not permit you to threaten to go to court or to set hearings or trials. If someone decides they want to go to court, each party would have to get litigation counsel to take them to court.

7. Keep in mind that 95% of all divorce cases settle: it is under what process does the typical case/clients want to settle.

8. For more information can:

Look at www.goransonbainausley.com

Look at www.collaborativedivorcetexas.com

9. Frequently Asked Questions:

a. What if I don't trust my spouse?

You and your lawyer continue to ask questions and collect information until you are satisfied you have all the information you need to move forward and start negotiating.

b. My spouse is an affair/alcoholic/gambling addict/drug addict/sex addict/porn addict/shopping addict/mentally ill/difficult/narcissist, etc, can Collaborative work for us?

If you are interested in Collaborative Divorce you should talk to the attorney. The lawyers here have successfully completed many, many Collaborative Divorces involving all of these issues. They can assess your specific case to determine whether Collaborative is a good fit for you.

- c. I heard Collaborative Divorce is more expensive than regular divorce; how much will it cost?

Impossible to predict cost but in collaborative, we track the costs on each meeting agenda and give clients feedback where they can save money. At all times the clients know how much they have spent and where they are in the timeline of their case. All divorces are expensive and an unpleasant way to spend money. In a Collaborative Divorce the professionals involved are mindful of this and try to minimize the client's costs as much as possible.

- d. How is Collaborative different than Mediation?

In Texas, mediation often occurs after everyone has their trial position and is set for trial. Typically, mediation is one, full day—sometimes stretching into the evening and is caucus style with mediator going in between rooms. Counties require you to mediate before going to trial so sometimes at mediation a client settles knowing if they do not settle, a trial will happen in the near future. Collaborative is a series of joint meetings lasting no more than 2 hours each where the negotiation process is broken down into discrete steps. Collaborative is like taking a full-day mediation and breaking it into 2 hour meetings with agendas describing what will be accomplished at that joint meeting.

- e. How do I know my spouse won't lie in Collaborative?

How do you know your spouse will be truthful in traditional divorce?