

QUESTION :

My husband and I have recently separated and I am very anxious about our children, our finances and what the future holds for us.

Do I have to go to court and what can I do to ensure that the separation does not scar me and the children both emotionally and financially?

ANSWER:

There are a number of ways of separating without going to court. One method is the Collaborative Family Law (CFL) approach. CFL lawyers are specially trained to approach separation and divorce from a compassionate and co-operative angle rather than the traditional adversarial position.

The process on average takes six months as opposed to dragging participants through the courts, which can take years and can drain one financially and emotionally. CFL does however demand compromise as well as openness and honesty in order to achieve what is often a creative settlement outside the narrow constraints of the law.

The process consists of a series of "four-way meetings" where everyone works together to define issues and understand each other's perspective. The objective is to achieve resolution in a civilized and respectful way.

CFL is inter disciplinary, which means that professional support systems are put in place to assist the family, by working closely with collaboratively trained divorce coaches, mental health professionals, therapists, financial advisers or business valuers.

The CFL process provides the parties with the assistance they need to succeed, while avoiding the expense of non-productive fighting. The money spent on the collaborative process is a wise investment providing a foundation for a better future.