

PRINCIPLES OF COLLABORATIVE PRACTICE

As Collaborative Professionals, we will actively uphold the following principles of Collaborative Practice:

1. We will sign a Collaborative Participation Agreement describing the nature and scope of the negotiation. We will adhere to the terms of the Participation Agreement including an agreement not to go to court on behalf of the collaborative clients.
2. Each participant will be represented by a collaboratively trained lawyer who will represent their client's interests and advocate for their client in a respectful and constructive manner.
3. We will encourage the use of a team approach, and participants may jointly engage mental health and financial professionals who are also collaboratively trained ("neutral professionals").
4. Together the lawyers and neutral professionals form a Collaborative Team. The team works together to support the participants in making fully informed decisions about the terms of their separation agreement (or other domestic contract) that meet their own needs, the other's needs and the best interests of their children, if any, while recognizing that the lawyer's duty is to their own client.
5. The professionals will support the participants to participate in non-adversarial negotiation, focussing on the participant's interests while also ensuring that each participant is fully informed and advised as to their legal entitlements and obligations.

6. The team will promote full financial disclosure.
7. The professionals will negotiate in good faith and will encourage their clients to negotiate in good faith, and support participants to create shared solutions which meet the priorities and goals of each participant where appropriate.
8. The professionals will not use threats of litigation and other adversarial methods to force a settlement.