

The Collaborative Practice

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Collaborative Practice: The Non-Adversarial Alternative for Divorce

Collaborative Practice is revolutionizing divorce. Collaborative Practice is a non-adversarial process in which a divorcing couple work toward a settlement without court involvement. Each spouse is separately represented by an attorney specially trained in Collaborative Practice, which is centered on the win/win (interest-based) negotiation model.

We recognize that divorce is more than a legal matter and that the emotional and financial needs of the family should be an integral part of the divorce process. Mental health professionals, financial professionals and attorneys can work together as a Team advising the family on all aspects of their divorce.

The essence of a collaborative divorce is three-fold.

1. Are the individuals willing to negotiate in good faith?
2. Are the individuals willing to voluntarily disclose complete and truthful financial information?
3. Are the individuals willing to focus exclusively on working toward a settlement?

In a Collaborative Divorce, the individuals and their separate collaborative attorneys negotiate in joint, four-way sessions. At the first meeting, the wife, husband, and both collaborative attorneys sign a Participation Agreement, which spells out the guidelines governing the collaborative process. No one can threaten or use court action while the collaborative process is underway. If the couple is unable to reach an agreement, then the collaborative process will terminate. In that event, the collaborative attorneys must withdraw – they cannot follow their clients to court.

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April 22: FREE Seminar on Collaborative Practice

If you would like to learn more about Collaborative Practice and how it could benefit you and your clients, we invite you to attend a free, one-hour seminar on **Friday, April 22**, entitled "*How Collaborative Practice Is Transforming the Therapist's Role in Divorce*." Due to limited seating, please REGISTER in advance. You may register by e-mail, telephone, or fax (see below). Please include 3 pieces of information:

- 1) Name(s) of those attending
- 2) Specify which session - 8:30 am or Noon
- 3) Phone number(s) where you can be reached

WHEN: Friday, April 22, 2005
TIME: 8:30 to 9:30 a.m. OR Noon to 1:00 p.m.
WHERE: University Club Tower, 1034 S. Brentwood Blvd, Suite 1515
CONTACT: Yvonne Homeyer E-mail: homeyerlaw@earthlink.net
Telephone: 314.863.3321 Fax: 314.862.3626

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Collaborative divorce offers several advantages:

- It creates a safe, non-adversarial process for decision-making.
- It allows the divorcing couple to retain control over their decisions.
- It focuses energy on the future, not the past.
- It focuses energy on problem-solving, not blaming.
- It reduces stress on the children and on the family unit as a whole.
- It can occur at the pace that the couple wants it to happen, with no outside pressures due to court deadlines.

About the Center for Collaborative Law and Mediation

The Center for Collaborative Law and Mediation works with clients in two non-adversarial settings: divorce mediation and collaborative divorce.

The goal of both these processes is resolution and problem-solving, not fighting and blaming. In mediation and collaborative law, the focus is on the future, not the past. Negotiations are based on meeting both parties' needs, in a win-win model, rather than the win-lose model ("if you get more, that means I get less"). In mediation and collaborative law, we look at the pie as expanding, rather than contracting.

In both mediation and collaborative law, the divorcing couple is encouraged to explore options

and come to agreements in a process that provides respect, dignity and privacy to their discussions. The couple makes their own decisions without turning to a third party like a judge to make decisions for them and their family.



I offer a free 30-minute consultation with prospective clients in the St. Louis area to explain the different processes for getting divorced.

Please visit www.stlouisfamilylaw.com

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